DERBYSHIRE County Council

C: Concerns about children's safety and welfare – Group and school-based providers

What do I need to know?

- Legal Framework
  - The Children Act 1989
  - Children Act 2004
  - Protection of Children Act 1978
  - Data Protection Act 1998
  - Children Act 2004 - Explanatory Notes
  - Safeguarding Vulnerable Groups Act 2006
  - Sexual Offences Act 2003
  - Criminal Justice and Court Services Act 2000 (legislation.gov.uk)
  - Equality Act 2010 (legislation.gov.uk)
- EYFS statutory framework for group and school-based providers pages 24-25, paragraph 3.9-3.10
- **See model Child Protection Policies on SchoolsNet and links below for contact details and training opportunities.**

Safeguarding policies and procedures (pages 11-12 of audit)	**Things to consider and discuss:**
Do you **ensure** if you have concerns about children's safety or welfare, you immediately notify your local authority children's social care team, in line with local reporting procedures (and, in emergencies, the police) without delay?	• Does your policy adequately enable staff to notify agencies with statutory responsibilities **without delay** if they have concerns about a child's safety or welfare, i.e. social care services and, in an emergency, the police? • How do you know staff know and understand how to report or make a referral to: - Police - Starting Point - Local Safeguarding Designated Officer (LADO) - Early Help Services & assessment - Children's Social Care - Prevent - Channel - Female Genital Mutilation

Safeguarding policies and procedures (pages 11-12 of audit)	Things to consider and discuss:
	- Online safety concerns - National Referral Mechanism • How do you ensure referral processes and contacts are easily accessible? • How do you know referrals are made without delay?
Do you **ensure** you have regard to the government's statutory guidance: • Working together to safeguard children - GOV.UK (www.gov.uk) • Prevent duty guidance - GOV.UK (www.gov.uk)	• How do you know all staff (including committee members, proprietors, and, or governors) have regard to the government's statutory guidance 'Working Together to Safeguard Children'? Do they know how to access this document? • How do you know all staff (including committee members, proprietors, and, or governors) have regard to the government's statutory guidance 'Prevent duty guidance'? Do they know how to access this document? • Are all staff given time to read the relevant guidance and update their knowledge regularly? How do you know? • Have all staff completed Prevent duty training? What impact has this training had? • How do you know all staff (including committee members, proprietors, and, or governors) know how to make a Prevent referral and understand the channel procedure?
Are you aware The 2015 Counter Terrorism and Security Act places a duty on early years providers "to have due regard to the need to prevent people from being drawn into terrorism" (the Prevent duty)?	• How do you know all staff (including committee members, proprietors, and, or governors) know and understand how the Counter-terrorism strategy (CONTEST) relates to the Prevent duty and Channel process? • Do you have a clear approach to implementing the prevent duty and keeping children and learners safe from the dangers of radicalisation and extremism? • Have you made reference to keeping children safe from radicalisation and extremism in your policy? • Where would you refer a concern about a family who were at risk of radicalisation?
If you are a school, do you have regard to the government's statutory guidance: Keeping children safe in education - GOV.UK (www.gov.uk)? Other childcare providers may also find it helpful to refer to this guidance	• How do you know all staff, committee members, proprietors, and, or governors have regard to and where statutory implement the government's statutory guidance 'Keeping children safe in education'? Do they know how to access this document?

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Safeguarding policies and procedures (pages 11-12 of audit)	Things to consider and discuss:
Do you **ensure** you inform Ofsted or the CoDP agency of which you are registered with, of any allegations of harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere)?	• Do all your staff, committee members, proprietors, and, or governors know what constitutes an allegation of harm or abuse? • Are you aware that 'Harm' is defined by section 31 (9) of the Children Act 1982? • Are you aware that this means the ill-treatment (including sexual abuse and forms of ill-treatment which are not physical), or impairment of physical or mental health, or impairment of physical, intellectual, emotional, social or behavioural development? • Are you aware this also includes impairment suffered from seeing or hearing the ill-treatment of another? • Do all your staff, committee members, proprietors, and, or governors know this must happen whether the allegations of harm or abuse are alleged to have been committed on the premises or elsewhere, for example, on a visit?
Do you **ensure** you (the registered provider) notify Ofsted or your agency of the action taken in respect of the allegations?	• Do all your staff, committee members, proprietors, and, or governors know when and how to notify these agencies?
Do you **ensure** the notification is made as soon as is reasonably practicable, but at the latest within 14 days of the allegations being made?	• Do you have policies & procedures to follow in the event of any allegations of harm or abuse? What are these procedures? How do you know they are implemented? • How will you ensure this is done as soon as is reasonably practicable, but in any event within 14 days of the allegations being made?
Are you aware a registered provider who, without reasonable excuse, fails to comply with this requirement by not informing Ofsted, commits an offence?	• Do you have policies & procedures to follow in the event of notifying Ofsted of the action taken in respect of the allegations? What are these procedures? How do you know they are implemented? • Do you act upