**OATLANDS PRE-SCHOOL**

**POLICIES AND PROCEDURES**

**SEPTEMBER 2018**



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# 1. Staffing and Employment policy

### Statement of Intent

We provide a staffing ratio in line with the requirements of the EYFS to ensure that children have sufficient individual attention and to guarantee care and education of a high quality. All our staff are appropriately qualified, and we carry out checks for criminal and other records through the Disclosure and Barring Service in accordance with statutory requirements.

### Aim

To ensure that children below school age and their parents are offered high quality early years care and education.

### Methods

* To meet this aim, we use the following ratios of adult to child:
* children aged two years of age: 1 adult: 4 children
* children aged three and over: 1 adult: 8 children
* A minimum of two staff/adults are on duty at any one time.
* We use a key person/co-keyworker system to ensure that each child has a named member of staff with whom to form a relationship and who plans with parents for the child's well-being and development in the setting. The key person meets regularly with the family for discussion and consultation on their child's progress.
* We hold regular staff meetings to undertake curriculum planning and to discuss children’s progress, their achievements and any difficulties that may arise from time to time.
* We work towards offering equality of opportunity by using non-discriminatory procedures for staff recruitment and selection.
* All staff have job descriptions which set out their staff roles and responsibilities.
* We welcome applications from all sections of the community. Applicants will be considered on the basis of their suitability for the post, regardless of marital status, age, gender, culture, religious belief, ethnic origin, sexual orientation or disability. Applicants will not be placed at a disadvantage by our imposing conditions or requirements that are not justifiable.
* Our preschool Manager holds a full and relevant level ‘3’ qualification or above as stated in the EYFS.
* We provide regular in-service training to all staff - whether paid staff or volunteers.
* Our setting budget allocates resources to training.
* We provide staff induction training in the first week of employment. This induction includes our Health and Safety Policy and Child Protection Policy. Other policies and procedures will be introduced within an induction plan.
* We support the work of our staff by holding regular supervision meetings and appraisals.
* We are committed to recruiting, appointing and employing staff in accordance with all relevant legislation and best practice.
* We use Ofsted guidance on obtaining references and criminal record checks through the Disclosure and Barring service for staff and volunteers (including committee members) who will have substantial access to children within the setting.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 2. Student Placement Policy

Statement **of Intent**

This setting recognises that qualifications and training make an important contribution to the quality of the care and education provided by early years’ settings. As part of our commitment to quality, we offer placements to students undertaking early years’ qualifications and training.

### Aim

We aim to provide for students on placement with us, experiences that contribute to the successful completion of their studies and that provide examples of quality practice in early years care and education.

### Methods

* We require students to meet the 'suitable person' requirements of Ofsted.
* We require schools placing students under the age of 17 years with the setting to vouch for their good character.
* We supervise students under the age of 17 years at all times and do not allow them to have unsupervised access to children.
* Students who are placed in our setting on a short-term basis are not counted in our staffing ratios.
* Trainee staff employed by the setting may be included in the ratios if they are deemed competent.
* We take out employers' liability insurance and public liability insurance, which covers both trainees and voluntary helpers.
* We require students to keep to our confidentiality policy.
* We co-operate with students' tutors in order to help students to fulfil the requirements of their course of study.
* We provide students, at the first session of their placement, with a short induction on how our setting is managed, how our sessions are organised and our policies and procedures.
* We communicate a positive message to students about the value of qualifications and training.
* We make the needs of the children paramount by not admitting students in numbers that hinder the essential work of the setting.
* We ensure that trainees and students placed with us are engaged in bona fide early years training, which provides the necessary background understanding of children’s development and activities.
* We keep all records confidential and only make them available to people who have the right or professionally need to see the information.
* All our records are stored in a lockable cupboard. We would carry out a risk assessment to measure the security risks if we were transporting the records off our site.
* All our staff, volunteers and committee sign a document to acknowledge that they have read and understood every policy and procedure in the setting. This is part of our induction programme and we make sure staff are updated whenever we update or amend our policies.
* DBS’s are carried out on all staff and committee.
* References for new staff are followed up by telephone call and in writing
* All un-vetted staff will not be left alone with any children inside or outside or in the toilet area. They will not change children either.
* Practitioners will all have a 15-minute supervision with a manager once a term.
* During the supervision the manager will take notes, which will be transferred onto their appraisals and locked away. The manager will enter the date of the supervision which will be made in advance.
* Volunteers will have a supervision meeting with the Manager on a termly basis, volunteers will receive the same supervision and are expected to do their best in the pre-school practise.
* The aim of the supervision meeting is for the manager to address any issues and training the practitioner may need. It is also for the practitioner to address any issues, how they are getting on with profiles and any other concerns. If a supervision meeting is cancelled for any reason the Manager will re-book it for the following week
* Managers appraisals are completed annually with the Chairman of the Committee.

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# 3. Admissions Policy

It is our intention to make Oatlands Pre-school genuinely accessible to children and families from all sections of the local community. In order to accomplish this, we will:

* Ensure that the existence of the pre-school is widely known in all local communities.
* Describe the pre-school and its practices in terms which make it clear that it welcomes both fathers and mothers, other relations and other carers, including childminders, and people from all cultural, ethnic, religious and social groups, with and without disabilities
* Monitor the gender and ethnic background of children joining the group to ensure that no accidental discrimination is taking place
* Make our equal opportunities policy widely known
* Be flexible about attendance patterns so as to accommodate the needs of individual children and families
* Continually consult local parents to ensure that the group goes on meeting the changing needs of the local community.
* We operate a waiting list system based on the date of enquiring and the age of the child upon joining the pre-school, in order to ensure a balance in the ages of the children attending and to secure the financial viability of the pre-school. Should any places become available during the course of the term, we will offer extra sessions to children already attending the pre-school. We have a separate waiting list for this. If we still have availability, we refer to the date waiting list and offer places based on the required balance of ages of children attending and the financial needs of the pre-school.
* Minimum age for attendance is 2 years old. These children will be offered 2/3 sessions per week from 9am-12pm. The children over 2 years 6 months will be offered between 2-5 sessions. They can attend Lunch club from 12pm-1pm if requested and ready. This can be arranged and paid for termly in advance or on the day on an ad hoc basis for flexibility.
* Funded children (i.e.: Children who have turned 3 in at least the term before) must sign up for a minimum of 2 sessions, 9am-1pm. Government funded hours shall be between 9am-12pm only, to a maximum of 15 hours per week. A fee is payable for the additional hour per day (12pm-1pm). (This is paid irrespective of whether your child stays for lunch or not). You will be asked to sign a Parental Declaration Form to confirm you understand the consequences of taking up the local authority entitlement with us.
* Your child is entitled to 38 weeks of free part time nursery education a year from the term after the term in which your child turns 3.
* We only accept bank transfers for fees.
* We operate an open-door policy, which means that families are welcome to discuss with the Manager any concerns they may have about their children.

### Admissions Process

* In the first instance, please request a show-round at the pre-school. At the end of your visit you will be given a form to complete if you wish to add your child to the waiting list.
* The waiting list will then be referred to for the purposes of offering places in accordance with the above policy. This process is normally completed by the April of the calendar year in which you would like your child to start at the pre-school.
* When your child is offered a place at the pre-school, you will be asked to secure the place with a £50 non-refundable administration fee.
* During the year in which your child is due to start the pre-school, you will be invoiced for a deposit of £100 which is non-refundable if you withdraw your child’s place. This amount will be deducted from your first term’s fees. Full payment is due on your child’s first session each term. With prior arrangement, this payment may be split in two, making a payment for the half term’s fees before the start of each half term.
* Please note that neither the administration fee nor the deposit is refundable in any circumstances.
* The pre-school reserves the right to withdraw, on reasonable grounds, any offer of place, regardless of whether the non-refundable administration fee or deposit has been paid.
* We are an approved Early Years provider for those eligible for Surrey’s 2-year-old funding scheme. For further information on the offer criteria please contact the pre-school.
* We also offer the Pupil Premium scheme which raises the attainment of disadvantaged pupils and closes the gap between them and their peers. For further information on the offer criteria please contact the pre-school.

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# 4. Health and Safety Policy

### Statement of intent

This setting believes that the health and safety of children is of paramount importance. We make our setting a safe and healthy place for children, parents, staff, students and the committee.

### Aim

We aim to make children, parents, staff, students and committee members aware of health and safety issues and to minimise the hazards and risks to enable the children to thrive in a healthy and safe environment.

### Methods

The member of staff responsible for health and safety is Dolores Carey who is our Welfare Officer. She is competent to carry out these responsibilities and has undertaken health and safety training and regularly updates their knowledge and understanding. We display the necessary health and safety poster in the preschool.

### Risk assessment

Our risk assessment process includes:

* Checking for hazards and risks indoors and outside, and in our activities and procedures. Our assessment covers adults and children;
* Deciding which areas need attention; and
* Developing an action plan that specifies the action required, the timescales for action, the person responsible for the action and any funding required.

We maintain lists of health and safety issues, which are checked:

* Daily before the session begins
* Weekly
* Term - when a full risk assessment is carried out.

### Insurance cover

We have public liability insurance and employers' liability insurance. The certificate for employers’ liability insurance is displayed in the preschool, on the notice board. The public liability insurance forms part of the schedule. This is kept in the office.

### Awareness raising

* Our induction training for staff and volunteers includes a clear explanation of health and safety issues so that all adults are able to adhere to our policy and understand their shared responsibility for health and safety. The induction training covers matters of employee well-being, including safe lifting and the storage of potentially dangerous substances.
* Records are kept of these induction training sessions and new staff and volunteers are asked to sign the records to confirm that they have taken part.
* Health and safety issues are explained to the parents of new children so that they understand the part played by these issues in the daily life of the setting.
* As necessary, health and safety training is included in the annual training plans of staff, and health and safety is discussed regularly at staff meetings.
* We have a no smoking policy.
* Children are made aware of health and safety issues through discussions, planned activities and routines.

### Children's safety

* We ensure all staff employed have been checked for criminal records by an enhanced disclosure from the Disclosure and Barring Service.
* Adults do not normally supervise children on their own.
* All children are supervised by adults at all times.
* Whenever children are on the premises at least two adults must be present.

### Security

* Systems are in place for the safe arrival and departure of children. The times of the children's arrivals and departures are recorded.
* The arrival and departure times of adults - staff, volunteers and visitors - are recorded.
* Our systems prevent unauthorised access to our premises.
* Our systems prevent children from leaving our premises unnoticed.
* The personal possessions of staff and volunteers are securely stored during sessions.

### Windows

* Windows above the ground floor are secured so that children cannot climb through them.

### Doors

* We take precautions to prevent children's fingers from being trapped in doors.

### Floors

* All surfaces are checked daily to ensure they are clean and not uneven or damaged.

### Kitchen

* Children do not have unsupervised access to the kitchen.
* All surfaces are clean and non-porous.
* There are separate facilities for hand-washing and for washing up.
* Cleaning materials and other dangerous materials are stored out of children's reach.
* When children take part in cooking activities they are:
* Supervised at all times
* Kept away from hot surfaces and hot water
* Do not have unsupervised access to electrical equipment
* Procedures are in place for COSHH and RIDDOR

### Electrical/gas equipment

* All electrical/gas equipment conforms to safety requirements and is checked regularly.
* Our boiler/electrical switchgear/meter cupboard is not accessible to the children.
* Fires, heaters, electric sockets, wires and leads are properly guarded, and the children are taught not to touch them.
* Storage heaters are checked daily to make sure they are not covered.
* There are sufficient sockets to prevent overloading. The temperature of hot water is controlled to prevent scalds.
* Lighting and ventilation is adequate in all areas including storage areas.

### Storage

* All resources and materials from which children select are stored safely.
* All equipment and resources are stored or stacked safely to prevent them accidentally falling or collapsing.

### Outdoor area

* Our outdoor area is securely surrounded by a wall.
* Our outdoor area is checked for safety and cleared of rubbish before it is used every day.
* Adults and children are alerted to the dangers of poisonous plants, herbicides and pesticides.
* Where water can form a pool on equipment, it is emptied before children start playing outside.
* Our outdoor sand pit is covered when not in use and is cleaned regularly.
* All outdoor activities are supervised at all times.

### Sun Care

* During the hot summer months, we want the children to enjoy the sun safely. To ensure measures are in place we have had large fixed canopies built over the garden to shelter some of the space from the sun. Children will be encouraged to play under these on hot days.
* Water is available all day and is encouraged even more in the summer months
* Children will spend more time outside before 11am
* We insist that children wear their sun hats so ask for named ones to be kept in their bags. We do have spare hats should we need them.
* Children must have sun-cream applied at home BEFORE they arrive at pre-school. However, we have cream on site so that we can use this to top up if necessary. A pro forma is signed by parents to enable us to apply sun-cream.

### Hygiene

* We regularly seek information from the Environmental Health Department and the Health Authority to ensure that we keep up to date with the latest recommendations.
* Our daily routines encourage the children to learn about personal hygiene.
* We have a daily cleaning routine for the setting, which includes the stage room, the play room, kitchen, toilets and nappy changing area.
* We have a schedule for cleaning resources and equipment, dressing-up clothes and furnishings.
* The toilet area has a high standard of hygiene including hand washing and drying facilities. Nappies are bagged and taken to the outside bins. Soiled nappies are double-bagged and disposed of in the outside bins.
* We implement good hygiene practices by:
* cleaning tables between activities
* checking toilets regularly
* wearing protective clothing - such as aprons and disposable gloves - as appropriate
* providing sets of clean clothes
* tissues and wipes
* Ensure sole use of flannels and towels, paper towels and soap.

### Activities

* Before purchase or loan, equipment and resources are checked to ensure that they are safe for the ages and stages of the children currently attending the setting.
* The layout of play equipment allows adults and children to move safely and freely between activities.
* All equipment is regularly checked for cleanliness and safety and any dangerous items are repaired or discarded.
* All materials - including paint and glue - are non-toxic.
* Sand is clean and suitable for children's play.
* Physical play is constantly supervised.
* Children are taught to handle and store tools safely.
* Children learn about health, safety and personal hygiene through the activities we provide and the routines we follow.

### Food and drink

* Staff who handle food receive on-line Level 2 Food Hygiene training and understand and comply with food safety and hygiene regulations.
* All food and drink are stored appropriately.
* Adults do not carry hot drinks through the play area(s) and do not place hot drinks within reach of children.
* Snack and meal times are appropriately supervised. Children do not walk about with food and drinks.
* Fresh drinking water is available to the children at all times.
* We operate systems to ensure that children do not have access to food/drinks to which they are allergic.

### Outings and visits

* We have agreed procedures for the safe conduct of outings.
* Parents sign a general consent on registration for their children to be taken out as a part of the daily activities of the setting.
* Parents always sign consent forms before major outings.
* A risk assessment is carried out before an outing takes place.
* Our adult to child ratio is; 1 adult to 8 over 3’s

1 adult to 4 under 3’s

* Outings are recorded in an outings record book stating:
* the date and time of outing
* the venue and mode of transport
* names of staff assigned to named children
* time of return
* Staff to take a mobile phone on outings, and supplies of tissues, wipes, pants etc. as well as a mini first aid pack, a snack and water. The amount of equipment will vary and be consistent with the venue and the number of children as well as how long they will be out for.
* 2 members of staff will accompany 8 children, 14 staff will accompany a maximum of 44 children with the help of parents and the committee
* Records are kept of the vehicles used to transport children, with named drivers and appropriate insurance cover.
* To be taken: First aid box, Register / Emergency parent contacts, mobile telephone, equipment needed for specific visit.
* Managers will risk assess the location before the trip goes ahead and will check it again as we arrive.
* Register is taken on arrival and departure
* Children and staff to wear high visible clothing

### Animals

* Animals visiting the setting are free from disease and safe to be with children, and do not pose a health risk.
* Children wash their hands after contact with animals.
* Outdoor footwear worn to visit farms are cleaned of mud and debris and should not be worn indoors. (Plastic shoe covers to be provided).

### Fire safety

* Fire doors are clearly marked, never obstructed and easily opened from inside.
* Smoke detectors/alarms and firefighting appliances conform to BSEN standards, are fitted in appropriate high-risk areas of the building and are checked as specified by the manufacturer.
* Our emergency evacuation procedures are approved by the Fire Safety Officer and are:
* clearly displayed in the premises
* explained to new members of staff, volunteers and parents and
* Practised regularly.
* Records are kept of fire drills. The servicing of fire safety equipment is held by the Hall Committee.

### Emergency evacuation/Fire Drill Procedure

On the sounding of the alarm (whistle, which is located behind the office door) the Welfare Officer will proceed directly to the main fire escape door at the front of the building and stand to receive the children. If using the rear of the building, the Welfare Officer will stand at the fire exit leading to the garden area in the Lions Room to receive the children. The Deputy Manager will do the same in the Tigers Room.

All staff and any temporary staff and volunteers are to encourage children to move swiftly to the evacuation point where they are to line up in an orderly manner.

Room Leaders are to take the children’s registers and join the Welfare Officer at the evacuation point. The Manager is to take the staff register.

Once staff and children are assembled the door/doors is/are opened and the children are taken outside and lined up.

Once the Manager has checked the building, (all bathrooms, kitchen, store room, copy room and Lions and Tigers Rooms) she will join the group and a head count is confirmed.

### First aid and medication

At least one member of staff with current Paediatric first aid training is on the premises or on an outing at any one time. The first aid qualification includes first aid training for infants and young children.

### Our first aid kit

* Complies with the Health and Safety (First Aid) Regulations 1981;
* Is regularly checked by a designated member of staff and re-stocked as necessary;
* Is easily accessible to adults
* Is kept out of the reach of children

At the time of admission to the setting, parents' written permission for emergency medical advice or treatment is sought. Parents sign and date their written approval.

Parents sign a consent form at registration allowing staff to take their child to the nearest Accident and Emergency unit to be examined, treated or admitted as necessary on the understanding that parents have been informed and are on their way to the hospital.

### Our accident book

* Is kept safely and accessibly
* All staff and volunteers know where it is kept and how to complete it; and
* Is reviewed at least every half term to identify any potential or actual hazards.

Ofsted is notified of any injury requiring treatment by a general practitioner or hospital doctor, or the death of a child or adult.

When there is any injury requiring general practitioner or hospital treatment to a child, parent, volunteer or visitor or where there is a death of a child or adult on the premises, we make a report to the Health and Safety Executive using the format for the Reporting of Injuries, Diseases and Dangerous Occurrences.

### Safety of adults

* Adults are provided with guidance about the safe storage, movement, lifting and erection of large pieces of equipment.
* When adults need to reach up to store equipment or to change light bulbs they are provided with safe equipment to do so.
* All warning signs are clear and in appropriate languages.
* Adults do not remain in the building on their own or leave on their own after dark.
* The sickness of staff and their involvement in accidents is recorded. The records are reviewed each term to identify any issues that need to be addressed.
* There is a separate accident folder for staff, all injuries sustained at work must be written into this.
* All staff are responsible for their own items and belongings; management accept no liability for the loss or theft of personal belongings. Employees must take any steps themselves to ensure safekeeping.

### COSHH (The control of substances hazardous to health regulations)

Chemicals are widely used for a variety of processes in cleaning and can be extremely hazardous. To comply with these regulations a list will be kept by the Health and Safety Officer of all hazardous substances within the setting. In addition to chemicals, all body fluids are to be treated as hazardous to health and should be carefully dealt with using gloves and materials that can carefully be disposed of.

Any persons using such chemicals must observe the following guidelines

* All substances, which are included on the COSHH list, including bleach and general household chemicals, are to be stored in a safe place preferably under lock and key
* All hazardous substances e.g.: bleach, solvents, glues containing solvents are to be used with care
* Always read the label before use and follow the manufactures guidelines
* Avoid inhalation, ingestion and skin contact of all chemical substances
* Always wear appropriate protective clothing e.g.: gloves, aprons
* Products must never be mixed as this could give risk to hazardous by products e.g.: bleach will give off chlorine gas if mixed with an acidic cleanser such as Harpic
* Those using the substance must be familiar with the first aid procedures to be used in the event of an accident.

In the interests of Health and Safety, substances hazardous to health should only be used if there is no less harm or harmful alternative.

### RIDDOR (The reporting of Injuries, Diseases and Dangerous Occurrence’s Regulations 1995)

* Responsibilities of all staff
* All registered providers of day care for children under 8 years have responsibilities under this legislation.
* Further details can be found on the health and safety executive’s website
* Certain work-related incidents must be reported to the Health and Safety executive. They have an incident contact centre – telephone 0845 300 9923, they can advise if you do need to report specific incidents and about what records should be kept.
* Any of the following incidents that happen to a member of the public, including a parent or child or an employee on your premises should be reported:
* A death or major injury, which included a fracture (but not of fingers, thumbs or toes), an amputation, dislocation, permanent or temporary loss of sight, and an injury from an electric shock
* A reportable disease
* A dangerous occurrence, which didn’t but could have resulted in a reportable injury
* An injury resulting in hospital admission
* It is a requirement to report such incidents to Ofsted.

### Emergency Procedure

All Staff are aware of the following procedure, should an emergency accident or incident occur

* One member of staff to phone 999 for an ambulance then phone the parent/carer. All other staff will take care of the remaining children
* A qualified First Aider to stay with the child at all times. If we have prior permission on a care plan form, medication will be administered
* If the ambulance arrives before the child’s parent/carer the member of staff who has been looking after the child will accompany the child to hospital
* The signed parent/carer care plan permission form must be given to the paramedic
* If no contact is made to the parent/carer/emergency contacts, we will report to the police.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

## 4a. Asthma Policy

When a child joins the pre-school and has Asthma we must be told straight away by the parent/carer. Children with Asthma may need to take their medicine during pre-school hours and the staff can help by making sure that it is taken correctly. If treatment is not taken properly and regularly, severe Asthma may develop, and the child may have to be sent home or even hospitalised.

Please tell us straight away and/or ensure that: -

* We have written details from parent or doctor on how the medicine is taken,
* When the child is to take the medicine,
* What triggers the child’s Asthma,
* What to do if the child gets worse,
* Name of prescribing doctor,
* The dosage,
* We must have a spare set of medicine which is clearly labelled and in date to be kept in the setting.

What the pre-school will do

The staff will always help, comfort, support and care for any child who is having any Asthma problems and they will always: -

* Make sure the child is aware that they are able to take their medicine at pre-school with the help of an authorised practitioner.
* Ensure that the medicine is taken on any outside visits,
* Inform parent/carer of medicine expiry date and if medicine has run out,
* Ensure that the reliever medicine is taken promptly and properly,
* Stay calm and reassure the child,
* Help the child to breathe,
* Call parent or doctor\* if any of the following apply: -
  + - If child is either distressed or unable to talk,
    - If the reliever is having no effect after five-ten minutes
    - If the child is getting exhausted
    - If we are in any doubt.

\*if the parent or doctor is unobtainable we will call an ambulance.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

## 4b. Bumped Head

If a child bumps his/her head the staff will care, support, comfort and help as much as the child needs.

### What the pre-school will do

The staff will always: -

* Comfort the child
* Assess the injury
* Apply cold compress if bumped
* Apply First Aid if cut. If staff feel that the bump or cut is severe then they will immediately call the parent/carer to:-
* Come and see the child and assess the situation
* Advise a doctor’s visit
* Collect the child
* The staff who witnessed the accident will fill in the necessary paperwork and talk to the parent/carer or whoever is picking up at the end of the session and give them an accident form to read and sign
* The child will be monitored carefully throughout the rest of the pre-school session
* If the child is unconscious, then the Emergency Procedure applies i.e.:-

### Emergency Procedure

All Staff are aware of the following procedure, should an emergency accident or incident occur

* One member of staff to phone 999 for an ambulance then phone the parent/carer. All other staff will take care of the remaining children
* A qualified First Aider to stay with the child at all times. If we have prior permission on a care plan form, medication will be administered
* If the ambulance arrives before the child’s parent/carer the member of staff who has been looking after the child will accompany the child to hospital
* The signed parent/carer care plan permission form must be given to the paramedic
* If no contact is made to the parent/carer/emergency contacts, we will report to the police.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

## 4c. Managing children who are sick, infectious, or have allergies

(Including reporting notifiable diseases)

### Policy statement

Oatlands Pre-school provides care for healthy children through preventing cross infection of viruses and bacterial infections and promotes health through identifying allergies and preventing contact with the allergenic substance.

### Procedures for children who are sick or infectious

If children appear unwell during the day – have a temperature, sickness, diarrhoea or pains, particularly in the head or stomach, the manager will call the parents and ask them to collect the child or send a known carer to collect on their behalf.

If a child has a temperature, they are kept cool, by removing top clothing, sponging their heads with cool water, but kept away from draughts.

Temperature is taken using a thermometer that is kept in the first aid box.

In extreme cases of emergency, an ambulance should be called, and the parents informed.

Parents are asked to take their child to the doctor before returning them to Preschool; the Preschool can refuse admittance to children who have a temperature, sickness and diarrhoea or a contagious infection or disease.

Where children have been prescribed antibiotics, parents are asked to keep them at home for 48 hours before returning to the setting.

After diarrhoea and or vomiting, parents are asked to keep children home for 48 hours.

Pre-school staff reserve the right to request a child be kept away from pre-school if they are concerned that the child is unwell or infectious to others (until recovery or is under control by treatment).

If a child or adult is diagnosed suffering from a notifiable disease under the Public Health (Infectious Diseases) Regulations 1988, the GP will report this to the Health Protection Agency.

When the setting becomes aware, or is formally informed of the notifiable disease, the manager informs Ofsted and acts on any advice given by the Health Protection Agency.

HIV virus, like other viruses such as Hepatitis A, B and C are spread through body fluids. Hygiene precautions for dealing with body fluids are the same for all children and adults. Single-use vinyl gloves and aprons are worn when changing children’s nappies, pants and clothing that are soiled with blood, urine, faeces or vomit.

Protective rubber gloves and aprons are used for cleaning/sluicing clothing after changing.

Soiled clothing is bagged for parents to collect.

Spills of blood, urine, faeces or vomit are cleared using mild disinfectant solution and mops; cloths used are bagged and disposed of.

Tables and other furniture, furnishings or toys affected by blood, urine, faeces or vomit are cleaned using a bacterial spray.

### Nits and head lice

Nits and head lice are not an excludable condition, although in exceptional cases a parent may be asked to keep the child away until the infestation has cleared.

On identifying cases of head lice, all parents are informed and asked to treat their child and all the family if they are found to have head lice.

### Procedures for children with allergies

When parents start their children at the setting they are asked if their child suffers from any known allergies. This is recorded on the registration form.

If a child has an allergy, a risk assessment form is completed to detail the following:

* The allergen (i.e. the substance, material or living creature the child is allergic to such as nuts, eggs, bee stings, cats etc.).
* The nature of the allergic reactions e.g. anaphylactic shock reaction, including rash, reddening of skin, swelling, breathing problems etc.
* What to do in case of allergic reactions, any medication used and how it is to be used (e.g. EpiPen).
* Control measures – such as how the child can be prevented from contact with the allergen.
* Review.

This form is kept in the child’s care plan and displayed in the office for staff to see.

We are a no nuts or nut products setting.

Parents are made aware so that no nut or nut products are accidentally brought in.

The insurance will automatically include children with any disability or allergy, but certain procedures must be strictly adhered to as set out below. For children suffering life threatening conditions or requiring invasive treatments; written confirmation from your insurance provider must be obtained to extend the insurance.

At all times the administration of medication must be compliant with the Safeguarding and Welfare Requirements of the Early Years Foundation Stage and follow procedures based on advice given in Managing Medicines in Schools and Early Years Settings (DfES 2005)

### Oral medication

Asthma inhalers are now regarded as ‘oral medication’ by insurers and so documents do not need to be forwarded to your insurance provider.

Oral medications must be prescribed by a GP or have manufacturer’s instructions clearly written on them.

The provider must be provided with clear written instructions on how to administer such medication.

All risk assessment procedures need to be adhered to for the correct storage and administration of the medication.

The setting must have the parents’ or guardians’ prior written consent to administer medication. This consent must be kept on file. It is not necessary to forward copy documents to your insurance provider.

### Lifesaving medication & invasive treatments

Adrenaline injections (EpiPen) for anaphylactic shock reactions (caused by allergies to nuts, eggs etc.) or invasive treatments such as rectal administration of Diazepam (for epilepsy).

The provider must have:

* A letter from the child’s GP/consultant stating the child’s condition and what medication if any is to be administered;
* To inform parents when the EpiPen pen is due to expire
* Written consent from the parent or guardian allowing staff to administer medication;
* One EpiPen to stay at Pre-school at all times, if used in the setting during an incident the child **MUST NOT** return to pre-school until another EpiPen has been replaced
* EpiPen must be clearly marked with the child’s name
* To administer the EpiPen, remove catch and hold pen in fist, locate the child’s middle 3rd of thigh above seam line, push pen firmly into thigh -**MUST CLICK**- count 10 seconds, hold flesh either side of pen with two fingers and gently pull pen out, replace cap
* Proof of training in the administration of such medication by the child’s GP, a district nurse, children’s nurse specialist or a community paediatric nurse.

Copies of all three letters relating to these children must first be sent to the Pre-school Learning Alliance Insurance Department for appraisal (if you have another provider, please check their procedures with them). Confirmation will then be issued in writing confirming that the insurance has been extended.

Key person for special needs children – children requiring help with tubes to help them with everyday living e.g. breathing apparatus, to take nourishment, colostomy bags etc.

Prior written consent from the child’s parent or guardian to give treatment and/or medication prescribed by the child’s GP.

Management and the key person to have the relevant medical training/experience, which may include those who have received appropriate instructions from parents or guardians, or who have qualifications.

Copies of all letters relating to these children must first be sent to the Pre-school Learning Alliance Insurance Department for appraisal. Written confirmation that the insurance has been extended will be issued by return.

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| By: | Lois Patrick - Manager |
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# 5. Parental involvement policy

We believe that children benefit most from Early Years education and care when parents and settings work together in partnership.

### Our aim

Our aim is to support parents as their child's first and most important educators by involving them in their child's education and in the full life of the setting.

### Method

In order to fulfil these aims we:

* re committed to ongoing dialogue with parents to improve our knowledge of the needs of their child and to support their family;
* inform all parents about how the setting is run and its policies through access to written information and through regular informal communication. We check to ensure parents understand the information that is given to them;
* encourage and support parents to play an active part in the governance and management of the setting;
* inform all parents on a regular basis about their child's progress;
* involve parents in the shared record keeping about their child - either formally or informally - and ensure parents have access to their child's written developmental records;
* provide opportunities for parents to contribute their own skills, knowledge and interests to the activities of the setting;
* inform parents about relevant conferences, workshops and training;
* consult with parents about the times of meetings to avoid excluding anyone;
* provide information about opportunities to be involved in the setting in ways that are accessible to parents with basic skills needs, or those for whom English is an additional language;
* hold meetings in venues that are accessible and appropriate for all;
* welcome the contributions of parents, in whatever form these may take;
* inform all parents of the systems for registering queries, complaints or suggestions and check to ensure these are understood. All parents have access to our written complaints procedure; and
* provide opportunities for parents to learn about the curriculum offered in the setting and about young children’s learning in the setting and at home.
* All parents are offered to come in and help within the setting doing activities, reading etc.
* Parental consultations are held regularly.

In compliance with National Standard 12, the following documentation is in place:

* admissions policy;
* complaints procedure;
* record of complaints; and
* activities provided for children.

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| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 6. Complaints procedure

### Statement of intent

Our setting believes that children and parents are entitled to expect courtesy and prompt, careful attention to their needs and wishes. We welcome suggestions on how to improve our setting and will give prompt and serious attention to any concerns about the running of the setting. We anticipate that most concerns will be resolved quickly by an informal approach to the appropriate member of staff. If this does not achieve the desired result, we have a set of procedures for dealing with concerns.

### Aim

We aim to bring all concerns about the running of our setting to a satisfactory conclusion for all of the parties involved.

### Methods

To achieve this, we operate the following complaints procedure. All settings are required to keep a 'summary log' of all complaints that reach stage 2 or beyond. This is to be made available to parents as well as to Ofsted inspectors.

### Making a complaint

Stage 1

* Any parent who has a concern about an aspect of the setting's provision talks over, first of all, his/her worries and anxieties with the setting manager.
* Most complaints should be resolved amicably and informally at this stage.

Stage 2

* If this does not have a satisfactory outcome, or if the problem recurs, the parent moves to Stage 2 of the procedure by putting the concerns or complaint in writing to the setting manager and chair of the Management Committee.
* The setting stores written complaints from parents in the complaints folder. If the complaint involves a detailed investigation, the Manager may wish to store all information relating to the investigation in a separate complaints file designated for this complaint.
* When the investigation into the complaint is completed, the manager meets with the parent to discuss the outcome.
* When the complaint is resolved at this stage, the summative points are logged in the Complaints file.

Stage 3

* If the parent is not satisfied with the outcome of the investigation, he or she requests a meeting with the setting Manager and the Chair of the Management Committee. The parent should be offered to have a friend or partner present if required and the Manager should have the support of the Chairperson of the Management Committee.
* An agreed written record of the discussion is made as well as any decision or action to take as a result. All of the parties present at the meeting sign the record and receive a copy of it.
* This signed record signifies that the procedure has concluded. When the complaint is resolved at this stage, the summative points are logged in the Complaints file.

Stage 4

* If at the Stage 3 meeting the parent and setting cannot reach agreement, an external mediator is invited to help to settle the complaint. This person should be acceptable to both parties, listen to both sides and offer advice. A mediator has no legal powers but can help to define the problem, review the action so far and suggest further ways in which it might be resolved.
* Staff or volunteers within the Services for Young Children are appropriate persons to be invited to act as mediators.
* The mediator keeps all discussion confidential. She/he can hold separate meetings with the setting personnel (setting Manager and Chair of the Management Committee) and the parent, if this is decided to be helpful. The mediator keeps an agreed written record of any meetings that are held and of any advice s/he gives.
* When the mediator has concluded her/his investigations, a final meeting between the parent, the setting Manager and the Chair of the Management Committee is held. The purpose of this meeting is to reach a decision on the action to be taken to deal with the complaint. The mediator's advice is used to reach this conclusion. The mediator is present at the meeting if all parties think this will help a decision to be reached.
* A record of this meeting, including the decision on the action to be taken, is made. Everyone present at the meeting signs the record and receives a copy of it. This signed record signifies that the procedure has concluded.

Stage 5

The role of the Office for Standards in Education, Early Years Directorate (OFSTED).

* Parents may approach Ofsted directly at any stage of this complaints procedure. In addition, where there seems to be a possible breach of the setting's registration requirements, it is essential to involve Ofsted as the registering and inspection body with a duty to ensure the Early Years Foundation Stage (EYFS) are adhered to.
* The address and telephone number of our Ofsted centre is:

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| Ofsted Early Years, Piccadilly Gate, Store Street, Manchester, M1 2WD |
| Telephone No: 0300 123 1231 |

* These details are displayed on our setting's notice board.
* If a child appears to be at risk, our setting follows the procedures set out in our Safeguarding and Child Protection Policy.
* In these cases, both the parent and setting are informed and the setting Manager works with Ofsted or the Local Safeguarding Children’s Board (SSCB Support Team – Fairmount House, Bull Hill, Leatherhead, Surrey KT22 7AH email [amanda.quincey@surreycc.gov.uk](mailto:amanda.quincey@surreycc.gov.uk) telephone 01372 833330), to ensure a proper investigation of the complaint, followed by appropriate action.

Records

* A record of complaints against our setting and/or the children and/or the adults working in our setting is kept, including the date, the circumstances of the complaint and how the complaint was managed.
* The outcome of all complaints is recorded in the Complaints File which is available for parents and Ofsted inspectors on request.It is kept locked in the left-hand drawer in the office.

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# 7. Equipment and resources policy

### Statement of intent

We believe that high quality early years care and education are promoted by providing children with safe, clean, attractive, developmentally appropriate resources, toys and equipment.

### Aim

We aim to provide children with resources and equipment that help to consolidate and extend their knowledge, skills, interests and aptitudes.

### Methods

In order to achieve this aim, we

* provide play equipment and resources that are safe and, where applicable, conform to the BSEN safety standards or Toys (Safety) Regulation (1995);
* provide a sufficient quantity of equipment and resources for the number of children;
* provide resources that promote all areas of children's learning and development, which may be child or adult led;
* select books, equipment and resources that promote positive images of people of all colours, cultures and abilities, are non-discriminatory and avoid racial and gender stereotyping;
* provide play equipment and resources that promote continuity and progression, provide sufficient challenge and meet the needs and interests of all children;
* provide made, natural and recycled materials that are clean, in good condition and safe for the children to use;
* provide furniture that is suitable for children and furniture that is suitable for adults;
* store and display resources and equipment where children can independently choose and select them;
* regularly check all resources and equipment that are available at each session and ensure they are put away at the end of each session. We repair and clean, or replace, any unsafe, worn out, dirty or damaged equipment;
* provide adequate insurance cover for the setting's resources and equipment.
* Complete daily risk assessments inside and outside to ensure all damaged resources are logged
* use the local library and toy library to introduce new books and a variety of resources to support children's interests; and
* plan the provision of activities and appropriate resources so that a balance of familiar equipment and resources and new exciting challenges is offered.

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| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 8. Behaviour Management Policy

### Statement of intent

Our setting believes that children flourish best when their personal, social and emotional needs are met and where there are clear and developmentally appropriate expectations for their behaviour.

### Aim

We aim to teach children to behave in socially acceptable ways and to understand the needs and rights of others. The principles guiding management of behaviour exist within the programme for supporting personal, social and emotional development.

### Methods

We have a member of staff who has completed Behaviour Management Training who heads our Behaviour Management (Debbie Simmonds) and a SENCO (Lois Patrick) and Assistant SENCO (Melissa Richards) who support the children’s personal, social and emotional development.

* We require the named members of staff to:
* keep her/himself up to date with legislation, research and thinking on promoting positive behaviour and on handling children’s behaviour where it may require additional support;
* access relevant sources of expertise on promoting positive behaviour within the programme for supporting personal, social and emotional development;
* to check that all staff have relevant in-service training on promoting positive behaviour. We keep a record of staff attendance at this training.
* We recognise that codes for interacting with other people vary between cultures and require staff to be aware of - and respect - those used by members of the setting.
* We require all staff, volunteers and students to provide a positive model of behaviour by treating children, parents and one another with friendliness, care and courtesy.
* We familiarise new staff and volunteers with the setting's behaviour policy and its guidelines for behaviour.
* We expect all members of our setting - children, parents, staff, volunteers and students - to keep to the guidelines, requiring these to be applied consistently.
* We work in partnership with children’s parents. Parents are regularly informed about their child's behaviour by their key person. We work with parents to address recurring inconsiderate behaviour, using our observation records to help us to understand the cause and to decide jointly how to respond appropriately.

### Strategies with children who engage in inconsiderate behaviour

* We require all staff, volunteers and students to use positive strategies for handling any inconsiderate behaviour, by helping children find solutions in ways which are appropriate for the children’s ages and stages of development. Such solutions might include, for example, acknowledgement of feelings, explanation as to what was not acceptable and supporting children to gain control of their feelings so that they can learn a more appropriate response.
* We ensure that there are enough popular toys and resources and sufficient activities available so that children are meaningfully occupied without the need for unnecessary conflict over sharing and waiting for turns.
* We acknowledge considerate behaviour such as kindness and willingness to share.
* We support each child in developing self-esteem, confidence and feelings of competence.
* We support each child in developing a sense of belonging in our group, so that they feel valued and welcome.
* We avoid creating situations in which children receive adult attention only in return for inconsiderate behaviour.
* When children behave in inconsiderate ways, we help them to understand the outcomes of their action and support them in learning how to cope more appropriately.
* We never send children out of the room by themselves.
* We never use physical punishment, such as smacking or shaking. Children are never threatened with these.
* We do not use techniques intended to single out and humiliate individual children.
* We use physical restraint, such as holding, only to prevent physical injury to children or adults and/or serious damage to property.
* Details of such an event (what happened, what action was taken and by whom, and the names of witnesses) are brought to the attention of our setting Manager and are recorded in the Incident File. The child's parent is informed on the same day.
* In cases of serious misbehaviour, such as racial or other abuse, we make clear immediately the unacceptability of the behaviour and attitudes, by means of explanations rather than personal blame.
* We do not shout or raise our voices in a threatening way to respond to children’s inconsiderate behaviour.

### Children under three years

* When children under three behave in inconsiderate ways we recognise that strategies for supporting them will need to be developmentally appropriate and differ from those for older children.
* We recognise that very young children are unable to regulate their own emotions, such as fear, anger or distress, and require sensitive adults to help them do this.
* Common inconsiderate or hurtful behaviours of young children include tantrums, biting or fighting. Staff are calm and patient, offering comfort to intense emotions, helping children to manage their feelings and talk about them to help resolve issues and promote understanding.

### Rough and tumble play, hurtful behaviour and bullying

Our procedure has been updated to provide additional focus on these kinds of inconsiderate behaviours.

Rough and tumble play and fantasy aggression

Young children often engage in play that has aggressive themes - such as superhero and weapon play; some children appear pre-occupied with these themes, but their behaviour is not necessarily a precursor to hurtful behaviour or bullying, although it may be inconsiderate at times and may need addressing using strategies as above.

* We recognise that teasing and rough and tumble play are normal for young children and acceptable within limits. We regard these kinds of play as pro-social and not as problematic or 'aggressive'.
* We will develop strategies to contain play that are agreed with the children, and understood by them, with acceptable behavioural boundaries to ensure children are not hurt.
* We recognise that fantasy play also contains many violently dramatic strategies - blowing up, shooting etc., and that themes often refer to 'goodies and baddies' and as such offer opportunities for us to explore concepts of right and wrong.
* We are able to tune in to the content of the play, perhaps to suggest alternative strategies for heroes and heroines, making the most of 'teachable moments' to encourage empathy and lateral thinking to explore alternative scenarios and strategies for conflict resolution.

### Hurtful behaviour

We take hurtful behaviour very seriously. Most children under the age of five will at some stage hurt or say something hurtful to another child, especially if their emotions are high at the time, but it is not helpful to label this behaviour as 'bullying'. For children under five, hurtful behaviour is momentary, spontaneous and often without cognisance of the feelings of the person whom they have hurt.

* We recognise that young children behave in hurtful ways towards others because they have not yet developed the means to manage intense feelings that sometimes overwhelm them.
* We will help them manage these feelings as they have neither the biological means nor the cognitive means to do this for themselves.
* We understand that self-management of intense emotions, especially of anger, happens when the brain has developed neurological systems to manage the physiological processes that take place when triggers activate responses of anger or fear.
* Therefore, we help this process by offering support, calming the child who is angry as well as the one who has been hurt by the behaviour. By helping the child to return to a normal state, we are helping the brain to develop the physiological response system that will help the child be able to manage his or her own feelings.
* We do not engage in punitive responses to a young child's rage as that will have the opposite effect.
* Our way of responding to pre-verbal children is to calm them through holding and cuddling. Verbal children will also respond to cuddling to calm them down, but we offer them explanation and discuss the incident with them to their level of understanding.
* We recognise that young children require help in understanding the range of feelings experienced. We help children recognise their feelings by naming them and helping children to express them, making a connection verbally between the event and the feeling. 'Adam took your car, didn't he, and you were enjoying playing with it. You didn't like it when he took it, did you? It made you feel angry, didn't it, and you hit him'.
* We help young children learn to empathise with others, understanding that they have feelings too and that their actions impact on others' feelings. 'When you hit Adam, it hurt him, and he didn't like that, and it made him cry'.
* We help young children develop pro-social behaviour, such as resolving conflict over who has the toy. 'I can see you are feeling better now, and Adam isn't crying any more. Let's see if we can be friends and find another car, so you can both play with one.'
* We are aware that the same problem may happen over and over before skills such as sharing, and turn-taking develop. In order for both the biological maturation and cognitive development to take place, children will need repeated experiences with problem solving, supported by patient adults and clear boundaries.
* We support social skills through modelling behaviour, through activities, drama and stories. We build self-esteem and confidence in children, recognising their emotional needs through close and committed relationships with them.
* We help a child to understand the effect that their hurtful behaviour has had on another child; we do not force children to say sorry but encourage this where it is clear that they are genuinely sorry and wish to show this to the person they have hurt.
* When hurtful behaviour becomes problematic, we work with parents to identify the cause and find a solution together. The main reasons for very young children to engage in excessive hurtful behaviour are that:
  + - they do not feel securely attached to someone who can interpret and meet their needs - this may be in the home and it may also be in the setting;
    - their parent, or carer in the setting, does not have skills in responding appropriately, and consequently negative patterns are developing where hurtful behaviour is the only response the child has to express feelings of anger;
    - the child is exposed to levels of aggressive behaviour at home and may be at risk emotionally, or may be experiencing child abuse; and
    - the child has a developmental condition that affects how they behave.
  + Staff will observe and monitor any unwanted behaviour
  + Where this does not work, we use the Code of Practice to support the child and family, making the appropriate referrals to a Behaviour Support Team where necessary.

### Bullying

We take bullying very seriously. Bullying involves the persistent physical or verbal abuse of another child or children. It is characterised by intent to hurt, often planned, and accompanied by an awareness of the impact of the bullying behaviour.

A child who is bullying has reached a stage of cognitive development where he or she is able to plan to carry out a premeditated intent to cause distress to another.

Bullying can occur in children five years old and over and may well be an issue in after school clubs and holiday schemes catering for slightly older children.

If a child bullies another child or children:

* we show the children who have been bullied that we are able to listen to their concerns and act upon them;
* we intervene to stop the child who is bullying from harming the other child or children;
* we explain to the child doing the bullying why her/his behaviour is not acceptable;
* we give reassurance to the child or children who have been bullied;
* we help the child who has done the bullying to recognise the impact of their actions;
* we make sure that children who bully receive positive feedback for considerate behaviour and are given opportunities to practise and reflect on considerate behaviour;
* we do not label children who bully as 'bullies';
* we recognise that children who bully may be experiencing bullying themselves, or be subject to abuse or other circumstance causing them to express their anger in negative ways towards others;
* we recognise that children who bully are often unable to empathise with others and for this reason we do not insist that they say sorry unless it is clear that they feel genuine remorse for what they have done. Empty apologies are just as hurtful to the bullied child as the original behaviour;
* we discuss what has happened with the parents of the child who did the bullying and work out with them a plan for handling the child's behaviour; and
* we share what has happened with the parents of the child who has been bullied, explaining that the child who did the bullying is being helped to adopt more acceptable ways of behaving.

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| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

## 8a. Physical Handling

The settings’ staff will aim to help children take responsibility for their own behaviour. A combination of positive role modelling, planning a range of interesting and challenging activities, setting and enforcing appropriate boundaries and providing positive feedback will contribute to positive behaviour.

The main aim when using any kind of Physical Handling is to restore safety both for the child and those around him/her.

### Methods

There are three main types of Physical Handling: -

1. Positive Handling – the use of touch which might be appropriate in a range of situations (giving guidance, providing emotional support, physical care)
2. Physical Intervention – to ensure the child’s safety i.e. High chairs, stair gates or locked doors
3. Restrictive Physical Intervention – a member of staff uses physical force intentionally to restrict a child’s movements against his/her will.

This policy mainly covers point number 3 – Restrictive Physical Intervention (RPI).

### Principles of RPI

Restrictive Physical Handling (RPH) will be used in line with our behaviour management policy, promoting positive behaviour approaches. The setting will only use RPH in extreme circumstances and aims to do all it can in order to avoid RPH intervention.

RPI will be used if the staff believe the child’s needs are paramount and that the staff has a duty of care towards the children in the setting. If children are in danger of hurting themselves, others or if causing significant damage to property, staff have a responsibility to intervene. In every case we will attempt to divert the child or use a simple “stop” instruction.

When physical intervention is used, it is within the principle of reasonable force. This means using an amount of force in proportion to the circumstances and staff will use as little restrictive force as necessary in order to maintain safety, for a short period as possible.

### When can RPI be used

The manager is the overall person who will use RPI and will also use other methods to support the child and keep them safe. In an emergency any other member of staff can use RPI as long as it is consistent with the setting’s policy.

If and when plans are made to use RPI with any child, the staff and child’s physical and emotional health is always considered.

RPI the setting will/not use

* Staff will not position themselves in danger in front of a child, they will aim to have side-by-side contact
* Staff will have no gap between themselves and the child when using side-by-side contact as this minimises the risk of impact and danger
* The staff must keep their back as straight as possible to avoid damage
* Staff are to be aware of their head positioning, to avoid head butts from the child
* Staff must hold children by their long bones, to avoid grasping at joints where pain and damage are most likely
* Staff must ensure that there is not restriction to the child’s ability to breath
* Staff must avoid lifting children. Children will not be secluded except in an emergency situation. Staff must always be present and at a safe distance if the child wants to be alone

RPI is not used to bring children to or hold them in time-out.

The setting will ensure that staff receive specific training in the use of RPI from The British Institute of Learning Disabilities. Staff will also have access to appropriate refresher training.

In an emergency staff do their best within their duty of care and using reasonable minimal force. After an emergency the situation is reviewed and plans for an appropriate future response are made by using a risk assessment to help write the individual behaviour plan.

The setting emphasises that staff pay particular attention to responsive strategies such as humour, distraction, relocation and offering choices. These responsive strategies are chosen in the light of a risk assessment which considers: -

* The risk presented by the child’s behaviour
* The potential targets of such risks
* Preventative and responsive strategies to manage these risk

The setting will draw from as many different viewpoints as possible when it is known that an individual child’s behaviour is likely to require some form of RPI. The child’s parents/carers will be involved with staff who work with the child and any visiting support staff (SEN Area Adviser, Educational Psychologists, Portage, The Behaviour Support Team, Speech and Language Therapists and Social Workers).

The outcome from these planning meetings will be recorded and signatures will be sought from the parent/carers to confirm their knowledge of the planned approach. These plans will be reviewed at least once every 4 to 6 months or more frequently if there are major changes to the child’s circumstances.

Any use of RPI will be recorded as soon as possible and within 24 hours of the incident and will also be reported to the parent/carer by phone (or by letter or sent home with the child if this is not possible).

A copy of the record form will be given to the parent and the local authority where required.

It is distressing to be involved in an RPI whether as the person doing the holding, the child being held, or someone observing or hearing about what happened. Support is given to the child so that they can understand why they were held, with a record kept about how the child felt about this where this is possible.

Support will also be given to all staff involved either actively or observing by being able to talk through events with an appropriate person.

The aim of after incident support is to repair any potential strain to the relationship between the child and the adult who restrained them.

After any RPI, the staff aim to review the individual behaviour plan so that the risk of needing to use RPI again is reduced.

The Manager, and the chairperson of the pre-school will review the Physical Handling Policy annually and more often if needed. The setting also has the opportunity to seek support from the Area Inco where appropriate.

Monitoring the use of RPI will help to identify trends and help develop the setting’s ability to meet the needs of children without using RPI.

Any complaints to the use of RPI must be complied with the complaints policy (section 6) of the pre-school’s Policies & Procedures.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 9. Equality and Diversity (Inclusion) Policy

### Statement of intent

Our setting is committed to valuing diversity by providing equality of opportunity and anti-discriminatory practice for all children and families.

### Aim

We aim to:

* provide a secure environment in which all our children can flourish and in which all contributions are valued;
* include and value the contribution of all families to our understanding of equality and diversity;
* provide positive non-stereotyping information about gender roles, diverse ethnic and cultural groups and people with disabilities;
* improve our knowledge and understanding of issues of anti-discriminatory practice, promoting equality and valuing diversity; and
* make inclusion a thread that runs through all of the activities of the setting.

The legal framework for this policy is:

* Race Relations Act 1976;
* Race Relations Amendment Act 2000;
* Sex Discrimination Act 1986;
* Children Act 1989; and Every Child Matters Act 2004.
* Special Educational Needs and Disability Act 2001.
* Disability Discrimination Act 2004.

### Methods

Admissions

Our setting is open to all members of the community. We are not subject to a catchment area.

* We advertise our service widely.
* We reflect the diversity of members of our society in our publicity and promotional materials.
* We provide information in clear, concise language, whether in spoken or written form.
* We provide information in as many languages as possible.
* We base our admissions policy on a fair system.
* We ensure that all parents are made aware of our equal opportunities policy.
* We do not discriminate against a child or their family, or prevent entry to our setting, on the basis of colour, ethnicity, religion or social background, such as being a member of a travelling community or an asylum seeker.
* We do not discriminate against a child with a disability or refuse a child entry to our setting because of any disability.
* We develop an action plan to ensure that people with disabilities can participate successfully in the services offered by the setting and in the curriculum offered.
* We take action against any discriminatory behaviour by staff or parents. Displaying of openly racist insignia, distribution of racist material, name calling, or threatening behaviour are unacceptable on or around the premises and will be dealt with in the strongest manner.

### Employment

* Posts are advertised, and all applicants are judged against explicit and fair criteria.
* Applicants are welcome from all backgrounds and posts are open to all.
* We may use the exemption clauses of the Race Relations Act and the Sex Discrimination Act where this is necessary to enable the service to best meet the needs of the community.
* The applicant who best meets the criteria is offered the post, subject to references and checks by the Criminal Records Bureau. This ensures fairness in the selection process.
* All job descriptions include a commitment to equality and diversity as part of their specifications.
* We monitor our application process to ensure that it is fair and accessible.

### Training

* We seek out training opportunities for staff and volunteers to enable them to develop anti-discriminatory and inclusive practices, which enable all children to flourish.
* We review our practices to ensure that we are fully implementing our policy for equality, diversity and inclusion.

### Curriculum

The curriculum offered in the setting encourages children to develop positive attitudes about themselves as well as to people who are different from themselves. It encourages children to empathise with others and to begin to develop the skills of critical thinking.

### We do this by:

* Making children feel valued and good about themselves;
* Ensuring all children have equality of access to learning;
* Recognising the different learning styles of girls and boys, making appropriate provision within the curriculum to ensure each child receives the widest possible opportunity to develop their skills and abilities;
* Positively reflecting the widest possible range of communities in the choice of resources;
* Avoiding stereotypes or derogatory images in the selection of books or other visual materials;
* Celebrating a wide range of festivals;
* Creating an environment of mutual respect and tolerance;
* Helping children to understand that discriminatory behaviour and remarks are hurtful and unacceptable;
* Ensure the curriculum offered is inclusive of children with special educational needs and children with disabilities;
* Ensure children learning English as an additional language have full access to the curriculum and are supported in their learning; and
* Ensure children speaking languages other than English are supported in the maintenance and development of their home languages.

### Valuing diversity in families

* We welcome the diversity of family lifestyles and work with all families.
* We encourage children to contribute stories of their everyday life to the setting.
* We encourage parents/carers to take part in the life of the setting and to contribute fully.
* For families who speak languages in addition to English, we will develop means to ensure their full inclusion.

### Food

* We work in partnership with parents to ensure that the medical, cultural and dietary needs of children are met.
* We help children to learn about a range of food, and of cultural approaches to mealtimes and eating, and to respect the differences among them.

### Meetings

* The Committee invite all families who wish to be involved in the running of the setting to the AGM in October. Subsequent invites are sent during the year.
* Information about meetings is communicated in a variety of ways - written, verbal and in translation - to ensure that all parents have information about and access to the meetings.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 10. Food and drink policy

### Statement of intent

This setting regards snack and meal times as an important part of the setting's session/day. Eating represents a social time for children and adults and helps children to learn about healthy eating.

### Aim

At snack and meal times, we aim to provide nutritious food, which meets the children’s individual dietary needs. We aim to meet the full requirements of EYFS, (Early Years Foundation Stage).

Methods

* Before a child starts to attend the setting, we find out from parents their child's dietary needs and preferences, including any allergies.
* We record information about each child's dietary needs in her/his registration record and parents sign the record.
* We regularly consult with parents to ensure that our records of their children's dietary needs - including any allergies - are up to date. Parents sign the up-dated record to signify that it is correct.
* We display current information about individual children’s dietary needs so that all staff and volunteers are fully informed about them.
* We implement systems to ensure that children receive only food and drink that is consistent with their dietary needs and preferences as well as their parents' wishes.
* Parents are asked to provide nutritious snacks.
* Parents are asked to not provide food containing nuts or nut products and are especially vigilant where we have a child who has a known allergy to nuts.
* Through discussion with parents and research reading by staff, we obtain information about the dietary rules of the religious groups to which children and their parents belong, and of vegetarians and vegans, and about food allergies. We take account of this information in the provision of food and drinks.
* We organise meal and snack times so that they are social occasions in which children and staff participate.
* We use meal and snack times to help children to develop independence through making choices, serving food and drink and feeding themselves.
* We have fresh drinking water constantly available for the children.
* We give parents who provide food for their children information about suitable containers for food.
* In order to protect children with food allergies, we have rules about children sharing and swapping their food with one another.
* For children who drink milk, we provide whole milk.
* All grapes and cherry tomatoes are cut in two long ways at snack time

### Packed lunches

We do not provide cooked meals and children are required to bring packed lunches, we therefore:

* Ensure contents of packed lunches have cool packs during the warmer months
* Inform parents of our policy on healthy eating
* Encourage parents to provide sandwiches with a healthy filling, a piece of fruit and a milk-based desert such as yoghurt or crème fresh (Petit Filou).
* Discourage packed lunch contents that consist largely of crisps, processed foods, sweet drinks (i.e. fruit shoots) and sweet products such as cakes or biscuits. We reserve the right to return this food to the parent as a last resort
* Provide children bringing packed lunches with plates, cups and cutlery where required.
* Ensure that the staff sit down with children to eat their lunch so that the mealtime is a social occasion.

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| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 11. Collection of children

### Collection of children at the end of the School day

It is the responsibility of parents to collect their child(ren) on time at the end of each school day. This is a clear obligation which we expect our parents to adhere to.

Parents are reminded that any changes to normal collection arrangements (e.g. child going on a playdate, being collected by another parent) should always be arranged with the pre-school Manager, Deputy Manager or Room Leaders to avoid confusion. Details must be noted in the diary in the foyer. If the child is being collected by another known parent, this just needs to be noted in the diary by the parent of the child being collected. If a relative or friend is collecting, and they are not known to the pre-school, then ideally a picture should be forwarded to the Manager by e mail on [manager@oatlandspreschool.org](mailto:manager@oatlandspreschool.org). A password can be used if necessary.

## 11a. Non-attendance

We expect parents to inform us of their child’s absence/reason on the first day by telephone or email before 9.30am. or the Manager/Deputy Manager or Room Leader will telephone the parent.

* Parents need to ask and speak to the Manager/Deputy Manager or Room Leader directly
* The Manager/Deputy Manager or Room Leader will ring the child’s parent on the first day of absence if the parent has not contacted the pre-school
* If there is no reply, the Manager/Deputy Manager or Room Leader will try contact again
* If there is a safeguarding concern for the child, we will follow the Safeguarding/Child protection policy
* Parents are asked to inform the Manager/Deputy Manager or Room Leader of any planned holidays in advance
* We will record any absences by: writing down the child’s absence and making a record of the telephone conversation and the time and date.

### Early Years Free entitlement (EYFE)

* If your child is registered with us on certain days but is regularly absent we will be asked to demonstrate the reasons why we have claimed the EYFE for your child for those days. Where you know your child is likely to be absent for more than two consecutive weeks we will only be able to claim the EYFE if the parent/carer has given us the date of when the child will be returning back to pre-school

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## 11b. Non-collection of children/Late Collection/Late Fees Policy

Statement of intent

In the event that a child is not collected by an authorised adult at the end of a session/day, the setting puts into practice agreed procedures. These ensure the child is cared for safely by an experienced and qualified practitioner who is known to the child.

Aim

In the event that a child is not collected by an authorised adult, we will ensure that the child receives a high standard of care in order to cause as little distress as possible. We inform parents/carers of our procedures so that, if they are unavoidably delayed, they will be reassured that their children will be properly cared for.

### Methods

* Parents of children starting at the setting are asked to provide specific information which is recorded on our Registration Form, including
* home address and telephone number - if the parents do not have a telephone, an alternative number must be given, perhaps a neighbour or close relative
* place of work, address and telephone number (if applicable)
* mobile telephone number (if applicable)
* names, addresses and telephone numbers of adults who are authorised by the parents to collect their child from the setting, for example a childminder or grandparent
* information about any person who does not have legal access to the child
* has parental responsibility for the child.
* On occasions when parents are aware that they will not be at home or in their usual place of work, they record how they can be contacted in our Register.
* On occasions when parents or the persons normally authorised to collect the child are not able to collect the child, they record the name, address and telephone number of the person who will be collecting their child in our Register. We agree with parents how to verify the identity of the person who is to collect their child. (By photograph sent by e-mail or by using a password).
* Parents are informed that if they are not able to collect the child as planned, they must inform us so that we can begin to take back-up procedures. We provide parents with our contact telephone number. We also inform parents that, in the event that their child is not collected from the setting by an authorised adult and the staff can no longer supervise the child on our premises, we apply our child protection procedures as set out in our Child Protection Policy.
* If a child is not collected at the end of the session, we follow the following procedures:
* The collection procedures are checked for any information about changes to the normal collection routines.
* If no information is available, parents/carers are contacted at home or at work.
* If this is unsuccessful, the adults who are authorised by the parents to collect their child from the setting - and whose telephone numbers are recorded on the Registration Form - are contacted.
* All reasonable attempts are made to contact the parents or nominated carers.
* The child does not leave the premises with anyone other than those named on the Registration Form and in the Register.

If no-one collects the child after one hour and there is no-one who can be contacted to collect the child, we contact our local authority social services department North Surrey Family Centre at

185 Sidney Road, Walton-On-Thames KT12 3SE - 0345 600 9009

* The child stays at the setting in the care of two fully-vetted workers until the child is safely collected either by the parents or by a social worker;
* Social services will aim to find the parent or relative if they are unable to do so, the child will be admitted into the care of the local authority.
* Under no circumstances are staff to go to look for the parent, nor do they take the child home with them.
* A full written report of the incident is recorded in the child's file.
* Depending on circumstances, we reserve the right to charge parents for the additional hours worked by our staff.
* Ofsted may be informed (telephone number 0300 123 1231).

### Late Child collection fee

At Oatlands Pre-school, we operate 10-minute tolerance window where, after this period, parents will be charged £5 for every 5 minutes they are late collecting their child. Payment must be made in full by the end of the same week or your child will not be allowed to return until the balance is paid. Should this happen twice in one term or on three occasions over the school year, it could result in the loss of your child’s place at our pre-school.

Should a parent be 30 minutes late or more with no contact to the pre-school, the child will not be permitted to return to school until a meeting between the parent and Manager has been completed to agree an approach to ensure that prompt collection can be consistently achieved. Following this meeting, any collection that exceeds the ten-minute period will result in the child’s place being rescinded at the end of the current term.

Please note: As the above constitutes a breach of agreement between the parent and the pre-school and will result in a “lost place”, fees will not be refunded.

The Manager/Deputy Manager/Room Leader and one other member of staff will always stay with the child at all times.

### Late Fee payment

Late payment of fees is a breach of pre-school childcare arrangement and may result in termination of your child’s place at Oatlands Pre-school. An email reminder will be given when fees are one week late. This will be followed up with a written reminder from the pre-school 7 days later. If payment is still not received within 7 days, the pre-school retains the right to reallocate the child’s place and to make arrangements for payment of any fees owing.

Fees are charged at a competitive rate and should be paid promptly at the beginning of each half term/term for all the sessions your child will attend during that period. All fees received go towards the running costs of the pre-school. Please note if fees are not received within 2 weeks from receiving your bill the pre-school has the right to reallocate your child’s place. If the fees are not paid by the allocated date, the pre-school reserves the right to charge delayed payment fee, informing you of the overdue amount. The delayed fees are £20 after the first initial email is sent, then £20 after the written letter is sent, and if still no payment is received within 14 days thereafter, there will be a charge of £5 per day. Charges must be cleared on payment of fees or the pre-school has the right to refuse your child into the setting until this has been paid up. The delayed fees charge is due to the extra administrative work the setting has to complete.

Upon receipt of the final letter you will be informed that the next course of action is to send your account to the small claims court.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 12. Settling-in policy

### Statement of intent

We want children to feel safe, stimulated and happy in the setting and to feel secure and comfortable with staff. We also want parents to have confidence in both their children's wellbeing and their role as active partners with the setting.

### Aim

We aim to make the setting a welcoming place where children settle quickly and easily because consideration has been given to the individual needs and circumstances of children and their families.

### Methods

* Before a child starts to attend the setting, we use a variety of ways to provide his/her parents with information. These include written information (including our prospectus and policies), displays about activities available within the setting, information days and evenings and individual meetings with parents.
* During the half-term before a child is enrolled, we provide opportunities for the child and his/her parents to visit the setting on open days
* We allocate a key person to each child and his/her family before she/he starts to attend; the key person welcomes and looks after the child and his/her parents at the child's first session and during the settling-in process.
* Our settling in process consists of a staggered start whereby the child stays for an initial hour, during which time their key person/room leader will assess how they are settling in and whether they are able to increase that hour in the following sessions they attend. When a child attends their sessions for an hour (increasing gradually if distressed), payment is still required for the full session (9am-12noon)
* We use pre-start visits and the first session at which a child attends to explain and complete with his/her parents the child's registration records.
* We have an expectation that the parent, carer or close relative, will stay for a short period of the session during the first week, gradually taking time away from their child, increasing this as and when the child is able to cope.
* Younger children will take longer to settle in, as will children who have not previously spent time away from home. Children who have had a period of absence may also need their parent to be on hand to re-settle them.
* We judge a child to be settled when they have formed a relationship with their key person; for example, the child looks for the key person when he/she arrives, goes to them for comfort, and seems pleased to be with them. The child is also familiar with where things are and is pleased to see other children and participate in activities.
* When parents leave, we ask them to say goodbye to their child and explain that they will be coming back, and when.
* We recognise that some children will settle more readily than others but that some children who appear to settle rapidly are not ready to be left, so we expect that the parent will honour the commitment to stay for at least the first week.
* We do not believe that leaving a child to cry will help them to settle any quicker. We believe that a child's distress will prevent them from learning and gaining the best from the setting.
* We reserve the right not to accept a child into the setting without a parent or carer if the child finds it distressing to be left. This is especially the case with very young children.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

## 12a. Key-Worker Policy

### Policy statement

We believe that children settle best when they have a key person to relate to, who knows them and their parents well, and who can meet their individual needs. We are committed to the key person approach which benefits the child, the parents, the staff and the setting. It encourages secure relationships which support children to thrive, give parents confidence and make the setting a happy place to attend or work in.

We want children to feel safe, stimulated and happy in the setting and to feel secure and comfortable with our staff. We also want parents to have confidence in both their children's well-being and their role as active partners with our setting. We aim to make our setting a welcoming place where children settle quickly and easily because consideration has been given to the individual needs and circumstances of children and their families.

The key person role is set out in the Safeguarding and Welfare Requirements of the Early Years Foundation Stage. Each child must have a key person. These procedures set out a model for developing a key person approach that promotes effective and positive relationships for children.

### Procedures

* We allocate a key person before the child starts.
* The key person is responsible for:
* Providing an induction for the family and for settling the child into our setting.
* Offering unconditional regard for the child and being non-judgemental.
* Working with the parents to plan and deliver a personalised plan for the child’s well-being, care and learning.
* Acting as the key contact for the parents.
* Developmental records and for sharing information on a regular basis with the child’s parents to keep those records up-to-date, reflecting the full picture of the child in our setting and at home.
* Having links with other carers involved with the child and co-ordinating the sharing of appropriate information about the child’s development with those carers.
* Encouraging positive relationships between children in her/his key group, spending time with them as a group each day.
* We/ promote the role of the key person as the child’s primary carer in our setting, and as the basis for establishing relationships with other adults and children. The Room Leaders act as the second key worker with all the children.

### Settling-in (Please see Settling-In Policy above)

The progress check at age two

* The key person carries out the progress check at age two in accordance with any local procedures that are in place and referring to the guidance A Know How Guide: The EYFS progress check at age two.
* The progress check aims to review the child’s development and ensures that parents have a clear picture of their child’s development.
* Within the progress check, the key person will note areas where the child is progressing well and identify areas where progress is less than expected.
* The progress check will describe the actions that will be taken by us to address any developmental concerns (including working with other professionals where appropriate) as agreed with the parent(s).
* The key person will plan activities to meet the child’s needs within the setting and will support parents to understand the child’s needs in order to enhance their development at home.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 13. Confidentiality policy

### Statement of intent

It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting.

### Aim

We aim to ensure that all parents and carers can share their information in the confidence that it will

only be used to enhance the welfare of their children.

### Methods

We keep two kinds of records on children attending our setting:

Developmental records

* These include observations of children in the setting, samples of their work, summary developmental reports and records of achievement.
* They are usually kept in the profile cupboard, and can be accessed, and contributed to, by staff, the child and the child's parents. We are shortly to be going over to “Tapestry” to record our Learning Journeys for the children.

Personal records

* These include registration and admission forms, signed consents, and correspondence concerning the child or family, reports or minutes from meetings concerning the child from other agencies, an ongoing record of relevant contact with parents, and observations by staff on any confidential mater involving the child, such as developmental concerns or child protection matters.
* These confidential records are stored in a lockable file or cabinet and are kept secure by the person in charge in an office or other suitably safe place.
* Parents have access, in accordance with the access to records procedure, to the files and records of their own children but do not have access to information about any other child.
* Staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Staff induction includes an awareness of the importance of confidentiality in the role of the key person.

Other records

* Issues to do with the employment of staff, whether paid or unpaid, remain confidential to the people directly involved with making personnel decisions.
* Students on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our confidentiality policy and required to respect it.

Access to personal records

Parents may request access to any records held on their child and family following the procedure below.

* Any request to see the child's personal file by a parent or person with parental responsibility must be made in writing to the setting leader or manager.
* The setting leader informs the chairperson of the management committee and sends a written acknowledgement.
* The setting commits to providing access within 14 days - although this may be extended.
* The setting's leader or manager and chairperson of the management committee prepare the file for viewing.
* All third parties are written to, stating that a request for disclosure has been received and asking for their permission to disclose to the person requesting it. A copy of these letters is retained on the file.
* 'Third parties' include all family members who may be referred to in the records.
* It also includes workers from any other agency, including social services, the health authority, etc. It is usual for agencies to refuse consent to disclose, preferring the individual to go directly to them.
* When all the consents/refusals to disclose have been received these are attached to the copy of the request letter.
* A photocopy of the complete file is taken.
* The manager and chairperson of the committee go through the file and remove any information which a third party has refused consent to disclose. This is best done with a thick black marker, to score through every reference to the third party and information they have added to the file.
* What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the 'clean copy'.
* The 'clean copy' is photocopied for the parents who are then invited in to discuss the contents. The file should never be given straight over, but should be gone through by the setting leader, so that it can be explained.
* Legal advice may be sought before sharing a file, especially where the parent has possible grounds for litigation against the setting or another (third party) agency.

All the undertakings above are subject to the paramount commitment of the setting, which is to the safety and well-being of the child. Please see also our policy on safeguarding children.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 14. Safeguarding & Child Protection policy

In accordance with the reformed EYFS 2015 Oatlands Pre-school will have regard to the Government’s Statutory Guidance ‘Working Together to Safeguard Children’. If our staff have concerns about children’s safety or welfare the setting will notify agencies with statutory responsibilities without delay. This means the local children’s social care services and in emergencies, the police.

Oatlands Pre-school fully recognises that it has responsibility for safeguarding children. This applies to all staff, management and volunteers working in the setting, and the families accessing the setting.

The welfare of children attending this setting is paramount and concerns about child abuse are taken seriously. This policy therefore complements and supports a range of policies, for instance;

1. Digital Camera policy
2. Mobile Phone Policy
3. Social Networking Policy
4. Whistle Blowing Policy
5. Intruder Policy
6. Missing Child Policy

Recruitment procedures ensure the suitability of the staff and volunteers working with the children and will follow EYFS safeguarding and welfare requirements with regard to the Disclosure and Barring Service (DBS) checks, and references.

Where there is a delay in obtaining the enhanced DBS check, staff will not have unsupervised contact with children.

The setting manager has had training on safer recruitment (December 2016 – Jenny Rowe) and on-line e-course on the Surrey Safeguarding Board (October 2017).

All staff are expected to disclose any convictions, cautions, court orders, reprimands and warnings which may affect their suitability to work with children whether received before or during their employment at the setting. There is a process in place that provides staff with opportunities to share such information. (This is at their Supervision/Appraisal).

Oatlands Pre-school reserves the right to carry out a new DBS check on any member of staff or committee without reason to satisfy any concerns.

All staff are trained in the setting’s safeguarding policy and procedures within the first week of employment and will be required to access and attend appropriate training. Training will be refreshed every 3 years.

All staff are made aware of possible indicators of child abuse and the procedures for recording and reporting, through staff training both internal and external.

The staff will be made aware of the importance of recording and reporting 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 and responsibilities: or inappropriate sharing of images (see whistle blowing policy) through staff training both internal and external.

Procedures are implemented for identifying, recording and reporting concerns.

The setting provides a safe environment in which the children feel valued, can learn and develop, feel secure and are encouraged to talk and be listened to.

### Disclosure

When a child makes a disclosure to a member of staff that member of staff will, when speaking to the child, listen to the child and ask no questions. Explain to the child that they cannot keep secrets and even though confidential, they have to share what they have told the member of staff to another Professional. Ensure confidentiality is maintained at all times and only share information with professionals who need to know or those involved in the process of the disclosure.

* Recording suspicions of abuse and disclosure staff make a record of:
* The child’s name and address.
* The age of the child
* The date and time of observation or disclosure.
* An objective record of the observation or disclosure.
* The exact words spoken by the child.
* The name of person to whom the concern was reported, with date and time.
* The names of any other persons present at the time

These records are signed, dated and kept in a separate confidential file.

If a suspicion of abuse is recorded, parents are informed at the same time as the report is made, except where the guidance of the Surrey Safeguarding Children’s Board does not follow this. This will usually be the case where the parent is the likely abuser. In these cases, investigating officers will inform parents.

If a child is in immediate danger the Police are to be called.

We work within the guidelines set out by the Local Safeguarding Children’s Board which are underpinned by the statutory document entitled ‘Working Together to Safeguard Children March 2015. (This document is in the “Safeguarding Documents” file in the office).

A member of staff has been designated to take the lead responsibility for safeguarding and liaising with local statutory children’s services and with the Local Safeguarding Children’s Board.

The Designated Safeguarding Lead is Lois Patrick. Aarti Toor is the Deputy Designated Safeguarding Lead. Stacey Spackman (Deputy Manager) and Katie Stuart-Smith (Practitioner) are part of the Safeguarding Team.

The Designated Safeguarding Lead will provide support, advice and guidance to any other staff on an ongoing basis, and on any specific safeguarding issues as required.

The Designated Safeguarding Lead has accessed a minimum Level 2 course in Safeguarding and will refresh every 3 years.

The use of mobile phones and cameras in the setting is covered in our safeguarding procedure.

The setting has a clear procedure that will be implemented when an allegation has been made against a member of staff. The settings’ disciplinary procedure will inform any action in the event of an allegation. (see disciplinary procedure)

As a registered provider, we will inform Ofsted of any allegations of serious harm or abuse by any person working or looking after the children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere).

The setting will also notify Ofsted of the action taken in respect of the allegations.

Where an allegation is upheld the setting will make a referral to the DBS, in accordance with our responsibilities under the Vulnerable Groups Act 2006.

Where there is an indication or evidence to suggest that a member of staff failed to execute their duty to safeguard a child(ren) at the setting or elsewhere he/she will be subjected to the settings’ safeguarding and/or disciplinary procedure.

This policy will be implemented in conjunction with the safeguarding children procedure.

Safeguarding children (child protection) concerns will be confidential and shared only on a need to know basis.

Supporting Children and Young People Vulnerable to Violent Extremism

As professionals we are responsible for all the children’s safety and wellbeing in and out of the setting, if deemed appropriate staff will respond where there is a concern that children or young people may in some way be at risk of being influenced by or being made vulnerable by the risks of violent extremism.

LSCB’s (Local Safeguarding Children’s Board) have mechanisms aimed at engaging and supporting such young people. There are potential safeguarding implications for children and young people who have close or extended family or friendship networks and who have involvement in extremism. Most LSCB guidance is based on the National guidance issued, which is available online and includes:

* Channel: Supporting Individuals vulnerable to recruitment by violent extremists: A guide for local partnerships
* The Prevent Strategy: A Guide for Local Partners in England Stopping People becoming or supporting terrorists and violent extremists
* Recognising and Responding to Radicalisation: Consideration for policy and practice through the eyes of street level workers.
* Female genital mutilation (FGM) – a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons. It is sometimes referred to as female circumcision, or female genital cutting. The practice is medically unnecessary, is extremely painful and has serious health consequences, both at the time when the mutilation is carried out, and in later life. FGM of girls is to be considered as child abuse and any concerns mentioned above are clearly documented stating fact and not opinion. Staff understand it is a mandatory duty to report cases of female genital mutilation to the designated officer who will then pass the information on to the Surrey Safeguarding Board, OFSTED and the police.

Designated Safeguarding Leads will follow their LSCB guidance in relation to how to respond to any concerns regarding violent extremism and ensure that staff know how to raise any concerns in relation to this with the Designated Safeguarding Lead, Lois Patrick.

There is also a police anti-terrorist hot line number for anyone to raise concerns about potential terror/security threat. This is for the use of any staff members, members of the public, parents, carers and children.

In case of concern please use the following contact numbers:

Police Anti-Terrorist Hot Line number: 0800 789 321 and text phone 0800 0324 539

(Non-Emergency) 101 or your local station number 01483 571212

### CONCERNS ABOUT THE SAFETY OF A CHILD, YOUNG PERSON OR ADULT

Concerns about the safety of a child, young person or an adult can be reported to the Multi-Agency Safeguarding Hub (MASH). The Multi-Agency Safeguarding Hub (MASH) responds to initial enquiries about children, young people and adults. The MASH is based at Guildford Police Station and combines Children's Service social workers, Adult’s Service social workers, and health and police staff.

### **Availability:**  Monday to Friday: 9am - 5pm

### **Phone:**  0300 470 9100

### **Email:**  mash@surreycc.gov.uk - emails are dealt with during normal office hours

### **Out of hours phone**: 01483 517898 to speak to our [emergency duty team](https://www.surreycc.gov.uk/social-care-and-health/contacting-social-care/out-of-hours-social-care-contacts).

If contact has already been made with children’s social care services and you would like to contact your allocated social worker or family support worker directly, [**the local area number is below**](https://www.surreycc.gov.uk/social-care-and-health/childrens-social-care/contact-childrens-services#localcontact)**.**

For any general or non-safeguarding concerns in relation to an adult (including young adults) please [**contact Adult Social Care**](https://www.surreycc.gov.uk/social-care-and-health/care-and-support-for-adults/contact-adult-social-care)**.**

Local Area Contact details

### **North East: 0300 123 1610**

The north east area covers the following three boroughs:

* [**Elmbridge**](http://www.elmbridge.gov.uk/) (Esher, Walton on Thames and Weybridge)
* [**Epsom and Ewell**](http://www.epsom-ewell.gov.uk/EEBC)(Epsom, Ewell and part of both Stoneleigh and Worcester Park)
* [**Spelthorne**](https://www.spelthorne.gov.uk/home) (Ashford, Laleham, Shepperton, Staines-upon-Thames, Stanwell and Sunbury-on-Thames)

### Local Authority Designated Officer (LADO)

### ****Monday to Friday from 9am to 5pm****

The LADO Service manages allegations against individuals who work or volunteer with children in Surrey.  If you have a concern regarding someone who works with children, please contact the LADO on

0300 123 1650 or LADO@surreycc.gov.uk.

Surrey Safeguarding Children’s Board (SSCB)

The Procedures Manual can be read on the following website: -

[**http://surreyscb.procedures.org.uk/page/contents**](http://surreyscb.procedures.org.uk/page/contents)

**Monday to Friday from 9am to 5pm**  
The Surrey Safeguarding Children Board co-ordinates how children are safeguarded and protected from harm.  The SSCB is based in Leatherhead where the Early Years team operate from.

The [**Surrey Safeguarding Children Board website**](http://www.surreyscb.org.uk/) provides guidance and protocols for professionals as well as details of child protection training courses available.

### Useful contacts:

| Name | Contact number | Email |
| --- | --- | --- |
| SSCB Support Team | [01372 833330](tel:01372%20833330) | sscb@surreycc.gov.uk |
| SSCB Chair | [01372 833378](tel:01372%20833378) | SSCBchair@surreycc.gov.uk |
| SSCB Training | [01372 833917](tel:01372%20833917) | sscb.training@surreycc.gov.uk |

### Child death

Child deaths should be reported to the SSCB Child death overview panel coordinator:

| Name | Contact number | Email |
| --- | --- | --- |
| CDOP Co-ordinator | [01372 833319](tel:01372%20833319) | CDOP@surreycc.gov.uk |

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

### Appendix to Safeguarding Policy

### Promoting British Values at Oatlands Pre-School

The DfE have recently reinforced the need “to create and enforce a clear and rigorous expectation on all schools to promote the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.”

The government set out its definition of British values in the 2011 Prevent Strategy, and these values have been reiterated by the Prime Minister. At Oatlands Pre-School, these values are reinforced regularly and in the following ways:

As part of the focus on self-confidence and self-awareness, managing feelings and behaviour and making relationships as cited in Personal, Social and Emotional Development

**Democracy**: We listen to children’s and parents’ voice. Our Pre-School Behaviour Policy is clear that children are expected to contribute and co-operate, taking into account the views of others.

**The Rule of Law**: We consistently reinforce our high expectations of children. Children are taught the value and reasons behind our expectations (rules), that they are there to protect us, that everyone has a responsibility and that there are consequences when rules are broken.

**Individual Liberty**: Children are actively encouraged to make choices, knowing that they are in a safe and supportive environment. As a pre-school we educate and provide boundaries for young children to make choices safely, through our provision of a safe environment and empowering teaching. Children are encouraged to know, understand and exercise their rights and personal freedoms.

**Mutual Respect**: Part of our pre-school ethos and Behaviour Policy has revolved around Core Values such as ‘Respect’, and children are modelled by this by caring, sharing and listening to others. Staff help children to understand how to respect by talking about how actions/words can affect others. Staff support the decisions that children make and provide activities that involve turn-taking, sharing and collaboration. Children should be given opportunities to develop enquiring minds in an atmosphere where questions are valued.

As part of the focus on people & communities as citied in Understanding the World: We aim to enhance children’s understanding of different faiths and beliefs by participating in a range of celebrations throughout the year. Children have the opportunity to dress-up in clothes and try different foods from other cultures and we encourage parents/carers to participate and support our multi-cultural events. Staff create an ethos of inclusivity and tolerance where views, faiths, cultures and races are valued. Children should acquire a tolerance and appreciation of and respect for their own and other’s cultures; know about similarities and differences between themselves and others and among families, faiths, communities, cultures and traditions and share and discuss practices, celebrations and experiences.

### Monitoring and Evaluation

Our Child Protection Policy and Procedures will be monitored and evaluated by the staff and committee of Oatlands Pre-School • Discussions with children and staff • Scrutiny of Attendance data • Scrutiny of range of risk assessments • Logs of bullying/racist/behaviour incidents • Review of parental concerns and parent questionnaires

### Safeguarding legislation and guidance

* The Statutory Framework for the Early Years Foundation Stage (March 2014) section 3 covers the Safeguarding and Welfare Requirements including child protection that early years providers must adhere to.
* The statutory guidance Working Together to Safeguarding Children 2015 covers the legislative requirements and expectations on individual services (including early years providers) to safeguard and promote the welfare of children. It also provides the framework for SSCB (Surrey Safeguarding Children Board) to monitor the effectiveness of local services, including safeguarding arrangements in Early Years.
* The statutory guidance Keeping Children Safe in Education 2015 is issued under Section 175 of the Education Act 2002, the Education Regulations 2014 and the Education (Non-Maintained Special Schools) (England) Regulations 2011. It is advised that Early Years providers should have regard to this guidance when carrying out their duties to safeguard and promote the welfare of children.
* What to do if you’re worried a child is being abused 2015 – Advice for practitioners is non- statutory advice which helps practitioners (everyone who works with children) to identify abuse and neglect and take appropriate action. All staff must read this guidance and a copy can be found in the safeguarding file.
* The prevent duty Departmental advice for schools and childcare providers June 2015 non- statutory advice produced to help recipients understand the implications for the Prevent duty. The prevent duty is the duty to Counter Terrorism and Security Act 2015 on specified authorities

**Legal framework**

Primary legislation: -

* Children Act (1989 s47)
* Protection of Children Act (1999)
* The Children Act (2004 s11)
* Safeguarding Vulnerable Groups Act (2006)
* Childcare Act (2006)

Secondary legislation: -

* Sexual Offences Act (2003)
* Criminal Justice and Court Services Act (2000)
* Equality Act (2010)
* Data Protection Act (1998)
* Childcare (Disqualification) Regulations (2009)
* Children and Families Act (2014)
* Care Act (2014)
* Serious Crime Act (2015)
* Counter-Terrorism and Security Act (2015)

Manuals kept in setting:

What to do if You’re Worried a child is Being Abused 2015  
Working Together to Safeguard Children 2015

Keeping Children Safe in Education 2015

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## 14a. Early Help

Children and families may need support from a wide range of local agencies. Where a Child and family would benefit from coordinated support there should be an inter-agency assessment. These early help assessments should identify what help the child and family require to prevent needs escalating to a point where intervention would be needed by a statutory assessment. The early help assessment would be undertaken by a lead professional." (Working together to safeguard children - March 2013)

The early help assessment is used to help practitioners gather and understand information about the strengths and needs, based on discussions with the family. The holistic assessment identifies the most appropriate way to meet those needs, and with consent of the family can support a team around the family approach.

For example, something will have triggered you to recognise a possible need in a child or young person. It may be a change in their behaviour, an action, consequence or something which alerts you. Often you will then need to seek further information to help clarify the problems or issue and prevent needs from escalating. When an early help assessment has been completed, practitioners are able to see the family's needs holistically and not fragmented. It is important to check in an early help assessment or team around the family is already in place for the family to ensure you are working together.

The early help assessment should be undertaken by a lead professional who should provide support to the child and family, act as an advocate on their behalf and coordinate the delivery of any services.

The lead professional role could be undertaken by, for example, a general practitioner (GP), family support worker, teacher, health visitor or special educational needs coordinator. Decisions about who should be the lead professional should be taken on a case by case basis and should be informed by the child and their family

Before starting an early help assessment, the Early Help Partnership Service need to be contacted on 0208 541 9282 or emailed on earlyhelp@surreycc.gov.uk to check to see if an assessment has already been started on the family. If there has, the Council will put you in contact with the Child / Families Lead Professional, so you can request permission and consent to be involved with, and work with the family.

Once the early help assessment on a child or family has been completed, it needs to be posted in or securely emailed with a copy of the signed original. The Council will then log and store the information on their electronic system. The assessment will be quality assured, and you will be written to with a letter confirming receipt giving a reference number plus any recommendations from the area Early Help Coordinator.

Postal Address: Early Help Partnership Service, 35 Guildford Road, Woking, Surrey, GU23 6LH

Email: earlyhelp@surreycc.gov.uk (egress) earlyhelp@surreycc.gcsx.gov.uk (GCSX)

Early Help Hubs are quadrant based – here at Oatlands Pre-School we come under the North East and their telephone number is 01372 833133.

Consent:

Confirmation will be needed that we hold the signed originals in the office either on the email or in the signature box of the assessment.

The early help assessment is consent based. If you submit an assessment that has not been signed the Council are unable to log the assessment on their system or read the content to make any further recommendations. The early help assessment will be returned to us.

Written consent needs to be gained from the parent/carer/young person by completing Section 5 of the early help assessment.

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## 14b. Bruising on Non-Mobile Children

This policy sets out clear principles and guidelines on safeguarding with specific reference to Non-Mobile Babies. It should be considered in line with our whole Safeguarding Policy. In response to a Serious Case Review which noted that ‘Accidental bruising on non-independently mobile infants is rare and should therefore always warrant further investigation’, many Multi Agency Safeguarding Hubs are asking settings to develop their own “Non-Mobile Baby Safeguarding Policy”. This policy is in response to that advice.

The aim of the policy is to safeguard non-moving babies (and older children who are unable to move because they are disabled) by putting a procedure into place to protect them if they are observed to have unexplained bruising or other injuries such as fractures, burns or head injuries which might suggest they have been subjected to abuse. Experts recognise that innocent bruising and other injuries might occur, especially in mobile babies. However, evidence states that it is highly unlikely that innocent bruising or other injuries will be observed in non-mobile babies.

Oatlands Pre School is required to keep babies and children safe from harm. We recognise that non-mobile babies (and older children who are disabled) are at risk of physical abuse. Evidence states that the younger the child the higher the risk that bruising on a baby in non-accidental. It is a requirement of MASH that we refer all cases of bruising in non-mobile babies and older children to the MASH hub for investigation.

If a non-mobile baby or older non-mobile disabled child arrives at Oatlands Pre-School with a bruise or other mark this will be recorded on an ”existing injury” form. If a reason has been given for the mark or injury by parents this will also be recorded. Parents will be asked to sign the form.

If a non-mobile baby or older disabled child has an accident whilst in our care that causes a mark or other injury, details will be recorded on our accident forms. Parents will be asked to sign the forms.

Oatlands Pre-School staff are not qualified to investigate the cause of bruises or other indications of abuse in babies and children. All staff, including the Designated Safeguarding Lead (DSL), have a duty to refer all known or suspected cases of abuse to MASH, Social Care, or the Police, for further assessment and investigation of potential child abuse without delay.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 15. Special Educational Needs/Disability Policy

### Statement of intent

We provide an environment in which all children are supported to reach their full potential.

### Aims

* We have regard for the DfES Special Educational Needs Code of Practice and are involved with the local SEND offer.
* We include all children in our provision.
* We provide practitioners to help support parents and children with special educational needs (SEN)/disabilities.
* We identify the specific needs of children with SEN/disabilities and meet those needs through a range of strategies.
* We work in partnership with parents and other agencies in meeting individual children's needs.
* We monitor and review our practice and provision and, if necessary, make adjustments.

### Methods

* We designate a member of staff to be special educational needs co-ordinator (SENCO) and give her name to parents, Lois Patrick is our SENCO (with assistance from Melissa Richards).
* We provide a statement showing how we provide for children with SEN/disabilities.
* We ensure that the provision for children with SEN/disabilities is the responsibility of all members of the setting.
* We ensure that our inclusive admissions practice ensures equality of access and opportunity.
* We ensure that our physical environment is as far as possible suitable for children with disabilities.
* We work closely with parents of children with SEN/disabilities to create and maintain a positive partnership.
* We ensure that parents are informed at all stages of the assessment, planning, provision and review of their children's education.
* We provide parents with information on sources of independent advice and support.
* We liaise with other professionals involved with children with SEN/disabilities and their families, including transfer arrangements to other settings and schools.
* We use the graduated response system for identifying, assessing and responding to children's special educational needs.
* We provide a broad and balanced curriculum for all children with SEN/disabilities.
* We provide a differentiated curriculum to meet individual needs and abilities.
* We use a system of planning, implementing, monitoring, evaluating and reviewing individual educational plans (ISPs) for children with SEN/disabilities.
* We ensure that children with SEN/disabilities are appropriately involved at all stages of the graduated response, taking into account their levels of ability.
* We use a system for keeping records of the assessment, planning, provision and review for children with SEN/disabilities.
* We provide resources (human and financial) to implement our SEN/disability policy.
* We ensure the privacy of children with SEN/disabilities when intimate care is being provided.
* We provide in-service training for practitioners and volunteers.
* We raise awareness of any specialism the setting has to offer, e.g. Makaton trained staff.
* We ensure the effectiveness of our SEN/disability provision by collecting information from a range of sources e.g. ISP reviews, staff and management meetings, parental and external agency's views, inspections and complaints. This information is collated, evaluated and reviewed annually.
* We provide a complaints procedure.
* We monitor and review our policy annually.

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| Signed on behalf of the Management Committee: | Name:  Position: |

# 16. Unforeseen Closure Policy

Parents should assume that school is open unless contact is made as detailed below:

In the event of the school needing to remain closed prior to commencement of the school day, the procedure is to:

* Send a bulk email to parents from the Manager
* Put a note onto our Facebook page

In this event of unexpected or unplanned closure due to:

* Extreme weather conditions: This is where staff are unable to get to work and are unable to provide the correct adult/child ratio, working parents will be offered places first.
* A staff illness epidemic (number of staff falls below the adult/child ratio)
* In the event of no heating or electricity in the setting.

As a registered charity and non-profit setting, we require payment and are unable to refund fees in emergency closures.

If parent/carer are unable to bring their child into pre-school during poor weather conditions the fees are non-refundable.

Parents are requested to avoid phoning school unless it is essential to do so as blocked telephone lines and occupied staff can delay the necessary responses detailed above.

In a situation where the weather deteriorates during the pre-school day: The school will continually monitor the conditions and take decisions in cooperation with the Transport Services. If the Preschool has to close then a bulk email will be sent to all parents, informing them of the time of closure.

Parents should be reassured that any decision taken will be mindful of the Pre-school’s duty of care for each child.

Fees will not be refunded for closure due to circumstances beyond the pre-school’s control.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 17.Digital Camera Policy

No-one is permitted to take digital images of the children attending the pre-school on the premises, during session time without the express permission of the Manager. Paper Learning Journeys and Tapestry on line learning journeys - All images of children taken will only be taken on the settings camera, printed by the Manager/Deputy Manager.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 18. Intruder Policy

The following procedure will be followed if a member of staff on the front door at drop off and pick up suspects that a person claiming to pick up a child is not known to the pre-school.

* Door staff will ask unknown person who they have come to pick up/collect
* If there is no written message on the register, the door staff will ask the unknown to wait to the side while the other parents are let in. Once other parents are in, the door staff must then: -
  + ask the unknown to wait while door staff go to check with the Manager for security
  + shut the main door, and proceed to inform the Manager of the unknown circumstances
  + manager to ask all staff if they know of anyone different picking up the said child
  + manager to contact parent if no staff know of anyone different
  + Manager to call police if parent confirms that no-one else is to pickup
  + Incident to be written into incident book in detail
  + If staff do know of password, Manager will then proceed to unknown and ask for security password
  + Manager must re-iterate to staff the instructions on how to write security passwords and others collecting children

If the unknown becomes aggressive or abusive the door staff must shout for help or close the outside door if possible and proceed to inform the manager who will contact the police. The incident will be written in the incident book.

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# 19. Mobile Phones

All staff mobile phones are kept on the mobile phone shelf in the office. They are signed in and out.

All parents staying to help will also be asked to place their mobile phones on the same shelf.

This will be the Manager’s or Deputy Manager’s responsibility in the Manager’s absence to make sure that all mobile phones are placed on the shelf before the children enter the building.

All visitors into the setting are asked to sign saying they have turned their mobile phones off in the visitor’s book. If they require their phones to be left on, they will be left in the office with the administrator. This is for everyone who enters the building as a visitor with the exception of the Ofsted inspector.

The pre-school mobile telephone which the Manager holds will be used for emergencies and for any outside visits made.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
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# 20. Swine Flu Procedure

### Child

The following procedures will be adhered to if a child falls ill while attending the pre-school: -

Staff must look out for any of the following symptoms: -

* fever
* cough and/or shortness of breath
* sudden onset of symptoms
* aching muscles
* sore throat
* runny nose/sneezing
* loss of appetite
* headache
* malaise (lethargy, listlessness)
* chills

Staff must inform the Manager/person in charge immediately, if there are any concerns of any child who is showing any symptoms of swine flu, or if they have any doubts about a child.

The Manager/person in charge will nominate a member of staff to look after the child in isolation, with the door to the room left open.

The member of staff should not sit/stay within one metre of the child unless the child needs assistance in which case, the member of staff should wear disposable gloves (staff must remember not to touch their own face during contact with the child).

While the child is being isolated, the Manager/person in charge will contact the parents and inform them of the situation.

Once the child has been collected, the nominated member of staff must: -

* remove any clothing that has been soiled and placed in a carrier bag ready to be washed
* remove gloves and place them directly in the black bins outside the pre-school
* member of staff must wash their hands thoroughly using soap and hot water.

The room used for isolation must be cleaned thoroughly using hot water and detergent or disinfectant before its next use, ensuring that staff wear protective gloves and disposing of them once finished in the black bins outside the pre-school and washing their hands with hot water and soap thoroughly.

All events concerning the child will be written in the incident book by the Manager/person in charge, with the nominated member staff as a witness.

### Staff

Staff should remain at home if they display any relevant symptoms or informing the Manager/person in charge in the normal way following the Sickness Procedure already in place.

If staff display any symptoms while at work, they should go home immediately or remain in isolation until the manager can find adequate cover.

The room used for isolation must be cleaned thoroughly using hot water and detergent or disinfectant before its next use, ensuring that staff wear protective gloves and disposing of them once finished in the black bins outside the pre-school and washing their hands with hot water and soap thoroughly.

All events concerning a member of staff falling ill at the pre-school will be written in the incident book by the Manager/person in charge.

As our pre-school operates a strict child ratio – 2-3 years 1-4 and 3-5 years 1-8 should we experience Swine flu we have a contingency plan to cover our ratios.

If only 5 staff are fit to work daily, we will only be able to take the maximum of children allowed. Should there be less than 5 fit for work we will have to again reduce the number of children on the premises.

Should there be less than 4 fit for work the pre-school will close until we are able to increase staffing levels.

Preference will be given to those children whose parents work or are unable to stay at home or find alternative childcare arrangements.

We will only close as a last resort after consultation with our local education authority (Surrey county council) the Health protection agency and NHS Surrey.

We appreciate that this will cause a disruption, but please remember prevention is the key and should your child display any signs of flu PLEASE KEEP THEM AT HOME UNTIL THEY HAVE FULLY RECOVERED.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 21. Whistle Blowing Policy

### Policy Statement

* Oatlands Pre-school is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To achieve these ends, it encourages staff to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its employees or ex-employees
* The term whistle blowing in this policy refers to the disclosure internally or externally by staff of malpractice, as well as illegal acts or omissions at work
* The Public Interest Disclosure Act 1988 is intended to encourage staff to raise their concerns in a responsible way. If there is a practice within Oatlands Pre-school which they believe is threatening to public interest without fear of detrimental treatment
* The policy and accompanying procedures were developed in response to an agreement between the Trustees, Manager and Funding Bodies, that there is a requirement to have clear, accountable procedures in place in the event of an employee wishing to highlight any area(s) of malpractice or illegal acts
* The policy and procedure has been developed in line with the Public Interest Disclosure Act 1988.

### Scope

All Oatlands Pre-school staff and members of the public who use or visit our premises should demonstrate behaviour that adheres to the principles set out within this policy.

### Aims

To ensure:

* Equality of treatment for staff
* Compliance with legislation
* Clear Guidelines for managers and staff
* Simplicity of application

### Principles

* Whistle Blowing is seen as a route for very serious disclosures and should not be seen as a replacement for the Grievance procedure.
* Oatlands Pre-school has a range of policies and procedures which deal with standards of behaviour at work, as covered within the Policies & Procedures. Staff are encouraged to use the provisions of these policies and procedures when appropriate. There may be times, however, when the matter is not about your personal employment position and needs to be handled in a different way.

### Examples may be:

* Malpractice or ill treatment of a service user by any member of staff
* Repeated ill treatment of a service user, despite a complaint being made
* A criminal offence has been committed, is being committed or is likely to be committed
* Suspected fraud
* Disregard for legislation, particularly in relation to health and safety at work
* The environment has been, or is likely to be damaged
* Breach of standing financial instructions
* Showing undue favour over a contractual matter or to a job applicant
* A breach of code of conduct
* Information on any of the above has been, is being, or is likely to be concealed

(This list is not exhaustive)

* Oatlands Pre-school will not tolerate any harassment or victimisation of a whistle-blower (including informal pressures), and will treat this as a serious disciplinary offence which will be dealt with under our Disciplinary Rules and Procedure
* Oatlands Pre-school are committed to making this procedure work. If staff raise genuine concerns under this procedure, they will not be at risk of losing their jobs or suffering any form of retribution as a result. Provided staff act in good faith it does not matter if they are mistaken. This assurance will not extend to staff who maliciously raise a matter they know to be untrue
* Oatlands Pre-school will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential unless a situation arises where Oatlands Pre-school is not able to resolve it without revealing their identity (for instance because their evidence is needed in court), this matter will be discussed with them first

Whilst Oatlands Pre-school will consider anonymous reports, this policy is not appropriate for concerns raised in this way. If Oatlands Pre-school does not know who the whistle-blower is, it will be much more difficult to investigate the matter or to protect the whistle-blower and give them feedback

Oatlands Pre-school is accountable for:

* Commitment through endorsement of the Whistle blowing Policy
* Identification and allocation of any resources required for the Policy’s implementation
* The Manager with accountability for Whistle blowing
* Nominated member of the Committee (Chairperson)investigates any case of Whistle blowing in the event of the Manager being under investigation (with support of the other Committee Members) The Manager is accountable for;
* Ensuring cases of reported Whistle blowing are thoroughly investigated
* Ensuring the proper application of the Scheme through appropriate management arrangements
* Ensuring the ongoing commitment by Oatlands Pre-school to Equal Opportunities within employment
* Maintaining records of investigations
* Acting as point of contact for staff who have concerns
* Providing evidence to investigations if required
* Communicating the Whistle blowing Policy and Procedures to staff

### Implementation and Monitoring

* All Oatlands Pre-school staff will be fully aware of the principles set out in this policy and any associated procedures
* This policy will be reviewed annually.

### Associated Policies and Procedures

* Equal Opportunities Policy
* Conflict of Interest Policy
* Company Grievance Procedure

### Human Rights Act 1998

The Human Rights Act 1998 has been considered with regard to this policy. Proportionality has been identified as the key to Human Rights compliance. This means striking a fair balance between the rights of the individual and those of other members of the organisation/community.

### Data Protection Act 1998

Data Protection issues have been considered with regard to this policy. Oatlands Pre-school is committed to complying with the Data Protection Act 1998 and ensuring that its internal Data Protection policies adhere to the law.

### Diversity Policies

Equality issues have been considered with regard to this policy. Adherence with this policy should ensure compliance with Equal Opportunity legislation and internal Equal Opportunity policies.

### Health and Safety Act 1974

Health and Safety issues have been considered with regard to this policy. This policy should therefore ensure compliance with Health and Safety legislation and internal Health and Safety policies.

It is important to understand the difference between an allegation and a concern of quality of care, practice or complaint. An allegation is when a person, member or staff or committee member has behaved in a way that’s harmed or may harm a child, possibly committed a criminal offence or behaved towards a child in a way that indicates they may pose a risk of harm to a child. In this instance, the whistleblowing procedure would come into force. However, where a concern is raised this should be handled at setting level initially unless you feel that the Manager or Chairperson has not taken this seriously or dealt with it in a manner you consider appropriate.

### Disclaimer

Oatlands Pre-school is dedicated to compliance with all the above Acts. We acknowledge that this policy must comply with all relevant legislation. However, this is neither a substantive or legal document, and anyone seeking such direction would need to pursue expert legal advice.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 22. Social Networking Policy

### Introduction

The use of online social networking sites (including, but not limited to, Facebook, Myspace, LinkedIn, and Twitter etc.) has become a very significant part of life for many people. These sites provide a very positive way to keep in touch with friends and colleagues and can be used to exchange ideas and thoughts on common interests, both personal and work-related. However, there have been occurrences where these services have been used for less positive reasons or during working hours, hence the need for formal guidance.

Use of Social Network Sites – Employment Conditions

* If an employee’s personal internet presence does not make any reference to the Setting or cannot be identified, the content is unlikely to be of concern to the Setting. If employment at Oatlands Pre-school is referred to then the information posted would need to comply with the employment conditions outlined below.
* Instances where the Setting is brought into disrepute may constitute misconduct or gross misconduct and disciplinary action will be applied.
* An employee should not disclose confidential information relating to his/her employment at Oatlands Pre-school.
* An employee should not disclose details of any children attending the setting.
* Sites should not be used to verbally abuse or harass staff or parents.
* Privacy and feelings of others should be respected at all times. Employees should obtain the permission of individuals before posting contact details or pictures. Care should be taken to avoid using language which could be deemed as offensive to others.
* If information on the site raises a cause for concern with regard to conflict of interest, employees should raise the issue with their line manager.
* Viewing and updating personal sites should not take place during working times, unless in exceptional circumstances, such as where activities form part of a project, and this has been agreed in advance as appropriate by the Line Manager.
* Safeguarding is paramount, and no reference should be made relating to any child/family/staff at the setting.
* Sites should not be used for accessing or sharing illegal content.
* Any serious misuse of Social Networking sites which has a negative impact on Oatlands Pre-school may be regarded as a disciplinary offence. This includes any conduct which may, in our opinion, damage Oatlands Pre-school’s reputation or undermine our policies, breach confidentiality, or defame a third party. Please consider whether your communications are appropriate and professional. This includes comments made through Instant Messenger applications.
* If parents become ‘friends’ on the social networking site, staff should ensure that no discussion/statement relates to the setting or anyone involved at the setting, whether it be negative or positive.
* What you post on a site is open to scrutiny by others and may impact on your role within the setting where outside activities are discussed.

Oatlands Pre-school does not discourage staff from using such services. However, all should be aware that Oatlands Pre-school will take seriously any occasions where the services are used inappropriately.

### Use of Social Network Sites – Personal Safety

* Protect your own personal information online. The threat of identity theft can be significantly reduced if you exercise caution regarding the data you make public. Do not publish personal data (including, but not limited to, address, telephone numbers, birth date) or any details which advertise, for example, that your home is empty for 2 weeks whilst you are away on holiday.
* If you decide to meet someone in person from online, go to a public place and let friends and family know your plans.

### Oatlands Pre-School’s Facebook Page

* Oatlands Pre-School’s Manager and Deputy Manager and two allocated members of the Fundraising Committee are Administrators for the Pre-School’s Facebook Page.
* The page administrators reserve the right to remove any comments at any time. The intent of the policy is to protect the privacy and rights of the Pre-School, staff & families.
* We will remove any postings that;
  + name specific individuals in a negative way;
  + are abusive or contain inappropriate language or statements;
  + use defamatory, abusive or generally negative terms about any individual;
  + do not show consideration for other people’s privacy;
  + breach copyright or fair use laws
  + contain any photos of children without necessary parental consent.

If you would like to report an inappropriate comment, then please send an email to [manager@oatlandspreschool.org](mailto:manager@oatlandspreschool.org)

Other policies that relate to this are

* Digital Camera Policy
* Safeguarding Policy
* Confidentiality policy

The Pre-School’s Facebook Page is a closed account. We will use this form of social media as a means of parent communication and for marketing purposes throughout the year.

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# 23. Missing child Policy and Procedure

Oatlands Pre-school take the safety of children very seriously and will take every precaution necessary to ensure that children in their care do not leave a session unaccompanied. The chances of finding a missing child safe are greatest if the child’s absence is soon discovered. Staff will undertake periodic head counts using the key person system in addition to registration procedure. If, in the event of a member of staff not being able to account for a child’s whereabouts, the following action will be taken:

### PROCEDURE FOR IF A CHILD LEAVES THE SETTING UNACCOMPANIED

Search systematically

The setting is responsible for the missing child and all the other children in the setting. We will:

* Gather the remaining children into one large group, with one/two adults, leaving the remaining adults to search.
* Ask the children, without alarming them, if they have seen the child that is missing.
* Ensure all adults are aware of the situation.
* Establish who last saw the missing child, where and when.
* Check all the rooms in the building
* Check the immediate outside area.

### Parents

The setting will:

* Call the child’s parents to warn them that the child maybe attempting to get home.
* If they are unavailable, the setting will use other emergency contact numbers they have.
* Ensure that, if the child lives within walking distance of the setting, one adult will make the journey on foot in order to intercept the child if possible.
* Remember, that as soon as the parents are informed, they will need advice and support.

### Police

* If the above steps do not locate the child, the police will be called.

### Informing other people

We will ensure that:

* We make regular checks to ensure that if an incident of this sort does happen, we have all the necessary phone numbers at hand – correct, up to date and kept together.
* If the police are called, then the Local Safeguarding Children’s Board (LSCB) and Ofsted are also informed.
* If the Proprietor/Chairperson/Manager is not on the premises he/she will be informed as soon as possible.
* We will provide the following information to LSCB/Ofsted:
* What happened?
* What systems are in place for preventing such occurrences?
* What we did, at what time and in what order.
* Who we informed and when.

We will cooperate fully in any investigation.

### Recording

We will start to build a record as soon as possible in the incident log, this will include:

* The last definite sighting of the child.
* Any unusual behaviour of the missing child or other children.
* How many children were on the premises?
* How many adults were on the premises and who?
* What steps have been taken, when and by whom?

### Dealing with people’s reactions

We accept that the child’s parents will be frightened, distressed and angry. If the setting shares all policies with the parents/carers, the situation will be easier for all because there will be an understanding of working within a framework of mutual trust and understanding.

We accept that in such circumstances powerful emotions are involved and people’s behaviour can be unpredictable. Those who may seem quite calm about the incident at the time later can become angry, threaten legal action or approach the local press.

We will be clear about the circumstances surrounding the incident and will respond sympathetically to questions without implications or admissions of responsibility.

### Reponses could include:

* How sorry you are that the incident has happened.
* That a full investigation is in hand.
* That the LSCB/Ofsted has been informed and will be investigating.

### Dealing with the media

Distressed parents may contact the local press, or reporters may hear about the incident if the police are involved. It is sensible for one person, usually the Chair/Owner or Manager, to be the one who speaks for the setting. All adults will be asked to refer all enquiries to the agreed spokesperson.

The spokesperson for the setting is the Chair of the Committee

### Informing other parents

We recognise that other parents will need to be given brief, accurate information as rapidly as possible. We will ensure this happens by:

* Calling a short meeting when the parents/carers collect children, or
* Talking to parents/carers when they arrive at the next session, or
* Sending a note home with each child.

### When the child is found

We recognise that during the time a child is missing, however briefly, all involved (parents and others) suffer great fear, guilt and distress. It is not always easy to control all of these emotions when the child is found. We accept it is important to remember:

* That the child might also have been afraid and distressed and might now be in need of comfort.
* Remain calm, reassure the child and acknowledge it is not the child’s fault.
* Ensure the child is not hurt.
* That the incident provides a good opportunity to talk to all the children to ensure they understand that they must not leave the premises, and why.

### After the incident

* We will review our current procedure.
* We will evaluate processes and make necessary adjustments to ensure future effectiveness.

### Contacts

* Police – 101 / 08451252222
* Ofsted – 0300 123 1231

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# 24. Grievance Procedure

The grievance procedure is intended as a tool by which a staff member may formally have a grievance, regarding any condition of their employment, heard by the management of the company, for Oatlands Pre-school that is the parent committee. An aggrieved employee has the right to representation by a Trade Union Representative or a work colleague.

In the event of a member of staff wishing to raise a grievance, it is preferable for the grievance to be satisfactorily resolved as close to the individual and their line manager as possible. It is understood however that this is not always possible and that a formal procedure is required to ensure the swift and fair resolution of matters which aggrieve the Company’s employees.

Time scales have been fixed to ensure that grievances are dealt with quickly, however these may be extended if it is agreed upon by both parties.

This procedure is not intended to deal with:

* Dismissal or disciplinary matters which are dealt with in a separate procedure.
* Dispute, which are of a collective nature and are dealt with in a separate policy.

### Stage 1

An employee who has a grievance, should raise the matter with their line manager/supervisor immediately either verbally or in writing. If the matter itself concerns their immediate line manager, then the grievance should be taken to their superior.

If the manager is unable to resolve the matter at that time, then a formal written grievance form should be submitted (see appendix 1). The manager should then respond within **2 working days (**i.e. the manager’s normal working days) to the grievance unless an extended period of time has been agreed upon by both parties. The response will give a full written explanation of the manager’s decision and who to appeal to if still aggrieved.

### Stage 2

In most instances Oatlands Pre-school would expect the manager’s decision to be final and for the matter to be closed. However, in some circumstances the employee may remain aggrieved and can appeal against the decision of the manager.

The appeal, to the manager next in line, must be made within **10 working days** of the original response to the employee’s grievance. The appeal must be in writing (see appendix 2) and contain the original formal grievance form. This manager will attempt to resolve the grievance. A formal response and full explanation will be given in writing, as will the name of the person they can contact if they are still aggrieved, **within 7 days.**

Where the ‘next in line’ manager at this stage is the Chair of the parent committee, responsible for the employee’s function, then the grievance immediately progresses to stage 3.

### Stage 3

If the employee remains aggrieved there will be a final level of appeal to the Chair of the parent committee, responsible for the employee’s function. This appeal must be made in writing (see appendix 3), enclosing a copy of the original formal grievance form, to the Chair within **10 working days** of receipt of the stage 2 response. The Chair will arrange and hear the appeal with another management representative and respond formally with a full explanation **within 20 working days.**

Where a grievance is raised against the Chair the grievance will be heard by another management representative.

There is no further right of appeal. Where however, **both** parties agree that there would be some merit in referring the matter to a third party for advice, conciliation or arbitration, arrangements will then be made to find a mutually acceptable third party.

### Using mediation

An independent third party or mediator can sometimes help to resolve grievance issues before it is necessary to invoke formal procedure. Mediation is a voluntary process where the mediator helps two or more people in dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not the mediator. The mediator is not there to judge, to say one person is right and the other wrong, or to tell those involved what they should do. The mediator is in charge of the process of seeking to resolve the problem but not the outcome.

Oatlands Pre-school will seek to identify employees who have been trained and accredited by an external mediation service who can act as internal mediators in addition to their day jobs. When this is not appropriate Oatlands Pre-school will source an external mediator provider. Mediators will work individually or in pairs as co-mediators.

There are no hard –and- fast rules for when mediation is appropriate, but it can be used:

* For conflict involving colleagues of a similar job or grade, or between a line manager and their staff.
* At any stage in the conflict as long as any ongoing formal procedures are put in abeyance
* To rebuild relationships after a formal dispute has been resolved
* To address a range of issues, including relationship breakdown, personality clashes, communication problems and bullying and harassment.

Mediation is not part of the Oatlands Pre-school formal grievance procedure. However, if both parties agree to mediation, then the grievance procedure can be suspended in an attempt to resolve the grievance through that route. If mediation is not successful, then the grievance procedure can be re-commenced.

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# 25. Disciplinary Procedure

### Purpose of the procedure/ Introduction

Oatlands Pre-school’s aim is to encourage improvement in individual conduct and performance. This procedure sets out the action which will be taken when the settings’ rules are broken and provides a fair, effective and consistent method of dealing with disciplinary matters. (The policy is designed not as a dismissal procedure but as a means of encouraging employees to conform to acceptable standards). Any disciplinary procedure would need to be carried out by the Chair of the Committee assisted by the Manager.

### Principles

* Employees are expected to know the standard of conduct or work expected of them. (This is laid out in the contract of employment)
* Employees will be provided with details of any allegations or evidence to be used in any disciplinary meeting in advance of the meeting.
* No employee will be dismissed for the first breach of discipline, except in the case of gross misconduct.
* Employees have the right to appeal against any disciplinary action taken.
* For all written disciplinary procedures, the employee will be told;
  + What action should be taken to correct the conduct
  + There will be a clear reprimand and the reasons for it.
  + That s/he will be given reasonable time to rectify matters
  + What training needs have been identified, with timescales for implementation
  + What mitigating circumstances have been taken into account in reaching a decision
  + That if s/he fails to improve further action will be taken
  + That a record of the warning will be kept

### Informal discussions

Before taking formal disciplinary action, the preschool manager will make every effort to resolve the matter by informal discussion. Only where this fails to bring about the desired improvement should the formal disciplinary procedure be implemented.

### First or formal verbal warning

If conduct or performance is unsatisfactory, the employee will be given a written warning or performance note. Such warnings will be recorded but disregarded after **3 months** of satisfactory service, providing there have been no subsequent disciplinary issues.

### Written warning

If the conduct is regarded as more serious or the employees work, or conduct is considered unsatisfactory after they have received a formal verbal warning, a disciplinary meeting may be called.

After a period of **6 months**, if no further disciplinary action has been found necessary and the minor breach has been resolved, the warning will expire.

### Final written warning

If the employee’s work or conduct fails to improve, or where the allegation is particularly serious, the manager will follow the same procedure for the written warning. If proven, a final warning will be given to the employee warning that any further misconduct will result in a dismissal with appropriate notice. Employees will be paid for this notice period.

After a period of **12 months,** if no further disciplinary action has been found necessary and the issue has been resolved, the warning will expire and will be disregarded for future disciplinary purposes. There may, however be occasions where an employee’s conduct is satisfactory throughout the period but may lapse very soon thereafter. Where a pattern emerges and there is evidence of abuse, the employee’s disciplinary record should be borne in mind when deciding how long any current warning should last.

Exceptionally, there may be circumstances where the conduct is so serious-verging on gross misconduct- that it cannot realistically be disregarded for future disciplinary procedures. In such circumstances it should be made very clear that the final written warning can never be removed and that any reoccurrence will lead to dismissal.

### Gross misconduct

An employee can be dismissed without notice on the grounds of gross misconduct. The employee will be suspended with pay while the circumstances of the alleged incident are investigated.

Examples of gross misconduct:

* Theft or fraud
* Ill-treatment of children
* Assault
* Malicious damage
* Gross carelessness which threatens the health and safety of others or,
* Being unfit through use of drugs or alcohol.
* Abuse
* Failure to disclose a criminal conviction or health issue deeming you unsuitable to work with children.
* Failure to disclose disqualification of working with children.

A dismissal must be confirmed in writing within **10 working days** of the date of the disciplinary interview.

Where a member of staff is dismissed from Oatlands Pre-school or internally disciplined because of misconduct relating to a child, we inform the relevant agencies and follow Local Safeguarding Children’s Board (LSCB) guidelines.

### The right to appeal

At each stage of the disciplinary procedure the employee must be told that s/he has the right to appeal against any disciplinary action. If the employee wishes to appeal against any disciplinary decision, they must appeal, in writing, within **5 working days** of being notified of the decision. In our community group we will endeavour that where possible two or three committee members –not those in the earlier disciplinary stages- will hear the appeal. Where this is not possible the original panel will make every effort to hear the appeal as impartially as possible. The employee may take a Trade union representative or a work colleague into the appeal.

1. The employee will explain why s/he is dissatisfied and may be asked questions.
2. The Chair/manager will be asked to put across her/his point of view and may be asked questions.
3. Witnesses may be heard and may be questioned by the appeals committee and by the Chair/manager.
4. The committee will consider the matter and make known its decision.
5. A written record will be kept.

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# 26. Intimate Care policy and toileting procedures

### Principles

1.1 The staff will act in accordance with Section 175 of the Education Act 2002 and the Government guidance ‘Safeguarding Children and Safer Recruitment in Education’ (2006) to safeguard and promote the welfare of pupils[[1]](#footnote-1) at this school.

1.2 The staff takes seriously its responsibility to safeguard and promote the welfare of the children and young people in its care. Meeting a child’s intimate care needs is one aspect of safeguarding.

1.3 The staff recognise their duties and responsibilities in relation to the Equalities Act 2010 which requires that any child with an impairment that affects his/her ability to carry out day-to-day activities must not be discriminated against.

1.4 This intimate care policy should be read in conjunction with the Pre-schools’ policies as below (or similarly named):

* safeguarding policy and child protection procedures
* staff code of conduct and guidance on safer working practice
* ‘whistle-blowing’ and allegations management policies
* health and safety policy and procedures
* Special Educational Needs policy

1.5 The management are committed to ensuring that all staff responsible for the intimate care of pupils will undertake their duties in a professional manner at all times. It is acknowledged that these adults are in a position of great trust.

1.6 We recognise that there is a need to treat all children, whatever their age, gender, disability, religion, ethnicity or sexual orientation with respect and dignity when intimate care is given. The child’s welfare is of paramount importance and his/her experience of intimate and personal care should be a positive one. It is essential that every child is treated as an individual and that care is given gently and sensitively: no child should be attended to in a way that causes distress or pain.

1.7 Staff will work in close partnership with parent/carers and other professionals to share information and provide continuity of care.

1.8 Where pupils with complex and/or long-term health conditions have a health care plan in place, the plan should, where relevant, take into account the principles and best practice guidance in this intimate care policy.

1.9 All staff undertaking intimate care must be given appropriate training.

1.10 This Intimate Care Policy has been developed to safeguard children and staff. It applies to everyone involved in the intimate care of children.

### Child focused principles of intimate care

The following are the fundamental principles upon which the Policy and Guidelines are based:

* Every child has the right to be safe.
* Every child has the right to personal privacy.
* Every child has the right to be valued as an individual.
* Every child has the right to be treated with dignity and respect.
* Every child has the right to be involved and consulted in their own intimate care to the best of their abilities.
* Every child has the right to express their views on their own intimate care and to have such views taken into account.
* Every child has the right to have levels of intimate care that are as consistent as possible.

### Definition

3.1 Intimate care can be defined as any care which involves washing, touching or carrying out a procedure to intimate personal areas which most people usually carry out themselves, but some children are unable to do because of their young age, physical difficulties or other special needs. Examples include care associated with continence and menstrual management as well as more ordinary tasks such as help with washing, toileting or dressing.

3.2 It also includes supervision of children involved in intimate self-care.

### Best Practice

4.1 Children who require regular assistance with intimate care have written Individual Support Plans (ISP), health care plans or intimate care plans agreed by staff, parents/carers and any other professionals actively involved, such as school nurses or physiotherapists. Ideally the plan should be agreed at a meeting at which all key staff and the child should also be present wherever possible/appropriate. Any historical concerns (such as past abuse) should be taken into account. The plan should be reviewed as necessary, but at least annually, and at any time of change of circumstances, e.g. for residential trips or staff changes (where the staff member concerned is providing intimate care). They should also take into account procedures for educational visits/day trips.

4.2 Where relevant, it is good practice to agree with the child and parent’s/carers appropriate terminology for private parts of the body and functions and this should be noted in the plan.

4.3 Where a care plan or ISP is **not** in place, parents/carers will be informed the same day if their child has needed help with meeting intimate care needs (e.g. has had an ‘accident’ and wet or soiled him/herself). It is recommended practice that information on intimate care should be treated as confidential and communicated in person by telephone or by sealed letter, not through the home/school diary.

4.4 In relation to record keeping, a written record should be kept in a format agreed by parents and staff every time a child has an invasive medical procedure, e.g. support with catheter usage (see afore-mentioned multi-agency guidance for the management of long-term health conditions for children and young people).

4.5 Accurate records should also be kept when a child requires assistance with intimate care; these can be brief but should, as a minimum, include full date, times and any comments such as changes in the child’s behaviour. It should be clear who was present in every case.

4.6 These records will be kept on file and available to parents/carers on request.

4.7 All pupils will be supported to achieve the highest level of autonomy that is possible given their age and abilities. Staff will encourage each individual child to do as much for his/herself as possible.

4.8 Staff who provide intimate care are trained in personal care (e.g. health and safety training in moving and handling) according to the needs of the child. Staff should be fully aware of best practice regarding infection control, including the requirement to wear disposable gloves and aprons where appropriate.

4.9 There must be careful communication with each pupil who needs help with intimate care in line with their preferred means of communication (verbal, symbolic, etc.) to discuss their needs and preferences. Where the pupil is of an appropriate age and level of understanding permission should be sought before starting an intimate procedure.

4.10 Staff who provide intimate care should speak to the child personally by name, explain what they are doing and communicate with all children in a way that reflects their ages.

4.11 Every child's right to privacy and modesty will be respected. Careful consideration will be given to each pupil’s situation to determine who and how many carers might need to be present when s/he needs help with intimate care. SEN advice suggests that reducing the numbers of staff involved goes some way to preserving the child’s privacy and dignity. Wherever possible, the pupil’s wishes and feelings should be sought and taken into account.

4.12 An individual member of staff should inform another appropriate adult when they are going alone to assist a child with intimate care.

4.13 The religious views, beliefs and cultural values of children and their families should be taken into account, particularly as they might affect certain practices or determine the gender of the carer.

4.14 Whilst safer working practice is important, such as in relation to staff caring for a pupil of the same gender, there is research[[2]](#footnote-2) which suggests there may be missed opportunities for children and young people due to over anxiety about risk factors; ideally, every child should have a choice regarding the member of staff. There might also be occasions when the member of staff has good reason not to work alone with a child. It is important that the process is transparent so that all issues stated above can be respected; this can best be achieved through a meeting with all parties, as described above, to agree what actions will be taken, where and by whom.

4.15 Adults who assist children with intimate care should be employees of the Pre-school, not students or volunteers, and therefore have the usual range of safer recruitment checks, including enhanced DBS checks.

4.16 All staff are aware of the Pre-school’s confidentiality policy. Sensitive information will be shared only with those who need to know.

4.19 No member of staff will carry a mobile phone, camera or similar device whilst providing intimate care.

### Child Protection

5.1 The management and staff at this Pre-school recognise that children with special needs and who are disabled are particularly vulnerable to all types of abuse.

5.2 The Pre-school’s child protection procedures will be adhered to.

5.3 From a child protection perspective it is acknowledged that intimate care involves risks for children and adults as it may involve staff touching private parts of a pupil’s body. In this Pre-school best practice will be promoted and all adults (including those who are involved in intimate care and others in the vicinity) will be encouraged to be vigilant at all times, to seek advice where relevant and take account of safer working practice.

5.4 If a member of staff has any concerns about physical changes in a child’s presentation, e.g. unexplained marks, bruises, etc. s/he will immediately report concerns to the Designated Safeguarding Lead or Manager. A clear written record of the concern will be completed, and a referral made to MASH if appropriate, in accordance with the Preschool’s child protection procedures. Parents/carers will be asked for their consent or informed that a referral is necessary prior to it being made but this should only be done where such discussion and agreement-seeking will not place the child at increased risk of suffering significant harm.

5.5 If a child, or any other person, makes an allegation against an adult working at the school this should be reported to the Manager (or to the Chair of the Committee if the concern is about the Manager) who will consult the Local Authority Designated Officer in accordance with the Pre-school’s policy. It should not be discussed with any other members of staff or the member of staff the allegation relates to. Refer to LADO as per our Safeguarding Policy.

5.6 Similarly, any adult who has concerns about the conduct of a colleague at the Preschool or about any improper practice will report this to the Manager or to the Chair of the Committee, in accordance with the child protection procedures and ‘whistle-blowing’ policy.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 27. Supervision Policy/Appraisal Policy

### The Role of Supervision

This policy describes how supervision will be provided for all those staff employed to work with children within the Pre-school.

Supervision is the principal means by which managers in Early Years settings ensure that the local authority's accountability for those receiving a service is properly exercised in accordance with its legal obligations.

It is a formal and recorded process through which the professional actions of staff are rigorously examined and regularly reviewed. It provides a recorded system of decision making that is regularly audited to improve practice and to improve outcomes for those with whom we are working.

Supervision also acts as a means for ensuring that members of staff have access to the support, training and procedures they require for professional growth and development.

Supervision enables supervisors and supervisees to fully examine and reflect on the quality of practice to ensure consistency in the services being provided to our customers.

### The Role of Supervision

This policy covers the varied components of the supervision process as follows: -

One role of supervision is to ensure that policy, procedure and standards are understood and being correctly applied. Regular case supervision is the primary tool for ensuring the delivery of sound case management and effective safeguarding by Early Years Professionals. It ensures high standards of service delivery to those with whom we work.

Reflective supervision is another important aspect of the supervision process. It promotes empathy, self-evaluation, intellectual enquiry; it considers the worker's feelings and builds on professional competence.

Supervision also has a support function, recognising that from time to time, supervisees may require support to carry out their role; this may be because of particular situations, specific incidents or personal issues that may temporarily impact on their work performance. By offering support within the supervision context, supervisees should be given the opportunity to reflect on the impact of the work upon them and prevent issues adversely affecting them and their work.

Supervision will assist managers to allocate work appropriately across teams and will facilitate the attainment of team and service-wide performance targets.

### The supervision processes

The supervision process includes:

**a. Line management**

Effective line management will give direction, ensure quality, and will link individual practice to team-wide performance management objectives. To achieve that, supervisors must evaluate practice and provide feedback and guidance to the supervisee.

Supervision should aim to support staff, encourage their professional development and help them perform to the best of their ability. Supervising managers should regularly discuss performance issues so that staff fully understand the requirements of their role and can determine how to improve their practice. Supervision must also always address any capability, disciplinary and grievance issues, with a view to resolving these at the earliest possible stage.

Supervisors must also have regard to their overall duty to support the welfare of their staff and to promote anti-discriminatory practice. Supervision arrangements will vary to meet the needs of individuals and their responsibilities.

**b. Learning and Development**

The supervisor is responsible for supporting the continuing learning and development of supervisees to ensure they have the relevant skills, knowledge, understanding and attributes to do a particular job and to progress their career (and in some instances, retain their professional registration). The registered professional is responsible for ensuring that registration requirements are met.

Constructive feedback and observation of practice should be part of this learning process. Practice should be observed at least annually by the supervisor, and more frequently if appropriate.

Reviewing an employee's Personal Development Plan will ensure that highlighted learning needs are being progressed.

The supervision process is a time to discuss a staff member’s continuous suitability to work with children. The manager will ask the member of staff if they have any disclosures of a criminal nature, health concerns or disqualifications that have been enforced since the last appraisal or supervision process. It is the staff’s responsibility to declare this information as soon as the event has occurred and for the manager to investigate whether the staff member is still suitable to work with children. In cases of uncertainty, the disqualification from child care outlined in the OFSTED guidance can be used.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 28. Parent Helper Policy

Rationale:

All schools greatly appreciate parents who assist positively with the implementation of the Preschool’s programs. Parent helpers however must comply with the Preschool’s expectations and practices.

### Aim

To enhance the educational programs at the school, to build the partnerships between pre-school and home, to provide opportunities for parents to develop their skills and become active participants in their children’s education.

### Implementation

* Our Preschool encourages the assistance of parent helpers in a wide variety of areas.
* Invitations for parents to assist in the Pre-school’s programs will be regularly made via the school’s newsletter, Facebook page or through personal contact.
* Parent helpers for longer term activities or activities with higher levels of supervision required will be required to undertake appropriate training.
* Parent helpers will receive frequent feedback and reinforcement.
* Parent helpers in need of additional assistance will be provided with reasonable advice and guidance.
* Concerns relating to parent helpers should be addressed to the Manager.
* Parent helpers who are not reliable or do not meet the school’s expectations will be required to relinquish their role.
* Regular parent volunteers will have a DBS completed for volunteers.
* Parent helpers will be guided throughout the morning by the Pre-School Room Leaders.

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# 29. Medication Policy

### Aim

At Oatlands Pre-school we will safeguard and maintain the well-being of all children within the setting. We work in partnership with parents and children’s health care professionals to ensure that the appropriate procedure is followed to administer medication safely to a child at the setting. All prescribed medication will be administered by authorised staff members only and all medication administered will be recorded in the pre-school’s medication book.

### Procedure

### Prescribed Medication; -

Parents must sign and complete a medication form before prescribed medication is administered. Prescribed medication must clearly state child’s name, dosage, date and expiry date. Staff members must be witnessed by another colleague when administering the correct dosage as detailed on the medication form completed by the parent. If the parent has failed to complete the medicine administration form the medicine WILL NOT be administered.

If the medication is long term, then parents must complete a care plan for their child.

### Anti-Febrile Agent-Temperature Reducing Medication; -

Paracetamol (Calpol) or Ibuprofen (Nurofen) will not be administered to a child unless prescribed by a doctor. If a child suffers with febrile convulsions then a Care Plan will be in place, this will enable these medicines to be administered if necessary.

Any medicine will be given either by the Welfare Officer, the Manager, Deputy Manager or Room Leader and witnessed by another member of staff. All medication will be documented with amount/time/date etc and parents are asked to sign this on collection. If a child has medication that is needed regularly then a meeting must be held with the parent and Welfare Officer to devise a healthcare plan to meet the child’s individual needs.

### Health Care Plan; -

If a child has prescribed medication for a medical need such as asthma or eczema the pre-school Welfare Officer will develop a health care plan in partnership with the parents or/and health professionals involved with the care of the child. Health care plans will ideally be completed prior to the child starting the setting or as soon thereafter as possible. If necessary staff will attend training prior to the child starting the setting to ensure, that staff meet the needs of the child’s health care appropriately and provide the level of support that is required. Every individual health plan will be jointly reviewed with staff, parents and when needed health professionals involved with the child every three months.

### Parents responsibilities; -

Prior to a child starting the setting the parent must complete a registration form. Parents must detail if their child has a medical condition, emergency contact numbers, child’s doctor’s details, information on allergies and special dietary needs. Parents must keep the setting up to date on their child’s medical needs.

### Staff responsibilities (Welfare Officer); -

Staff administering medicine must: -

* Get parents to complete and sign an administration of medicine form
* Check medicine clearly so it shows the child’s name, prescribed dose, date and expiry date
* Have evidence of the time the last dose was given
* Adhere to health & safety procedures for example, wash hands before and after administering medicine
* Have a staff member present to witness the medicine being administered and counter sign the setting’s medicine administration form.
* Record the time and dosage of medicine in the medicine record book
* Ensure the parent signs the medicine record book to acknowledge the time and dosage that their child received the medicine

### Records of medication administered; -

All medication forms will be completed by a member of staff administering or applying the medication. Staff administering the medication are required to complete the medication form with the date, time, dosage and signature, when the medicine has been given out. A second member of staff is required to witness the administering of medication to a child and is required to countersign once medication has been given. Parents are required to sign the medication record book to acknowledge entry.

### Medical Emergency Procedure; -

In the event of an emergency an ambulance will be called. The parent will be contacted and informed about the emergency. A member of staff will go with the child in the ambulance to the hospital and wait until the parents arrive.

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# 30. Incidents

### Dealing with incidents: -

We meet our legal requirements for the safety of our employees, children and parents/carers by complying with RIDDOR. We report to the Health & Safety Executive; -

* Any incidents to a member of staff/child/parent requiring treatment by a general practitioner or hospital; and
* Any dangerous occurrences. This may be an event that causes injury or fatalities or an event that does not cause an accident but could have done, such as a gas leak
* Any dangerous occurrence is recorded in our Incident Book (see Health & Safety Policy)
* Any incidents that occur to a child outside of the setting that may cause staff to be concerned within the session

Information for reporting the incident to Health & Safety Officer is detailed in the pre-school’s Incident or Accident Record Book.

The list is not exhaustive, but listed below is a few of the incidents that may occur in the setting; -

### Bumped Head

If a child bumps his/her head the staff will care, support, comfort and help as much as the child needs.

What the pre-school will do

The staff will always: -

* Comfort the child
* Assess the injury
* Apply cold compress if bumped\*
* Apply First Aid if cut\*

OR; -

* The staff who witnessed the accident will fill in the necessary paperwork and
* Talk to the parent/carer or whoever is picking up at the end of the session and give them a notification slip
* The child will be monitored carefully throughout the rest of the pre-school session
* \*If the staff feel that the bump or cut is severe then they will immediately call the parent/carer to; -
  + Come and see the child and assess the situation
  + Advise a doctor’s visit
  + Collect the child
* \*Phone for an ambulance if bump or cut is too severe.

### Sickness

Our policy for the exclusion of ill or infectious children is discussed with parents at the first induction visit. A list of these are available to all parents.

* We do not provide care for children, who are unwell, or sickness and diarrhoea, or who have an infectious disease
* Children with head lice are not excluded, but must be treated to remedy the condition
* Parents are notified if there is a case of head lice in the setting
* Parents are notified if there is an infectious disease, such as Chicken Pox
* HIV (Human Immunodeficiency Virus) may affect children or families attending the setting. Staff may or may not be informed about it
* Children or families are not excluded because of HIV
* Good Hygiene practice concerning the clearing of any spilled bodily fluids is carried out at all times
* Staff suffering from sickness and diarrhoea do not handle food
* Ofsted is notified of any infectious diseases that a qualified medical person considers notifiable

All sickness information given to parents in the ‘Welcome Pack’.

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# 31. Critical Incident Policy

### Statement

A Critical Incident is a traumatic incident that could result in death or near death of a child or staff member.

Despite effective planning and preparation including Risk Assessments it is still possible for a Critical Incident to occur within the setting.

### Procedure for a critical incident in the setting

In the event of a Critical Incident the following procedure will be put into place by the person in charge i.e. Manager, Deputy or SENCO.

* Contact Emergency Services
* Contact the child’s family or staff members next of kin. Use the pre-school mobile as the contact number for the family
* Contact the chair person
* Manage and reassure the other children
* Contact the Local SFYC office, Tel: 01256 395095 or PACEY office on Tel: 0845 200 3890.
* Agree what to say and contact all parents to ensure that they hear about the incident directly from us, so that they hear the correct information.
* Agree what to say with the support of the SFYC office before speaking to the press.

Following the incident, the Chairperson and/or Manager, Deputy or SENCO will

* Inform Ofsted 0300-123-1231
* Inform Local Authority Social Services Dept. 0845 603 5620
* Inform Insurance Company
* Update SFYC office
* Update and debrief staff
* Write a clear report giving specific details
* Review procedures to see if we can learn from the incident
* Consider counselling as necessary, contacting insurance company, local doctor who may be able to provide help in this area. Ask SFYC team for support also.

In the sad event of being notified about a child’s or adult’s death there can be on-going actions and issues that need to be addressed, e.g. distress for staff, children and parents as well as on-going investigations by social care, Police and high media interest.

### Procedure following a critical incident outside of the setting: -

* Inform SFYC team for support
* Offer counselling for staff if needed or requested
* If a statement is required liaise with SFYC for advice and guidance. Agree what is to be said with staff so consistency is upheld
* Contact all parents to ensure that they hear about the incident from us, so that they hear the correct information. Ask SFYC for help and guidance.

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# 32. Staff Uniform Policy

### Policy Statement

This policy sets out the expectations of Oatlands Pre-school in relation to staff uniforms. This policy applies to all childcare staff. The policy is not exhaustive in defining acceptable and unacceptable standards of dress and appearance and staff should use common sense in adhering to the principles underpinning the policy.

Childcare staff will be provided with tabards to wear over their own clothing which they will be expected to wear during sessions and open days. There is no requirement to wear a uniform on the employee’s bottom half and staff are expected to wear appropriate clothing and footwear.

### Aim of Policy

The staff uniform policy is necessary in order to;

* Convey a professional and efficient image of the Pre School and its staff
* Give parents/carers/visitors a clear means of identifying staff
* Support health and safety considerations for staff

### Procedure

### Allocation

Tabards will be allocated to staff based on the number of days worked and a badge will be provided once the probationary period is successfully completed

### Maternity

The tabards supplied should be a sufficient fit for a pregnant employee and specific maternity clothing should not be required. However, should a pregnant employee feel that this is not the case; she should discuss this with the manager at the earliest opportunity.

### Employees Responsibility

* The uniform should be worn in a clean and presentable fashion.
* Employees are expected to ensure that the tabards are cleaned as regularly as is necessary to maintain an appropriate appearance. The washing instructions on the labels must be followed and no liability will be accepted by Oatlands Pre-school for incorrect cleaning/washing.
* Staff who smoke should ensure their tabard is removed before smoking (during breaks).
* When the employee leaves she/he must return all tabards supplied to his/her manager.

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# 33. No Smoking Policy

Smoking on Preschool premises is prohibited. Employees who do not comply with the No Smoking Policy will be Subject to disciplinary action.

In the light of recent findings which clearly signal the long-term damage to health to which smokers expose themselves and others. Tobacco smoke is a major health hazard to all those who are ex­posed to it. The health problems arising from tobacco smoke inhalation are serious, disabling and sometimes fatal. Everyone should be protected from involuntary exposures to second hand smoke. Oatlands Pre-school is committed to creating a healthy work environment and wishes to solicit the support of its staff to ensure that this policy is properly implemented.

### To achieve this goal:

* Smoking, electronic cigarettes, vaping, alcohol and drugs are all prohibited on our premises and in the playground at all times.
* Smoking is banned in the entire building.
* Preschool staff are not permitted to smoke whilst in charge of children.
* Smokers during breaks are allowed to smoke in Open space away from the Preschool building.
* Any person found to be smoking on the premises will be asked to leave the premises.
* Breach of this policy will be considered as a disciplinary offence for all staff of Oatlands Pre-school.
* It is the responsibility of all the members of staff to implement the policy and to make visitors, volunteers and parents aware of the content.
* Parents and visitors also must adhere to this policy as the Preschool adopts a zero-tolerance approach to smoking on its premise.
* A no smoking sign is displayed at all times
* Any member of staff, student, volunteer, parent/carer, visitor found smoking, using electronic cigarettes, is under the influence of alcohol or drugs will be asked to leave immediately
* If a member of staff has a good reason to believe that a parent/carer is under the influence of alcohol or drugs on drop off or collection of their child, the manager and the CPLO would be informed. They would follow the appropriate action according to the safeguarding children policy
* Any child found in possession of drugs, the relevant parent/carer will be informed. The manager and CPLO would then decide on the appropriate action according to the safeguarding children policy. Where an illegal act is suspected the police will be called.

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# 34. Significant events and incident policy

### Definition of Critical Incidents

Crises and dealing with difficult 'incidents' on a daily basis are viewed by some as a normal aspect of school life. However, there are occasions when Preschools will experience incidents of a significantly more extreme nature.

What seems to distinguish these incidents is their nature and scale, and it is this type of occurrence, which has come to be termed a 'critical incident'.

### What is a critical incident?

Although the concept of a critical incident is difficult to precisely define, authors who research and write in this field have, in the past, attempted to define critical incidents as: 'Unexpected occurrences, which may suddenly have a major impact on school'. However, in recent years some authors have noted that this type of description does not capture the relative nature of some critical incidents, which to some may seem relatively small-scale but, to others who experience them, can seem overwhelming.

### Preventative and precautionary measures

Whilst no amount of planning can totally prevent accidents and problems occurring, it is hoped that some can be prevented, and the effects of others minimised by taking sensible precautionary measures. It is expected that - all staff and pupils should be familiar with the Preschool’s routines for fire and the evacuation of the school building on hearing the fire alarm. - all staff should be familiar with the routines and procedures for dealing with emergencies (as detailed in this Policy).

All staff are aware of pupils with medical needs or health problems.

**A major incident may be defined as**: An accident leading to a serious injury or fatality; Severe injury or severe stress; Circumstances in which a person or persons might be at serious risk of illness; Circumstances in which any part, or whole of the Pre-School is unable to function as normal due to external influences and Any situation in which the national press or media might be involved.

As such, major incidents include:

* Death of a pupil or member of staff;
* Death or serious injury on a school trip;
* Epidemic in school or community;
* A pupil missing from home;
* Destruction or major vandalism in Preschool;
* A hostage taking;
* A transport accident involving school members;
* A disaster in the community;
* A civil disturbance or terrorism
* Arson attacks on schools
* Major fires at a Preschool
* Significant vandalism
* Pupil suicides and sudden deaths
* Violent attacks on pupils and staff members
* The sudden death, in tragic circumstances of members of staff
* Incident involving an intruder, believed to be armed, on school premises
* Road traffic accidents, involving fatalities within a school community
* Abductions / disappearances
* Allegations or actual incidents of abuse against pupils by staff and staff against pupils
* Incidents involving the murder of school children that attracted the attention of national and international media over prolonged periods
* Floods
* School used in an emergency.

In the event of such an incident the priorities of those adults in charge of the school or trip at the time must be able to:

* Save life
* Minimise personal injury
* Safeguard the interests of pupils and staff
* Minimise loss and to return to normal working quickly

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# 35. Significant events or incidents reportable to OFSTED

(including Disqualification)

You must inform OFSTED if a serious accident, injury or death occurs in relation to the childcare we provide, as soon as reasonably possible, and in all cases, within 14days of the incident.

The quickest and easiest way to notify us is to telephone us on 0300 123 1231

If you are on the Early Years Register you are committing an offence by not notifying us within 14 days, unless you have a reasonable excuse.

What you must notify to Ofsted

* the death of a child whilst in our care, or later, as the result of something that happened while the child was in your care.
* death or serious accident or serious injury to any other person on your premises (Childcare Register only) „
* serious injuries (please see the section below for the definition of serious injuries) „
* where a child in our care needs to go to an Accident and Emergency Department of a hospital (and requires hospitalisation for more than 24 hours), either directly from your provision or later, as the result of something that happened while the child was in your care „
* any significant event that is likely to affect the suitability to care for children.

We define serious injuries as:

* broken bones or a fracture
* loss of consciousness
* pain that is not relieved by simple pain killers
* acute confused state
* persistent, severe chest pain or breathing difficulties „
* amputation
* dislocation of any major joint including the shoulder, hip, knee, elbow or spine
* loss of sight (temporary or permanent)
* chemical or hot metal burn to the eye or any penetrating injury to the eye
* injury resulting from an electric shock or electrical burn leading to unconsciousness, or requiring resuscitation or admittance to hospital for more than 24 hours
* any other injury leading to hypothermia, heat-induced illness or unconsciousness; or requiring resuscitation; or requiring admittance to hospital for more than 24 hours
* unconsciousness caused by asphyxia or exposure to harmful substance or biological agent Serious accidents, injuries and deaths that registered providers must notify to Ofsted.
* medical treatment, or loss of consciousness arising from absorption of any substance by inhalation, ingestion or through the skin
* medical treatment where there is reason to believe that this resulted from exposure to a biological agent, or its toxins, or infected material.

You are not required to inform OFSTED of minor injuries, but you must keep a record of these incidents. You are also not required to inform us of general appointments to hospital or routine treatment by a doctor, such as the child’s general practitioner, that is not linked to, or is a consequence of, a serious accident or injury.

We define minor injuries as:

* sprains, strains and bruising
* cuts and grazes
* wound infections
* minor burns and scalds
* minor head injuries
* insect and animal bites
* minor eye injuries
* minor injuries to the back, shoulder and chest.

What you must notify to your local child protection agency: If you are on the Early Years Register, the Statutory Framework for the Early Years Foundation Stage requires you to notify your local child protection agency of any serious accident or injury to or death of a child in your care and to act on the advice given. You must use your professional judgment, alongside any guidance you have from your local authority, on which serious accidents or injuries you inform your local child protection agency about. Some local child protection authorities have their own written guidance about the types of incidents you need to report to them. If you do not have any written guidance from your local authority then you should notify them of the same serious accidents, or injuries or deaths that you are required to notify to Ofsted.

### Disqualification

1. The law disqualifies some people from registering as a childminder or childcare provider.

2. The law also prevents such people from being employed or involved in the provision of childminding or childcare. Regulations specify the particular circumstances that disqualify an individual (see tables 1–5 for information on disqualified persons).

3. A person may be disqualified due to a number of reasons, including: grounds relating to the care of children, offences against children, offences against adults, inclusion on the list held by the Disclosure and Barring Service http://www.legislation.gov.uk/ukpga/2006/47/contents, living or working on premises where a disqualified person lives, having registration refused or cancelled – this does not apply to a person whose registration as a childminder or childcare provider is cancelled in England for non-payment of the fee after 1 September 2008

4. The offences include those committed overseas that, had the offence been committed in the UK, would disqualify that person from registration, regardless of how the offence is described in the law of the other country

Responding to information indicating a person is disqualified

The Compliance, investigation and enforcement (CIE) team may receive information that indicates that a person is disqualified from registration from the:

* inspector during a registration or inspection visit ν disqualified individual contacting or writing directly to us
* application team, on checking the application or declaration and consent forms
* results of any checks carried out to establish the suitability of an individual to work or be in regular contact with children.

### Duty to disclose

All registered persons, and applicants for registration, staff members and volunteers must tell us about any information that disqualifies them or disqualifies them by virtue of living with a disqualified person or employing a disqualified person in their home.

They must provide:

* details of the precise order, determination, conviction or other ground for disqualification
* the date when the order, determination, conviction or other ground for disqualification arose
* the name of the body or court
* the sentence imposed (if any)
* a copy of the relevant order

If a childminder or childcare provider fails to notify us of this information within 14 days of the time when they became aware, without reasonable excuse, this is an offence.

The disqualifying offences include (although not an exhaustive list):

* those listed in the above legislation ν the relevant offences listed in the Criminal Justice and Court Service Act 2000, schedule 4, paragraphs 1 and 2.7 (http://www.legislation.gov.uk/ukpga/2000/43/contents#sch4)
* an offence related to an offence under the Criminal Justice and Court Service Act 2000
* any other offence involving bodily injury to or death of a child

A person who is disqualified from registration is therefore disqualified from being employed in connection with childminding or childcare if:

* she or he is included on the lists of people deemed unsuitable to work with children
* she or he has been subject to any order relating to the care of children
* a specified regulatory body has cancelled a registration, refused registration or refused approval for that person to care, foster or look after children or has taken specified regulatory action
* in relation to childminding or childcare, she or he has been found to have committed any of the offences listed in table 4.
* This includes convictions for aiding, abetting, counselling, procuring or inciting the commission of an offence against a child and conspiring or attempting to commit such an offence or conviction of any offence other than offences in Table 4 which involved bodily injury to, or death of, a child.
* she or he has, in relation to childminding or childcare: − been found to have committed (which includes having been convicted of an offence or having been given a caution on or after 6 April 2007) any of the offences in Table 5, against a child, or any other offence involving bodily injury to or death of a child; or − been found to have committed any of the offences against an adult which are mentioned in paragraph 2 of Schedule 4 to the Criminal Justice and Courts Services Act 2000, or an offence that is related to such an offence (http://www.legislation.gov.uk/ukpga/2000/43/contents) − been charged with any of the offences in Table 5, committed against a person aged 18 or over which are mentioned in paragraph 2 of Schedule 4 to the Criminal Justice and Court Services Act 2000 and had a ‘relevant order’ imposed.

### Table 4: Disqualified because they, in relation to childminding or childcare, are found to have committed an offence as listed in this table

Please note that, in relation to childminding and childcare, convictions for other offences – other than those listed in table 4, which involved bodily injury to, or death of, a child – may also disqualify a person from working with children. This includes where a person has been convicted of, or found to have committed, an offence that is related to an offence that includes aiding, abetting, counselling, procuring or inciting the commission of an offence against a child and conspiring or attempting to commit such an offence.

Some of the offences set out in this table are repealed offences. However, a person is still disqualified if she or he has at any time committed any of the offences under the specified legislation, when it was in force.

| Offence | Legislation |
| --- | --- |
| Abduction of a child in care | The Children Act 1989, section 49 or 50(9): [www.legislation.gov.uk/ukpga/1989/41/contents](http://www.legislation.gov.uk/ukpga/1989/41/contents) |
| Children (Northern Ireland) Order 1995, article 68 or 69(9): [www.bailii.org/uk/legis/num\_reg/1995/Uksi\_19950755\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/1995/Uksi_19950755_en_1.html) |
| Cruelty to children | Children and Young Persons Act 1933, section 1: [www.legislation.gov.uk/ukpga/Geo5/23-24/12/section/1](http://www.legislation.gov.uk/ukpga/Geo5/23-24/12/section/1) |
| Murder of an infant | Infanticide Act 1938, section 1: [www.legislation.gov.uk/ukpga/Geo6/1-2/36/section/1](http://www.legislation.gov.uk/ukpga/Geo6/1-2/36/section/1) |
| Rape of a child under 13 | Sexual Offences Act 2003, section 5: [www.legislation.gov.uk/ukpga/2003/42/section/5](http://www.legislation.gov.uk/ukpga/2003/42/section/5) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 12: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Assault of a child under 13 by penetration | Sexual Offences Act 2003, section 6: [www.legislation.gov.uk/ukpga/2003/42/section/6](http://www.legislation.gov.uk/ukpga/2003/42/section/6) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 13: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Sexual assault of a child under 13 | Sexual Offences Act 2003, section 7: [www.legislation.gov.uk/ukpga/2003/42/section/7](http://www.legislation.gov.uk/ukpga/2003/42/section/7) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 14: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Causing or inciting a child under 13 to engage in sexual activity | Sexual Offences Act 2003, section 8: [www.legislation.gov.uk/ukpga/2003/42/section/8](http://www.legislation.gov.uk/ukpga/2003/42/section/8) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 15: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Causing or inciting a child to engage in sexual activity | Sexual Offences Act 2003, section 10: [www.legislation.gov.uk/ukpga/2003/42/section/10](http://www.legislation.gov.uk/ukpga/2003/42/section/10) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 24: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Sexual activity with a child | Sexual Offences Act 2003, section 9: [www.legislation.gov.uk/ukpga/2003/42/section/9](http://www.legislation.gov.uk/ukpga/2003/42/section/9) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 16: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Engaging in sexual activity in the presence of a child | Sexual Offences Act 2003, section 11: [www.legislation.gov.uk/ukpga/2003/42/section/11](http://www.legislation.gov.uk/ukpga/2003/42/section/11) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 25: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Causing a child to watch a sexual act | Sexual Offences Act 2003, section 12: [www.legislation.gov.uk/ukpga/2003/42/section/12](http://www.legislation.gov.uk/ukpga/2003/42/section/12) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 26: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Criminal Justice (Northern Ireland) Order 1980, article 9: [www.bailii.org/nie/legis/num\_act/cjio1980366/xx1.html](http://www.bailii.org/nie/legis/num_act/cjio1980366/xx1.html) |
| Incest with a child | ‘Loi pour la punition d’Inceste’ (law for the punishment of incest) 1909 – Channel Islands  [www.legislation.gov.uk/wsi/2004/2695/schedule/paragraph/16/made](http://www.legislation.gov.uk/wsi/2004/2695/schedule/paragraph/16/made) |
| Indecent photographs of children | Protection of Children Act 1978, section 1: [www.legislation.gov.uk/ukpga/1978/37/section/1](http://www.legislation.gov.uk/ukpga/1978/37/section/1) |
| Protection of Children (Northern Ireland) Order 1978, article 3: [www.bailii.org/uk/legis/num\_act/1978/1006310.html](http://www.bailii.org/uk/legis/num_act/1978/1006310.html) |
| The Customs and Excise Management Act 1979, section 170:  [www.legislation.gov.uk/ukpga/1979/2/contents](http://www.legislation.gov.uk/ukpga/1979/2/contents) |
| Customs Consolidation Act 1876, section 42: [www.legislation.gov.uk/ukpga/Vict/39-40/36/section/42](http://www.legislation.gov.uk/ukpga/Vict/39-40/36/section/42) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, regulation 16 or 17: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Abduction of a child by a parent | Child Abduction Act 1984, section 1: [www.legislation.gov.uk/ukpga/1984/37](http://www.legislation.gov.uk/ukpga/1984/37) |
| Possession of indecent photograph of child | Criminal Justice Act 1988, section 160: [www.legislation.gov.uk/ukpga/1988/33/contents](http://www.legislation.gov.uk/ukpga/1988/33/contents) |
| Criminal Justice (Evidence etc.) (Northern Ireland) Order 1988, article 15: [www.bailii.org/nie/legis/num\_orders/1988/nisi\_19881847\_en\_1.html](http://www.bailii.org/nie/legis/num_orders/1988/nisi_19881847_en_1.html) |
| Abuse of trust – sexual activity with a child | Sexual Offences Act 2003, section 16: [www.legislation.gov.uk/ukpga/2003/42/section/16](http://www.legislation.gov.uk/ukpga/2003/42/section/16) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 23: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Abuse of position of trust: causing or inciting a child to engage in sexual activity | Sexual Offences (Northern Ireland) Order 2008, part 3, article 17: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Sexual Offences Act 2003, section 17, 21, 22, 23 or 24:  [www.legislation.gov.uk/ukpga/2003/42/contents](http://www.legislation.gov.uk/ukpga/2003/42/contents) |
| Abuse of position of trust: sexual activity in the presence of a child | Sexual Offences Act 2003, section 18: [www.legislation.gov.uk/ukpga/2003/42/section/18](http://www.legislation.gov.uk/ukpga/2003/42/section/18) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 18: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Abuse of position of trust: causing a child to watch a sexual act | Sexual Offences Act 2003, section 19: [www.legislation.gov.uk/ukpga/2003/42/section/19](http://www.legislation.gov.uk/ukpga/2003/42/section/19) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 19: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Abuse of position of trust: acts done in Scotland | Sexual Offences Act 2003, section 20: [www.legislation.gov.uk/ukpga/2003/42/section/20](http://www.legislation.gov.uk/ukpga/2003/42/section/20) |
| Abuse of position of trust: acts done in England and Wales or Scotland | Anything which, if done in Northern Ireland, would constitute an offence under any of articles 23 to 26 also constitutes that offence if done in England and Wales or Scotland. Sexual Offences (Northern Ireland Order) 2008, part 3, article 27: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Sexual activity with a child family member | Sexual Offences Act 2003, section 25: [www.legislation.gov.uk/ukpga/2003/42/section/25](http://www.legislation.gov.uk/ukpga/2003/42/section/25) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 32: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Inciting a child to engage in sexual activity | Sexual Offences Act 2003, section 26: [www.legislation.gov.uk/ukpga/2003/42/section/26](http://www.legislation.gov.uk/ukpga/2003/42/section/26) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 33: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Making a threat to kill a child | Offences against the Person Act 1861, section 16: [www.legislation.gov.uk/ukpga/Vict/24-25/100](http://www.legislation.gov.uk/ukpga/Vict/24-25/100) |
| Paying for sexual services of a child | Sexual Offences Act 2003, section 47: [www.legislation.gov.uk/ukpga/2003/42/section/47](http://www.legislation.gov.uk/ukpga/2003/42/section/47) |
| Sexual Offences (Northern Ireland Order) 2008, part 3, regulation 37: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Causing or inciting child prostitution or pornography | Sexual Offences Act 2003, section 48: [www.legislation.gov.uk/ukpga/2003/42/section/48](http://www.legislation.gov.uk/ukpga/2003/42/section/48) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 38: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Controlling a child prostitute or a child involved in pornography | Sexual Offences Act 2003, section 49: [www.legislation.gov.uk/ukpga/2003/42/section/49](http://www.legislation.gov.uk/ukpga/2003/42/section/49) |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 39: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Arranging or facilitating child prostitution or pornography | Sexual Offences Act 2003, section 50: [www.legislation.gov.uk/ukpga/2003/42/section/50](http://www.legislation.gov.uk/ukpga/2003/42/section/50) |
| Channel Islands, ‘Loi relative a la Sodomie (Law relating to Sodomy) 1929 |
| Burglary with intent to rape a child | Theft Act 1968, section 9(1)(a): [www.legislation.gov.uk/ukpga/1968/60/section/9](http://www.legislation.gov.uk/ukpga/1968/60/section/9) |
| Supplying or offering to supply class A drugs to a child | Misuse of Drugs Act 1971, section 4(3): [www.legislation.gov.uk/ukpga/1971/38/section/4](http://www.legislation.gov.uk/ukpga/1971/38/section/4) |
| Being concerned in the supplying of class A drug to a child | Misuse of Drugs Act 1971, section 4(3): [www.legislation.gov.uk/ukpga/1971/38/section/4](http://www.legislation.gov.uk/ukpga/1971/38/section/4) |
| Being concerned in the making to a child of an offer to supply class A drugs | Misuse of Drugs Act 1971, section 4(3): [www.legislation.gov.uk/ukpga/1971/38/section/4](http://www.legislation.gov.uk/ukpga/1971/38/section/4) |
| Theft of a child below the age of puberty | Scottish Common Law Offence of Plagium  [www.gov.uk/government/publications/relevant-offences-list-for-scotland/relevant-offences-list-for-scotlandh](http://www.gov.uk/government/publications/relevant-offences-list-for-scotland/relevant-offences-list-for-scotlandh) |
| Taking or sending a child out of the United Kingdom | Child Abduction Act 1984, section 6: [www.legislation.gov.uk/ukpga/1984/37/section/6](http://www.legislation.gov.uk/ukpga/1984/37/section/6) |
| Obstruction of any person acting under a child protection order | Children (Scotland) Act 1995, section 81: [www.bailii.org/uk/legis/num\_act/1995/ukpga\_19950036\_en\_1.html](http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950036_en_1.html) |
| Inducing a child to abscond or harbouring a child or preventing them from returning | Children (Scotland) Act 1995, section 83 or 89: [www.bailii.org/uk/legis/num\_act/1995/ukpga\_19950036\_en\_1.html](http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950036_en_1.html) | |
| Any offence specified in schedule 1 – offences against a child under the age of 17 | Criminal Procedure (Scotland) Act 1995: [www.bailii.org/uk/legis/num\_act/1995/ukpga\_19950046\_en\_1.html#sch1](http://www.bailii.org/uk/legis/num_act/1995/ukpga_19950046_en_1.html#sch1) | |
| Causing or allowing the death of a child or vulnerable adult | Domestic Violence, Crime and Victims Act 2004, section 5: [www.legislation.gov.uk/ukpga/2004/28/section/5](http://www.legislation.gov.uk/ukpga/2004/28/section/5) | |
| Any offence specified | The Children and Young Person Act (Northern Ireland) 1968, schedule 1: [www.bailii.org/uk/legis/num\_act/1968/2907686.html](http://www.bailii.org/uk/legis/num_act/1968/2907686.html) | |
| The Children’s Jersey Law 1969, part 7: [www.jerseylaw.je/search/default.aspx#&&WasTextSearch=True&Tab=-1&Page=1&Facets=RevisedLaw%2cLawAsEnacted%2cOrder%2cRegulation%2cJLR%2cUnreported%2cPrivyCouncilJudgment%2cJETJudgement%2cPracticeDirection%2cJGLR%2cPublication%2cStaticPage&Text=children%27s+jersey+law+1969%2c+part+7](http://www.jerseylaw.je/search/default.aspx#&&WasTextSearch=True&Tab=-1&Page=1&Facets=RevisedLaw%2cLawAsEnacted%2cOrder%2cRegulation%2cJLR%2cUnreported%2cPrivyCouncilJudgment%2cJETJudgement%2cPracticeDirection%2cJGLR%2cPublication%2cStaticPage&Text=children%27s+jersey+law+1969%2c+part+7) | |
| The Children (Jersey) Law 2002, schedule 4: [www.jerseylaw.je/Law/display.aspx?url=lawsinforce%2Fconsolidated%2F12%2F12.200\_ChildrenLaw2002\_RevisedEdition\_1January2015.htm](http://www.jerseylaw.je/Law/display.aspx?url=lawsinforce%2Fconsolidated%2F12%2F12.200_ChildrenLaw2002_RevisedEdition_1January2015.htm) | |
| Offences outside the UK | Sexual Offences Act 2003, section 72: [www.legislation.gov.uk/ukpga/2003/42/section/72](http://www.legislation.gov.uk/ukpga/2003/42/section/72) | |
| Criminal Law (Consolidation) (Scotland) Act 1995, section 16B: [www.legislation.gov.uk/ukpga/1995/39/section/16B](http://www.legislation.gov.uk/ukpga/1995/39/section/16B) | |
| Detention of absentees | Children and Young Person Act 1969, section 32(3): [www.legislation.gov.uk/ukpga/1969/54/contents](http://www.legislation.gov.uk/ukpga/1969/54/contents) | |
| Channel Islands protection of women and young girls | Loi relative a la protection des Femmes et des Filles Mineures’ 1914  [www.guernseylegalresources.gg/article/94045/Children-Consequential-Amendments-etc-Guernsey-and-Alderney-Ordinance-2009](http://www.guernseylegalresources.gg/article/94045/Children-Consequential-Amendments-etc-Guernsey-and-Alderney-Ordinance-2009) | |
| Channel Islands Law relating to the protection of children and young persons 1917 | ‘Loi Ayant rapport a la Protection des Enfants et des Jeunes Personnes’, article 7, 9, 10, 11, 12, section 1 of article 41, section 1–4 of article 51  [www.guernseylegalresources.gg/article/94045/Children-Consequential-Amendments-etc-Guernsey-and-Alderney-Ordinance-2009](http://www.guernseylegalresources.gg/article/94045/Children-Consequential-Amendments-etc-Guernsey-and-Alderney-Ordinance-2009) | |
| An offence contrary to the Children and Young Person (Guernsey) Law 1967: [www.guernseylegalresources.gg/article/6404/Advanced-Search?q=An+offence+contrary+to+the+Children+and+Young+Person+%28Guernsey%29+Law+1967&go=Search](http://www.guernseylegalresources.gg/article/6404/Advanced-Search?q=An+offence+contrary+to+the+Children+and+Young+Person+%28Guernsey%29+Law+1967&go=Search) | |
| An offence contrary to the Protection of Children (Bailiwick of Guernsey) Law 1985  [www.guernseylegalresources.gg/article/99689/Protection-of-Children-Bailiwick-of-Guernsey-Law-1985](http://www.guernseylegalresources.gg/article/99689/Protection-of-Children-Bailiwick-of-Guernsey-Law-1985) | |
| An offence specified in the Children and Young Person Act 2001 (an Act of Tynwald), schedule 8:  [www.gov.im/Search.gov?dept=0&search=Children+and+Young+Person+Act+2001+%28an+Act+of+Tynwald%29%2C+schedule+8](http://www.gov.im/Search.gov?dept=0&search=Children+and+Young+Person+Act+2001+%28an+Act+of+Tynwald%29%2C+schedule+8) | |
| Offences against children and young people for whom special provisions apply | Any offence specified in schedule 1 to the Children and Young Persons Act (Northern Ireland) 1968: [www.bailii.org/uk/legis/num\_act/1968/2907686.html](http://www.bailii.org/uk/legis/num_act/1968/2907686.html) | |
| Child sex offences committed by children or young persons  (1) A person under 18 commits an offence if he does anything which would be an offence under any of sections 9 to 12 if he were aged 18 | Sexual Offences Act 2003, section 13: [www.legislation.gov.uk/ukpga/2003/42/section/13](http://www.legislation.gov.uk/ukpga/2003/42/section/13) | |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 20: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) | |
| Arranging or facilitating commission of a child sex offence | Sexual Offences Act 2003, section 14: [www.legislation.gov.uk/ukpga/2003/42/section/14](http://www.legislation.gov.uk/ukpga/2003/42/section/14) | |
| Sexual Offences (Northern Ireland) Order 2008, part 3, article 21: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) | |
| Meeting a child following sexual grooming, etc. | Sexual Offences (Northern Ireland) Order 2008, part 3, article 22: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) | |
| Sexual Offences Act 2003, section 15: [www.legislation.gov.uk/ukpga/2003/42/section/15](http://www.legislation.gov.uk/ukpga/2003/42/section/15) | |
| Trespassing with intent to commit a sexual offence | Sexual Offences Act 2003 section 62 or 63: [www.legislation.gov.uk/ukpga/2003/42/contents](http://www.legislation.gov.uk/ukpga/2003/42/contents) | |
| Sex with an adult relative | Sexual Offences Act 2003, sections 64 and 65: [www.legislation.gov.uk/ukpga/2003/42/contents](http://www.legislation.gov.uk/ukpga/2003/42/contents) | |
| Intercourse with an animal | Sexual Offences Act 2003, section 69: [www.legislation.gov.uk/ukpga/2003/42/section/69](http://www.legislation.gov.uk/ukpga/2003/42/section/69) | |
| Sexual Offences (Northern Ireland) Order 2008, article 73: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) | |
| Sexual penetration of a corpse | Sexual Offences Act 2003, section 70: [www.legislation.gov.uk/ukpga/2003/42/section/70](http://www.legislation.gov.uk/ukpga/2003/42/section/70) | |
| Sexual Offences (Northern Ireland) Order 2008, article 74: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) | |

### Table 5: Disqualified by way of being, in relation to childminding or childcare:

* found to have committed (which includes having been convicted of an offence or having been given a caution on or after 6 April 2007) any of the following offences against a child, or any other offence involving bodily injury to or death of a child[[3]](#footnote-3)
* found to have committed any of the offences against an adult, which are mentioned in paragraph 2 of schedule 4 to the Criminal Justice and Court Services Act 2000 or an offence that is related to such an offence (which includes having been given a caution on or after 6 April 2007
* charged with any of the following offences committed against a person aged 18 or over, which are mentioned in paragraph 2 of schedule 4 to the Criminal Justice and Court Services Act 2000 and had a ‘relevant order’ imposed.[[4]](#footnote-4)

| Offence | Legislation |
| --- | --- |
| Murder | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(a): [www.legislation.gov.uk/ukpga/2000/43/schedule/4](http://www.legislation.gov.uk/ukpga/2000/43/schedule/4) |
| Kidnapping | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(c): [www.legislation.gov.uk/ukpga/2000/43/schedule/4](http://www.legislation.gov.uk/ukpga/2000/43/schedule/4) |
| Manslaughter | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(b): [www.legislation.gov.uk/ukpga/2000/43/schedule/4](http://www.legislation.gov.uk/ukpga/2000/43/schedule/4) |
| False imprisonment | Criminal Justice and Court Services Act 2000, schedule 4, paragraph 2(d): [www.legislation.gov.uk/ukpga/2000/43/schedule/4](http://www.legislation.gov.uk/ukpga/2000/43/schedule/4) |
| Wounding and causing grievous bodily harm | Offences Against the Person Act 1861, section 18 or 20: [www.legislation.gov.uk/ukpga/Vict/24-25/100/contents](http://www.legislation.gov.uk/ukpga/Vict/24-25/100/contents) |
| Assault occasioning actual bodily harm | Offences Against the Person Act 1861, section 47: [www.legislation.gov.uk/ukpga/Vict/24-25/100/section/47](http://www.legislation.gov.uk/ukpga/Vict/24-25/100/section/47) |
| Rape | Sexual Offences Act 2003, section 1:  [www.legislation.gov.uk/ukpga/2003/42/section/1](http://www.legislation.gov.uk/ukpga/2003/42/section/1) |
| Assault by penetration | Sexual Offences Act 2003, section 2: [www.legislation.gov.uk/ukpga/2003/42/section/2](http://www.legislation.gov.uk/ukpga/2003/42/section/2) |
| Sexual assault | Sexual Offences Act 2003, section 3:  [www.legislation.gov.uk/ukpga/2003/42/section/3](http://www.legislation.gov.uk/ukpga/2003/42/section/3) |
| Causing a person to engage in sexual activity without consent | Sexual Offences Act 2003, section 4: [www.legislation.gov.uk/ukpga/2003/42/section/4](http://www.legislation.gov.uk/ukpga/2003/42/section/4) |
| Sexual activity with a person with a mental disorder impeding choice | Sexual Offences Act 2003, section 30: [www.legislation.gov.uk/ukpga/2003/42/section/30](http://www.legislation.gov.uk/ukpga/2003/42/section/30) |
| Causing or inciting a person, with a mental disorder impeding choice, to engage in sexual activity | Sexual Offences Act 2003, section 31: [www.legislation.gov.uk/ukpga/2003/42/section/31](http://www.legislation.gov.uk/ukpga/2003/42/section/31) |
| Engaging in sexual activity in the presence of a person with a mental disorder impeding choice | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 32: [www.legislation.gov.uk/ukpga/2003/42/section/32](http://www.legislation.gov.uk/ukpga/2003/42/section/32) |
| Causing a person, with a mental disorder impeding choice, to watch a sexual act | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 33: [www.legislation.gov.uk/ukpga/2003/42/section/33](http://www.legislation.gov.uk/ukpga/2003/42/section/33) |
| Inducement, threat or deception to procure sexual activity with a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 34: [www.legislation.gov.uk/ukpga/2003/42/section/34](http://www.legislation.gov.uk/ukpga/2003/42/section/34) |
| Causing a person with a mental disorder to engage in or agree to engage in sexual activity by inducement, threat or deception | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 35: [www.legislation.gov.uk/ukpga/2003/42/section/35](http://www.legislation.gov.uk/ukpga/2003/42/section/35) |
| Engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 36: [www.legislation.gov.uk/ukpga/2003/42/section/36](http://www.legislation.gov.uk/ukpga/2003/42/section/36) |
| Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 37: [www.legislation.gov.uk/ukpga/2003/42/section/37](http://www.legislation.gov.uk/ukpga/2003/42/section/37) |
| Care workers: sexual activity with a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 38: [www.legislation.gov.uk/ukpga/2003/42/section/38](http://www.legislation.gov.uk/ukpga/2003/42/section/38) |
| Care workers: causing or inciting sexual activity | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 39: [www.legislation.gov.uk/ukpga/2003/42/section/39](http://www.legislation.gov.uk/ukpga/2003/42/section/39) |
| Care workers: sexual activity in the presence of a person with a mental disorder | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 40: [www.legislation.gov.uk/ukpga/2003/42/section/40](http://www.legislation.gov.uk/ukpga/2003/42/section/40) |
| Care workers: causing a person with a mental disorder to watch a sexual act | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 41: [www.legislation.gov.uk/ukpga/2003/42/section/41](http://www.legislation.gov.uk/ukpga/2003/42/section/41) |
| Causing or inciting prostitution for gain | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 52: [www.legislation.gov.uk/ukpga/2003/42/section/52](http://www.legislation.gov.uk/ukpga/2003/42/section/52) |
| Controlling prostitution for gain | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 53: [www.legislation.gov.uk/ukpga/2003/42/section/53](http://www.legislation.gov.uk/ukpga/2003/42/section/53) |
| Trafficking into the UK for sexual exploitation | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 57: [www.legislation.gov.uk/ukpga/2003/42/section/57](http://www.legislation.gov.uk/ukpga/2003/42/section/57) |
| Trafficking within the UK for sexual exploitation | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 58: [www.legislation.gov.uk/ukpga/2003/42/section/58](http://www.legislation.gov.uk/ukpga/2003/42/section/58) |
| Trafficking out of the UK for sexual exploitation | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 59: [www.legislation.gov.uk/ukpga/2003/42/section/59](http://www.legislation.gov.uk/ukpga/2003/42/section/59) |
| Administering a substance with intent | [Sexual Offences Act 2003](http://www.opsi.gov.uk/acts/acts2003/ukpga_20030042_en_1), section 60, 61: [www.legislation.gov.uk/ukpga/2003/42/contents](http://www.legislation.gov.uk/ukpga/2003/42/contents) |
| Trafficking people for exploitation | Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, section 4: [www.legislation.gov.uk/ukpga/2004/19/section/4](http://www.legislation.gov.uk/ukpga/2004/19/section/4) |
| Exposure (where the conviction is also subject to a prevention order) | Sexual Offences Act 2003, section 66: [www.legislation.gov.uk/ukpga/2003/42/section/66](http://www.legislation.gov.uk/ukpga/2003/42/section/66) |
| Sexual Offences (Northern Ireland) Order 2008, article 70: [www.bailii.org/uk/legis/num\_reg/2008/uksi\_20081769\_en\_1.html](http://www.bailii.org/uk/legis/num_reg/2008/uksi_20081769_en_1.html) |
| Voyeurism (where the conviction is also subject to a prevention order) against a child or adult | Sexual Offences Act 2003, section 67: [www.legislation.gov.uk/ukpga/2003/42/section/67](http://www.legislation.gov.uk/ukpga/2003/42/section/67) |

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| This policy was renewed and revised in: | August2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 36. Committee Responsibilities

The trustees of the pre-school will:

* Ensure the pre-school complies within its constitution, charity law, Ofsted and local authority requirements
* Ensure the safe recruitment procedures are followed for all appointments to the management team
* Adhere to all the pre-school policies
* Maintain a strict confidential approach to all committee members regarding pre-school matters
* Attend meetings
* Always work in the best interest of the pre-school
* Act with integrity, avoid any personal conflict of interest, or misuse of charity funds or assets
* Be pro-active in presenting the pre-school as anti-discriminatory establishment that welcomes all families from the community
* Ensure that two-way communication and support between the staff and committee takes place i.e.: consult with the staff and utilise their qualifications and experience and other support and individual expertise of staff
* The charity commission has the statutory obligation to regulate and monitor charities and failure to run in accordance with the constitution could lead the committee open to investigation.

### Main functions of Oatlands Pre-school Committee

* Ensure that the sound management of the staff is undertaken by the Manager and that strategic direction and targets are provided to staff through an appraisal system; led by the Manager;
* Managers appraisals are completed by the trustees annually;
* Agree staffing policies
* Review pay scale and salaries annually, agree when salaries are to be reviewed (when a staff member completes an NVQ or other qualification).

### Budget

* Agree staffing budget and staff: child break even ratios to allow managers to adjust staffing needs as necessary (e.g. When child numbers rise or fall), without the need to wait for the treasurer’s decision
* Nominate a personal officer to undertake safer recruitment training
* Before the start of each academic year, budgets are set for each revenue stream and cost category

### Finance

* The committee will be advised of the current financial position
* Agree each year who can sign cheques
* Agree banking process
* Agree what expenditure can be undertaken by the treasurer or management team without reference to the full committee
* The equivalent of 3 months running costs will be set aside as “emergency funds” If this level goes below this, the committee must be convened in order to review the financial position of the pre-school and agree any necessary action. Agree what emergency funds the treasurer should keep within the pre-school accounts and at what level a committee review of finances should be triggered.
* Regularly review banking arrangements to maximise cash flow and interest returns.

### Fundraising

* Provide funds for additional resources, other than those already funded by the local authority e.g.: play equipment, outings, visits, IT resources, building improvements, staff uniforms
* Fundraising is currently lead by a Head of Fundraising and a Fundraising Committee
* Agree priorities for use of monies raised from the fundraising team through discussion with the Manager, as to the needs of the pre-school and wherever possible consult with parents.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 37. Code of Conduct

High standards of behaviour are expected from adults who work with children and young people. It is therefore important that the nature of the work, the responsibilities related to it along with the position of trust placed upon them is clearly understood. Staff and volunteers need to be aware that they may be seen as role models by children and young people and must act in an appropriate manner at all times. This document provides guidance on appropriate conduct for all adults working with children in paid or unpaid capacities, in all settings and in all contexts.

The guidance aims to:

* Assist adults working with children and young people to work safely and responsibly and to monitor their own standards and practice
* Support managers and employers in setting clear expectations of behaviour and/or codes of conduct/ acceptable behaviours
* Support managers and employers in giving a clear message that unlawful or unsafe behaviour or breaching the code of conduct is unacceptable and that, where appropriate, disciplinary or legal action will be taken

Managers should provide all employees and volunteers withclear, concise guidelines aboutacceptable behaviour/conduct in the setting, these points should be followed at all times with immediate action being taken to deal with breaches of the code of conduct in line with the settings disciplinary and grievance procedure.

### Underpinning principles:

* The child’s needs are paramount, and the needs and wishes of each child, be they a baby, an infant or an older child, should be put first (Working Together to Safeguard Children 2015:12)
* It is the responsibility of all adults to safeguard and promote the welfare of children and young people.
* Adults who work with children are responsible for their own actions and behaviour and should avoid any conduct which would lead any responsible person to question their motivation and intentions.
* Adults should work and be seen to work, in an open and transparent way.
* The same professional standards should always be applied regardless of culture, disability, gender, language, racial origin, religious belief and/or sexual identity.
* Adults should continually monitor and review their practice.

### Points to consider

* Staff are fully aware and follow the settings safeguarding children policy and e-safety policy and procedures at all times.
* All staff are expected to conduct themselves at all times in professional, courteous, helpful and consistent manner
* Staff must follow the settings policies and procedures at all times
* All staff must recognise and respect the value and intrinsic worth of each child and family, regardless of economic or social background.
* All children and families deserve respect and understanding.
* Early years practitioners are responsible for nurturing and educating young children as well as providing information and support to parents.
* Early years practitioners should seek to improve their understanding of the development of young children through ongoing education and collaboration with colleagues.
* Early years workers have a responsibility to understand and adhere to current legislation and guidance that supports their role.
* All staff have a responsibility to contribute to the settings responsibility to protect children and encourage a ‘safer working culture’.
* Always maintain appropriate professional boundaries and avoid behaviour which might be misinterpreted by others
* Staff need to be aware they are role models and consider how they display this in the setting.
* Staff will be expected to follow agreed procedures, without fear of recrimination, to bring to the attention of the Nursery Manager any deficiency in standards.
* If staff have concerns regarding the Nursery Manager or other senior staff member’s the [Whistle blowing Policy](http://www.surreycc.gov.uk/schools-and-learning/childcare-professionals/running-your-childcare-business/recruit-and-retain-childcare-professionals-and-volunteers/retaining-childcare-professionals) must be followed.
* Staff are able to challenge poor practice
* Staff should dress appropriately and safely for their job and give a positive image.
* Except for medical reasons, employees must not take any substances that might affect their work.
* Staff should inform management if they are taking any medicines that may have an effect on their work.
* No staff should consume or be under the influence of drink/drugs during their hours of work.
* No smoking should be permitted on setting premises
* Where possible staff should not wear company uniform outside of working hours.
* Staff should be aware of their conduct outside of work, particularly with regard to any friendships with parents established before employment in the setting.
* Settings should have a policy/guideline regarding employees babysitting for parents with children at the setting, staff must be aware if any safeguarding concerns are noted/witnessed whilst undertaking babysitting duties they have a responsibility to pass this information
* Staff should consult their manager before taking on additional employment. They should be clear about their contractual obligations and make sure their additional employment does not conflict with their settings interests.
* Adhere to the setting’s safeguarding policy on the use of camera’s and mobile phones in the setting
* Be aware of the appropriate use of physical intervention, adhering to the setting’s behaviour management policy
* Report any behaviour by colleague/s that raise concern
* Be aware that behaviour in their personal lives may impact upon their work with children and young people
* Understand the responsibilities of their role and be aware of the sanctions that will be applied if these provisions are breached
* Staff maintain the highest possible standards of performance, and aim to improve their knowledge, skills and competencies by taking advantage of in-service and other training;
* Staff constantly evaluate and reappraise their own methods, policies and practices and be aware of the need to keep up-to-date with current developments in the light of changing needs and circumstances.
* Be aware of the need for confidentiality within their professional practise. Confidential information received should not be disclosed unless required by law or to protect the interests or welfare of the child, listen to and respect children at all times;
* Staff must be aware at all times what they discuss in front of children and other staff members this includes confidential matters involving parents or children attending the setting.
* Avoid favouritism;
* Treat children and young people fairly and without prejudice or discrimination;
* Value and take children’s contributions seriously, actively involving children and young people in planning activities wherever possible;
* Ensure any contact with children and young people is appropriate and in relation to the work of the project;
* Always ensure language is appropriate and not offensive or discriminatory, consider tone of voice, pitch and levels of discussion, shouting at children is not acceptable.
* No bullying, harassment or victimisation of colleagues/parents in or outside of work, this should be linked to E safety policy.
* Always ensure equipment is used safely and for its intended purpose;
* Provide examples of good conduct you wish children and young people to follow;
* Challenge unacceptable behaviour and report all allegations/suspicions of abuse;

Arguments or disagreements between staff should not occur in the presence of children or parents

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 38. Play Policy

Children develop quickly during their early years and playgroup provision facilitates this development, physically, intellectually, emotionally and socially through playful experiences. This pre-school intends to promote this policy by implementing the points outlined below:

* During play, children learn from first hand experiences, they try out new ideas, practice skills through repetition and learn how to cope with many different feelings.
* In pre-school we aim to enhance children’s learning by providing play activities which promote the seven desirable learning outcomes in conjunction with the Early Years Foundation Stage.
* The opportunities for play and learning in pre-school will emphasise intrinsic motivation, where the process of play is seen as more important than the end product.
* Children will be given the opportunity to express freedom, spontaneity, fun and ownership of their play experiences.
* The adults’ role will be to facilitate the children’s development through play in a happy, stimulating and caring environment.

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# 39. General Data Protection Regulation Policy

### Statement of Intent

The General Data Protection Regulation (GDPR) is designed to protect the privacy of individuals. It requires that any personal information about an individual is processed securely and confidentially. This includes both staff and children. How the pre-school obtains, shares and uses information is critical, as personal data is sensitive and private. Everyone, adults and children alike, has the right to know how the information about them is used. The General Data Protection Regulation requires the pre-school to strike the right balance in processing personal information so that an individual’s privacy is protected. Applying the principles to all information held by the pre-school will typically achieve this balance and help to comply with the legislation.

We will respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting. We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children. There are record keeping systems in place that meet legal requirements; means of storing and sharing that information take place within the framework of the General Data Protection Regulation and the Human Rights Act.

### General Data Protection Regulation principles

To comply with the act, the pre-school must observe the eight ‘General Data Protection Regulation principles’, ensuring that:

* Personal data shall be processed fairly and lawfully
* Personal data shall be obtained only for one or more specified and lawful purposes and shall not be further processed in any manner incompatible with that purpose or those purposes.
* Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
* Personal data shall be accurate and, where necessary, kept up to date.
* Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
* Personal data shall be processed in accordance with the rights of data subjects under this Act.
* Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
* Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

In practice, it means that the pre-school must:

* have legitimate grounds for collecting and using the personal data;
* not use the data in ways that have unjustified adverse effects on the individuals concerned;
* be transparent about how they intend to use the data, and give individuals appropriate privacy notices when collecting their personal data;
* handle people’s personal data only in ways they would reasonably expect; and
* make sure they do not do anything unlawful with the data

Personal data is information that relates to an identifiable living individual that is processed as data. Processing amounts to collecting, using, disclosing, retaining or disposing of information. The General Data Protection Regulation principles apply to all information held electronically or in structured paper files.

The principles also extend to educational records – the names of staff and children, dates of birth, addresses, national insurance numbers, medical information, SEN assessments and staff development reviews.

Sensitive personal data is information that relates to

* race and ethnicity,
* political opinions,
* religious beliefs,
* membership of trade unions,
* physical and mental health,
* sexuality
* criminal offences

Sensitive personal data is given greater legal protection as individuals would expect certain information to be treated as private or confidential – for example, a pre-school manager may have a pre-school e-mail account that is made publicly available on the school’s website whereas their home e-mail account is private and confidential and should only be available to those to whom consent had been granted.

It is important to differentiate between personal information that individuals would expect to be treated as private or confidential (whether or not legally classified as sensitive personal data) and personal information you can make freely available. For example: the pre-school manager’s identity is personal information, but everyone would expect it to be publicly available. However, the pre-school manager’s home phone number would usually be regarded as private information.

What must the pre-school do?

* We must notify the ICO (Information Commissioner’s Office) that we are processing personal data.
* We have nominated Data Protection Officers, the Pre-school Manager, Lois Patrick and Lions’ Room Leader, Debbie Simmonds.
* The pre-school has clear, practical policies and procedures on information governance for staff to follow, and needs to monitor their operation

These should include:

* Staff Code of Conduct
* Privacy notices for staff and parents/pupils
* Children’s Records Policy

### Data Breaches

In the event of a personal data breach, the Data Protection Officer should be notified immediately, and an investigation carried out.

### Individual Rights

The General Data Protection Regulation includes the following rights for individuals:

* the right to be informed;
* the right of access;
* the right to rectification;
* the right to erasure;
* the right to restrict processing;
* the right to data portability;
* the right to object; and
* the right not to be subject to automated decision-making including profiling.

The General Data Protection Regulation entitles an individual the right to request the personal information a pre-school holds on their behalf – this is known as a Subject Access Request (SAR) and includes all and any information held by the pre-school, not just that information held on central files or electronically, so it could also include correspondence or notes held by others in the pre-school.

* SARs must be responded to within 1 month of receipt.
* The SAR should be made in writing by the individual making the request.
* The pre-school can refuse or charge for requests that are manifestly unfounded or excessive
* Parents can make SARs on behalf of their children if the children are deemed to be too young or they have consented to their parents doing so on their behalf.

### Staff Responsibilities

Staff need to know and understand:

* How to manage, keep and dispose of data
* The pre-school’s procedures in relation to children’s records, email, social media, taking photos in the pre-school, mobile technology and the pre-school website
* When they are allowed to share information with others and how to make sure it is kept secure when shared.

### Information and IT Equipment Acceptable Usage

Acceptable Usage covers the security and use of all Oatlands Pre-School’s information and IT equipment. It also includes the use of email, internet, voice and mobile IT equipment. This applies to all Oatlands Pre-School employees, contractors and agents (hereafter referred to as ‘individuals’).

This applies to all information, in whatever form, relating to Oatlands Pre-school business activities, and to all information handled by Oatlands Pre-School relating to other organisations with whom it deals. It also covers all IT and information communications facilities operated by Oatlands Pre-school or on its behalf.

### Computer Access Control – Individual’s Responsibility

Access to the Oatlands Pre-School’s IT systems is controlled by the use of User IDs and passwords. All User IDs and passwords are to be uniquely assigned to named individuals and consequently, individuals are accountable for all actions on the Oatlands Pre-School IT systems.

Individuals must not:

* Allow anyone else to use their user ID and password on any Oatlands Pre-School IT system
* Leave their user accounts logged in at an unattended and unlocked computer.
* Use someone else’s user ID and password to access Oatlands Pre-School’s IT systems
* Leave their password unprotected (for example writing it down).
* Perform any unauthorised changes to Oatlands Pre-School’s IT systems or information
* Attempt to access data that they are not authorised to use or access.
* Exceed the limits of their authorisation or specific business need to interrogate the system or data.
* Connect any non-Oatlands Pre-School authorised device to the Oatlands Pre-School network or IT systems
* Store Oatlands Pre-School data on any non-authorised Oatlands Pre-School equipment
* Give or transfer Oatlands Pre-School’s data or software to any person or organisation outside Oatlands Pre-School without the authority of Oatlands Pre-School.

The Pre-School Manager must ensure that individuals are given clear direction on the extent and limits of their authority with regard to IT systems and data.

### Internet and email Conditions of Use

Use of Oatlands Pre-School’s internet and email is intended for business use. Personal use is permitted where such use does not affect the individual’s business performance, is not detrimental to Oatlands Pre-School in any way, not in breach of any term and condition of employment and does not place the individual or Oatlands Pre-School in breach of statutory or other legal obligations.

All individuals are accountable for their actions on the internet and email systems.

Individuals must not:

* Use the internet or email for the purposes of harassment or abuse.
* Use profanity, obscenities, or derogatory remarks in communications
* Access, download, send or receive any data (including images), which Oatlands Pre-School considers offensive in any way, including sexually explicit, discriminatory, defamatory or libellous material.
* Use the internet or email to make personal gains or conduct a personal business
* Use the internet or email to gamble
* Use the email systems in a way that could affect its reliability or effectiveness, for example distributing chain letters or spam.
* Place any information on the Internet that relates to Oatlands Pre-School, alter any information about it, or express any opinion about Oatlands Pre-School, unless they are specifically authorised to do this.
* Send unprotected sensitive or confidential information externally.
* Make official commitments through the internet or email on behalf of Oatlands Pre-School unless authorised to do so.
* Download copyrighted material such as music media (MP3) files, film and video files (not an exhaustive list) without appropriate approval.
* In any way infringe any copyright, database rights, trademarks or other intellectual property.
* Download any software from the internet without prior approval of the Manager
* Connect Oatlands Pre-School devices to the internet using non-standard connections

### Clear Desk and Clear Screen Policy

In order to reduce the risk of unauthorised access or loss of information, Oatlands Pre-School enforces a clear desk and screen policy as follows:

* Personal or confidential business information must be protected using security features provided for example secure print on printers.
* Computers must be logged off/locked or protected with a screen locking mechanism controlled by a password when unattended.
* Care must be taken to not leave confidential material on printers or photocopiers.
* All business-related printed matter must be disposed of using confidential waste bins or shredders.

### Working Off-site

It is accepted that laptops and mobile devices will be taken off-site. The following controls must be applied:

* Working away from the office must be in line with Oatlands Pre-School’s remote working policy.
* Equipment and media taken off-site must not be left unattended in public places and not left in sight in a car.
* Laptops must be carried as hand luggage when travelling.
* Information should be protected against loss or compromise when working remotely (for example at home or in public places). Laptop encryption must be used.
* Particular care should be taken with the use of mobile devices such as laptops, mobile phones, smartphones and tablets. They must be protected at least by a password or a PIN and, where available, encryption.

### Mobile Storage Devices

Mobile devices such as memory sticks, CDs, DVDs and removable hard drives must be used only in situations when network connectivity is unavailable or there is no other secure method of transferring data. Only Oatlands Pre-School’s authorised mobile storage devices with encryption enabled must be used, when transferring sensitive or confidential data.

### Software

Employees must use only software that is authorised by Oatlands Pre-School on Oatlands Pre-School’s laptops/iPad. Authorised software must be used in accordance with the software supplier's licensing agreements. All software on Oatlands Pre-School’s laptops must be approved and installed by Oatlands Pre-School’s Manager/Deputy Manager/Deputy Manager.

Individuals must not:

* Store personal files such as music, video, photographs or games on Oatlands Pre-School’s IT equipment

### Viruses

The Manager has implemented centralised, automated virus detection and virus software updates within the Oatlands Pre-School. All PCs have antivirus software installed to detect and remove any virus automatically.

Individuals must not:

* Remove or disable anti-virus software
* Attempt to remove virus-infected files or clean up an infection, other than by the use of approved Oatlands Pre-School’s anti-virus software and procedures.

### Telephone (Voice) Equipment Conditions of Use

Use of Oatlands Pre-School’s voice equipment is intended for business use. Individuals must not use Oatlands Pre-School’s voice facilities for sending or receiving private communications on personal matters, except in exceptional circumstances. All non-urgent personal communications should be made at an individual’s own expense using alternative means of communications

Individuals must not:

* Use Oatlands Pre-School’s voice for conducting private business
* Make hoax or threatening calls to internal or external destinations
* Accept reverse charge calls from domestic or International operators, unless it is for business use

### Actions upon Termination of Contract

All Oatlands Pre-School’s equipment and data, for example laptops and mobile devices including telephones, smartphones, USB memory devices and CDs/DVDs, must be returned to Oatlands Pre-School at termination of contract.

All Oatlands Pre-School’s data or intellectual property developed or gained during the period of employment remains the property of Oatlands Pre-School and must not be retained beyond termination or reused for any other purpose.

### Monitoring and Filtering

All data that is created and stored on Oatlands Pre-School’s laptops is the property of Oatlands Pre-School and there is no official provision for individual data privacy, however wherever possible Oatlands Pre-School will avoid opening personal emails.

IT system logging will take place where appropriate, and investigations will be commenced where reasonable suspicion exists of a breach of this or any other policy. Oatlands Pre-School has the right (under certain conditions) to monitor activity on its systems, including internet and email use, in order to ensure systems security and effective operation, and to protect against misuse.

Any monitoring will be carried out in accordance with audited, controlled internal processes, the UK Data Protection Act 1998, the Regulation of Investigatory Powers Act 2000 and the

Telecommunications (Lawful Business Practice Interception of Communications) Regulations 2000

It is you’re the employees responsibility to report suspected breaches of a security policy without delay to the Pre-School Manager.

All breaches of information security policies will be investigated. Where investigations reveal misconduct, disciplinary action may follow in line with Oatlands Pre-School’s disciplinary procedures.

### Access to staff personal data

* Employees are allowed to have access to all personal data about them held on manual or computer records under the Data Protection Act (1998). The Act requires the organisation to action requests for access to personal data within one month.
* Should an employee request access to their personal data, the request must be addressed in writing to the Manager. The request will be judged in the light of the nature of the personal data and the frequency with which they are updated. The employee will be informed whether or not the request is to be granted. If it is, the information will be provided within one month of the date of the request.
* In the event of a disagreement between an employee and the Manager regarding personal data, the matter should be taken up under the Pre-School’s grievance procedure.
* The right of employees to see information held about them is extended to information held in paper record-keeping systems as well as computerised systems.
* There are some exemptions; for example, employees will not be able to see employment references about them supplied in confidence, nor will people involved in negotiations with the Data Protection Officers be able to see information about the Data Protection Officer’s intentions in relation to those negotiations.
* Employee data cannot be used for direct marketing (including fundraising) if the data subject objects.

### Legal Framework

General Data Protection Regulation 2018 <https://ico.org.uk/>

Data Protection Act 1998

Computer Misuse Act 1990

Freedom of Information Act 2000

Human Rights Act 1999

The Children Act 2004, 2006 (Every Child Matters)

Statutory Framework

Statutory Framework for the Early Years

Section 3: The Safeguarding and Welfare requirements 3.67-3.72

Guidance

Please see separate Safeguarding Child Protection Policy.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 40. Transfer of records to school

### Policy statement

Oatlands Pre-School recognise that children sometimes move to another early years setting before they go on to school, although many will leave the setting to enter a nursery or reception class.

We prepare children for these transitions and involve parents and the receiving setting or school in this process. We prepare records about a child’s development and learning in the Early Years Foundation Stage in our setting. In order to enable smooth transitions, we share appropriate information with the receiving setting or school in the term before transfer.

Confidential records are shared where there have been child protection concerns according to the process required by our Local Safeguarding Children’s Board. (Surrey Safeguarding Children’s Board).

The procedure guides this process and determines what information we can and cannot share with a receiving school or setting. Prior to transferring information, we will establish the lawful basis for doing so (see our Privacy Notice).

### Procedures

Transfer of development records for a child moving to another early years setting or school

* Using the Early Years Outcomes (DfE 2013) guidance and our assessment of children's development and learning, the key person will prepare a summary of achievements in the seven areas of learning and development.
* The record refers to:
  + any additional language spoken by the child and his or her progress in both languages;
  + any additional needs that have been identified or addressed by our SENCO in the setting;
  + any special needs or disability, whether a CAF was raised in respect of special needs or disability, whether there is an Education, Health and Care Plan, and the name of the lead professional.
* The record contains a summary by the key person.
* The document may be accompanied by other evidence, such as photos or drawings that the child has made.
* When a child transfers to a school, most local authorities provide an assessment summary format or a transition record, which we will follow as applicable.
* If there have been any welfare or protection concerns, we place a star on the front of the assessment record.

### Transfer of confidential information

* The receiving school or setting will need to have a record of any safeguarding or child protection concerns that were raised in our setting and what was done about them.
* We will make a summary of the concerns to send to the receiving setting or school, along with the date of the last professional meeting or case conference. Some Local Safeguarding Children Boards will stipulate the forms to be used and provide these for us to use.
* Where a CAF has been raised in respect of any welfare concerns, we will pass the name and contact details of the lead professional on to the receiving setting or school.
* Where there has been a s47 investigation regarding a child protection concern, we will pass the name and contact details of the child’s social worker on to the receiving setting or school – regardless of the outcome of the investigation.
* We post or take the information to the school or setting, ensuring it is addressed to the setting or school’s designated person for child protection and marked as 'confidential’.
* We do not pass any other documentation from the child's personal file to the receiving setting or school.

### Legal framework

* General Data Protection Regulations (GDPR) (2018)
* Freedom of Information Act (2000)
* Human Rights Act (1998)
* Children Act (1989)

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 41. Children’s Records Policy

### Policy statement

We have record keeping systems in place that meet legal requirements; the means we use to store and share that information takes place within the framework of the General Data Protection Regulations (GDPR) (2018) and the Human Rights Act (1998).

This policy and procedure should be read alongside our Privacy Notice, Confidentiality and Client Access to Records Policy and our Information Sharing Policy.

### Procedures

If a child attends another setting, we establish a regular two-way flow of appropriate information with parents and other providers. Where appropriate, we will incorporate comments from other providers, as well as parents and/or carers into the child’s records.

We keep two kinds of records on children attending our setting:

1. Developmental records

* These include observations of children in the setting, photographs, video clips and samples of their work and summary developmental reports.
* These are kept in a locked cupboard (Tapestry is on-line is password protected) and can be accessed, and contributed to, by the practitioners of the pre-school. Parents can see the Learning Journey folders at any time they wish. Once the online system is running, there will be access to this by practitioners and parents. Parents will have their own password and only have access to their child’s records.

1. Personal records

* These may include the following (as applicable):
  + Personal details – including the child’s registration form and any consent forms.
  + Contractual matters – including a copy of the signed Terms and Conditions, the child’s days and times of attendance, a record of the child’s fees, any fee reminders or records of disputes about fees.
  + Child’s development, health and well-being – including a summary only of the child’s EYFS profile report, a record of discussions about every day matters about the child’s development health and well-bring with the parent.
  + Early Support – including any additional focussed intervention provided by our setting (e.g. support for behaviour, language or development that needs a SEN action plan) and records of any meetings held.
  + Welfare and child protection concerns – including records of all welfare and protection concerns, and our resulting action, meetings and telephone conversations about the child, an Education, Health and Care Plan and any information regarding a Looked After Child.
  + Correspondence and Reports – including a copy of the child’s 2-Year-Old Progress Check (as applicable), all letters and emails to and from other agencies and any confidential reports from other agencies.
* These confidential records are stored in a lockable file or cabinet, which is always locked when not in use and which the Manager keeps secure in an office or other suitably safe place.
* We read any correspondence in relation to a child, note any actions and file it immediately
* We ensure that access to children’s files is restricted to those authorised to see them and make entries in them, this being the Manager/Designated Safeguarding Lead, Deputy Manager and Room Leaders, the child’s key person, or other staff as authorised by the Manager and other staff as authorised.
* We may be required to hand children’s personal files to Ofsted as part of an inspection or investigation process; or to local authority staff conducting a S11 audit, as long as authorisation is seen. We ensure that children’s personal files are not handed over to anyone else to look at.
* Parents have access, in accordance with our Privacy Notice, Confidentiality and Client Access to Records Policy, to the files and records of their own children, but do not have access to information about any other child.
* Our staff will not discuss personal information given by parents with other members of staff, except where it affects planning for the child's needs. Our staff induction programme includes an awareness of the importance of confidentiality in the role of the key person.
* We retain children’s records for three years after they have left the setting; except records that relate to an accident or child protection matter, which are kept until a child reaches the age of 21 years or 24 years respectively. These are kept in a secure place.

### Archiving children’s files

* When a child leaves our setting, we remove all paper documents from the child’s personal file and place them in a robust envelope, with the child’s name and date of birth on the front and the date they left. We seal this and place it in an archive box, stored in a safe place (i.e. a locked cabinet) for three years. After three years it is destroyed.
* If data is kept electronically it is encrypted and stored as above.
* Where there were s.47 child protection investigations, we mark the envelope with a star and archive it for 25 years.
* We store financial information according to our finance procedures.

### Other records

* We keep a daily record of the names of the children we are caring for, their hours of attendance and the names of their key person.
* Students on Pre-school Learning Alliance or other recognised qualifications and training, when they are observing in the setting, are advised of our Confidentiality and Client Access to Records Policy and are required to respect it.

### Legal framework

* General Data Protection Regulations (GDPR) (2018)
* Human Rights Act (1998)

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 42. Provider Records Policy

### Policy statement

We keep records and documentation for the purpose of maintaining our charity. These include:

* Records pertaining to our registration.
* Financial records pertaining to income and expenditure.
* Risk assessments.
* Employment records of our staff including their name, home address and telephone number.
* Names, addresses and telephone numbers of anyone else who is regularly in unsupervised contact with the children.

We consider our records as confidential based on the sensitivity of information, such as with employment records. These confidential records are maintained with regard to the framework of the General Data Protection Regulations (2018), further details are given in our Privacy Notice and the Human Rights Act (1998).

This policy and procedure should be read alongside our Privacy Notice, Confidentiality and Client Access to Records Policy and Information Sharing Policy.

### Procedures

* All records are the responsibility of our management team who ensure they are kept securely.
* All our records are kept in an orderly way in files and filing is kept up-to-date.
* Our financial records are kept up-to-date for audit purposes. This is the Treasurer’s responsibility.
* We maintain health and safety records; these include risk assessments, details of checks or inspections and guidance etc.
* Our Ofsted registration certificate is displayed.
* Our Public Liability insurance certificate is displayed.
* All our employment and staff records are kept securely and confidentially.
* We notify Ofsted of any:
  + change in the address of our premises;
  + change to our premises which may affect the space available to us or the quality of childcare we provide;
  + change to the name and address of our registered provider, or the provider’s contact information];
  + change to the person managing our provision;
  + significant event which is likely to affect our suitability to look after children; or
  + other event as detailed in the Statutory Framework for the Early Years Foundation Stage (DfE 2017).

### Legal framework

* Genera Data Protection Regulations (GDPR) (2018)
* Human Rights Act 1998

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| Signed on behalf of the Management Committee: | Name:  Position: |

# 43. Confidentiality and Access to Records

### Policy statement

*‘Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case.’*

Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HMG 2015) (Booklet in Safeguarding Documents File in Office).

In our setting, staff and the Manager can be said to have a ‘confidential relationship’ with families. It is our intention to respect the privacy of children and their parents and carers, while ensuring that they access high quality early years care and education in our setting. We aim to ensure that all parents and carers can share their information in the confidence that it will only be used to enhance the welfare of their children. We have record keeping systems in place that meet legal requirements; the means that we use to store and share that information takes place within the framework of the General Data Protection Regulations (2018) and the Human Rights Act (1998).

### Confidentiality procedures

* Most things that happen between the family, the child and the setting are confidential to our setting. In exceptional circumstances information is shared, for example with other professionals or possibly social care or the police.
* Information shared with other agencies is done in line with our Information Sharing Policy.
* We always check whether parents regard the information they share with us to be confidential or not.
* Some parents may share information about themselves with other parents as well as with our staff. We cannot be held responsible if information is shared by those parents whom the person has ‘confided’ in.
* Information shared between parents in a discussion or training group is usually bound by a shared agreement that the information is confidential to the group and not discussed outside of it. We are not responsible should that confidentiality be breached by participants.
* We inform parents when we need to record confidential information beyond the general personal information we keep (see our Children's Records Policy and Privacy Notice) - for example with regard to any injuries, concerns or changes in relation to the child or the family, any discussions with parents on sensitive matters, any records we are obliged to keep regarding action taken in respect of child protection and any contact and correspondence with external agencies in relation to their child.
* We keep all records securely (see our Children's Records Policy and Privacy Notice).
* Information is kept in a manual file, or electronically. Our staff may also use a computer to type reports, or letters. Where this is the case, the typed document is deleted from the PC and only the hard copy kept once the child has left the pre-school.
* Our staff discuss children’s general progress and well being together in meetings, but more sensitive information is restricted to our manager and the child’s key person and is shared with other staff on a need to know basis.
* We do not discuss children with staff who are not involved in the child’s care, nor with other parents or anyone else outside of the setting.
* Our discussions with other professionals take place within a professional framework and not on an informal or ad-hoc basis.
* Where third parties share information about an individual with us, our practitioners and managers check if it is confidential, both in terms of the party sharing the information and of the person whom the information concerns.

### Access to Records Procedures

Parents may request access to any confidential records we hold on their child and family following the procedure below:

* The parent is the ‘subject’ of the file in the case where a child is too young to give ‘informed consent’ and has a right to see information that our setting has compiled on them.
* Any request to see the child’s personal file by a parent or person with parental responsibility must be made in writing to the setting manager.
* We acknowledge the request in writing, informing the parent that an arrangement will be made for him/her to see the file contents, subject to third party consent.
* Our written acknowledgement allows one month for the file to be made ready and available. We will be able to extend this by a further two months where requests are complex or numerous. If this is the case, we will inform the person requesting the file within one month of the receipt of the request and explain why the extension is necessary.
* A fee may be charged for repeated requests, or where a request requires excessive administration to fulfil.
* Legal advice may be sought before sharing a file.
* Our manager goes through the file and ensures that all documents have been filed correctly, that entries are in date order and that there are no missing pages. They note any information, entry or correspondence or other document which mentions a third party.
* We write to each of those individuals explaining that the subject has requested sight of the file, which contains a reference to them, stating what this is.
* They are asked to reply in writing to the Manager giving or refusing consent for disclosure of that material.
* We keep copies of these letters and their replies on the child’s file.
* ‘Third parties’ include each family member noted on the file; so, where there are separate entries pertaining to each parent, step parent, grandparent etc. We will write to each of them to request third party consent.
* Third parties also include workers from any other agency, including children's social care and the health authority for example. Agencies will normally refuse consent to share information, preferring instead for the parent to be redirected to those agencies for a request to see their file held by that agency.
* Members of our staff should also be written to, but we reserve the right under the legislation to override a refusal for consent or to just delete the name of the staff member and not the information. We may grant refusal if the member of staff has provided information that could be considered ‘sensitive’ and the staff member may be in danger if that information is disclosed; or if that information is the basis of a police investigation. However, if the information is not sensitive, then it is not in our interest to withhold that information from a parent. In each case this should be discussed with members of staff and decisions recorded.
* When we have received all the consents/refusals our manager takes a photocopy of the complete file. On the copy of the file, our manager removes any information that a third party has refused consent for us to disclose and blank out any references to the third party, and any information they have added to the file, using a thick marker pen.
* The copy file is then checked by the Manager and legal advisors to verify that the file has been prepared appropriately.
* What remains is the information recorded by the setting, detailing the work initiated and followed by them in relation to confidential matters. This is called the ‘clean copy’.
* We photocopy the ‘clean copy’ again and collate it for the parent to see.
* Our manager informs the parent that the file is now ready and invites him/ her to make an appointment to view it.
* Our manager meets with the parent to go through the file, explaining the process as well as what the content of the file records about the child and the work that has been done. Only the person with parental responsibility can attend that meeting, or the parent’s legal representative or interpreter.
* The parent may take a copy of the prepared file away; but, to ensure it is properly explained to and understood by the parent, we never hand it over without discussion.
* It is an offence to remove material that is controversial or to rewrite records to make them more acceptable. Our recording procedures and guidelines ensure that the material reflects an accurate and non-judgemental account of the work we have done with the family.
* If a parent feels aggrieved about any entry in the file, or the resulting outcome, then we refer the parent to our complaints procedure.
* The law requires that the information we hold must be held for a legitimate reason and must be accurate (see our Privacy Notice). If a parent says that the information we hold is inaccurate, then the parent has a right to request for it to be changed. However, this only pertains to factual inaccuracies. Where the disputed entry is a matter of opinion, professional judgement, or represents a different view of the matter than that held by the parent, we retain the right not to change that entry, but we can record the parent’s view of the matter. In most cases, we would have given a parent the opportunity at the time to state their side of the matter, and it would have been recorded there and then.
* If there are any controversial aspects of the content of a child’s file, we must seek legal advice. This might be where there is a court case between parents, where social care or the police may be considering legal action, or where a case has already completed and an appeal process is underway.
* We never ‘under-record’ for fear of the parent seeing, nor do we make ‘personal notes’ elsewhere.

Telephone advice regarding general queries may be made to The Information Commissioner’s Office Helpline 0303 123 1113.

All the undertakings above are subject to the paramount commitment of our setting, which is to the safety and well-being of the child. Please see also our policy on Safeguarding Children and Child Protection.

### Legal framework

* General Data Protection Regulations (GDPR) (2018)
* Human Rights Act (1998)

### Further guidance

* Information sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government 2015). Copy of this held in the Safeguarding Document held in the office.

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick - Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

# 44. Information sharing

*‘Sharing information is an intrinsic part of any frontline practitioners’ job when working with children and young people. The decisions about how much information to share, with whom and when, can have a profound impact on individuals’ lives. It could ensure that an individual receives the right services at the right time and prevent a need from becoming more acute and difficult to meet. At the other end of the spectrum it could be the difference between life and death.’*

Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government 2015) (copy held in the office)

### Policy statement

We recognise that parents have a right to know that the information they share with us will be regarded as confidential, as well as to be informed about the circumstances when, and the reasons why, we are obliged to share information.

We record and share information about children and their families (data subjects) in line with the six principles of the General Data Protection Regulations (GDPR) (2018) which are further explained in our Privacy Notice that is given to parents at the point of registration or before their child starts pre-school. The six principles state that personal data must be:

1. Processed fairly, lawfully and in a transparent manner in relation to the data subject.
2. Collected for specified, explicit and legitimate purposes and not further processed for other purposes incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to the purposes for which data is processed.
4. Accurate and where necessary, kept up to date.
5. Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the data is processed.
6. Processed in a way that ensures appropriate security of the personal data including protection against accidental loss, destruction or damage and using appropriate technical or organisational measures.

We are obliged to share confidential information without authorisation from the person who provided it, or to whom it relates, if it is in the public interest. That is when:

* it is to prevent a crime from being committed or to intervene where one may have been, or to prevent harm to a child or adult; or
* not sharing it could be worse than the outcome of having shared it.

The responsibility for decision-making should not rely solely on an individual, but should have the back-up of the Manager and the Committee. The Manager will provide clear guidance, policy and procedures to ensure all staff and volunteers understand their information sharing responsibilities and are able to respond in a timely, appropriate way to any safeguarding concerns.

### Procedures

Our procedure is based on the GDPR principles as listed above and the seven golden rules for sharing information in the Information sharing Advice for practitioners providing safeguarding services to children, young people, parents and carers. We also follow the guidance on information sharing from the Local Safeguarding Children Board.

1. Remember that the General Data Protection Regulations 2018 and human rights law are not barriers to justified information sharing as per the Children Act 1989, but provide a framework to ensure that personal information about living individuals is shared appropriately.

Our policy and procedures on Information Sharing provide guidance to appropriate sharing of information both within the setting, as well as with external agencies.

1. Be open and honest with the individual (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their consent, unless it is unsafe or if we have a legal obligation to do so. A Privacy Notice is given to parents at the point of registration or before their child starts pre-school to explain this further.

In our setting we ensure parents:

* Receive a copy of our Privacy Notice and information about our Information Sharing Policy when starting their child in the setting and that they sign our Registration Form to say that they understand the circumstances in which information may be shared without their consent. This will only be when it is a matter of safeguarding a child or vulnerable adult;
* have information about our Safeguarding Children and Child Protection Policy; and
* have information about the other circumstances when information will be shared with external agencies, for example, with regard to any special needs the child may have or transition to school.

1. Seek advice from other practitioners if you are in any doubt about sharing the information concerned, without disclosing the identity of the individual where possible.

* Our staff discuss concerns about a child routinely in supervision and any actions are recorded in the child’s file.
* Our Safeguarding Children and Child Protection Policy sets out the duty of all members of our staff to refer concerns to our manager or deputy, as designated person, who will contact children’s social care for advice where they have doubts or are unsure.
* The Manager contacts children’s social care for advice where I have doubts or am unsure.
* Our manager seeks advice if she needs to share information without consent to disclose.

1. Share with informed consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, there is good reason to do so, such as where safety may be at risk. You will need to base your judgement on the facts of the case. When you are sharing or requesting personal information from someone, be certain of the basis upon which you are doing so. Where you have consent, be mindful that an individual might not expect information to be shared.

* We base decisions to share information without consent on judgements about the facts of the case and whether there is a legal obligation.
* Our guidelines for consent are part of this procedure.
* Our manager is conversant with this and she is able to advise staff accordingly.

1. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions.

In our setting we:

* record concerns and discuss these with our Designated Safeguarding Lead (currently Lois Patrick, the Manager) for child protection matters;
* record decisions made and the reasons why information will be shared and to whom; and
* follow the procedures for reporting concerns and record keeping as set out in our Safeguarding Children and Child Protection Policy.

1. Necessary, proportionate, relevant, adequate, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those individuals who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.

* Our Safeguarding Children and Child Protection Policy and Children's Records Policy set out how and where information should be recorded and what information should be shared with another agency when making a referral.

1. Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

* Where information is shared, we record the reasons for doing so in the child's file; where it is decided that information is not to be shared that is recorded too.

### Consent

When parents choose our setting for their child, they will share information about themselves and their families. This information is regarded as confidential. Parents have a right to be informed that we will seek their consent to share information in most cases, as well as the kinds of circumstances when we may not seek their consent, or may override their refusal to give consent. We inform them as follows:

* Our policies and procedures set out our responsibility regarding gaining consent to share information and when it may not be sought or overridden.
* We may cover this verbally when the child starts or include this in our prospectus.
* Parents sign our Registration Form at registration to confirm that they understand this.
* We ask parents to give written consent to share information about any additional needs their child may have, or to pass on child development summaries to the next provider/school.
* We give parents copies of the forms they sign.
* We consider the following questions when we assess the need to share:
  + Is there a legitimate purpose to us sharing the information?
  + Does the information enable the person to be identified?
  + Is the information confidential?
  + If the information is confidential, do we have consent to share?
  + Is there a statutory duty or court order requiring us to share the information?
  + If consent is refused, or there are good reasons for us not to seek consent, is there sufficient public interest for us to share information?
  + If the decision is to share, are we sharing the right information in the right way?
  + Have we properly recorded our decision?
* Consent must be freely given and informed - that is the person giving consent needs to understand why information will be shared, what will be shared, who will see information, the purpose of sharing it and the implications for them of sharing that information as detailed in the Privacy Notice.
* Consent may be explicit, verbally but preferably in writing, or implicit, implied if the context is such that sharing information is an intrinsic part of our service or it has been explained and agreed at the outset.
* Consent can be withdrawn at any time.
* We explain our Information Sharing Policy to parents.

### Separated parents

* Consent to share need only be sought from one parent. Where parents are separated, this would normally be the parent with whom the child resides. Where there is a dispute, we will consider this carefully.
* Where the child is looked after, we may also need to consult the Local Authority, as ‘corporate parent’ before information is shared.

All the undertakings above are subject to our paramount commitment, which is to the safety and well-being of the child. Please also see our Safeguarding Children and Child Protection Policy.

### Legal framework

* General Data Protection Regulations (GDPR) (2018)
* Human Rights Act (1998)

### Further guidance

* Information Sharing: Advice for practitioners providing safeguarding services to children, young people, parents and carers (HM Government 2015)
* What to do if you’re worried a child is being abused: Advice for practitioners (HM Government 2015)
* Working together to safeguard children: A guide to inter-agency working to safeguard and promote the welfare of children (HM Government 2015)

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| This policy was renewed and revised in: | August 2018 |
| By: | Lois Patrick – Manager |
| Signed on behalf of the Management Committee: | Name:  Position: |

1. [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. For the purposes of this section, ‘been given a caution’ includes a reprimand or warning within the meaning of section 65 of the Crime and Disorder Act 1998. [↑](#footnote-ref-3)
4. In this case ‘relevant order’ means an order made by a senior court (senior court means, the Crown Court, the Court of Appeal, a court-martial or the Courts-Martial Appeal Court) that the individual in question be admitted to hospital, or a guardianship order. [↑](#footnote-ref-4)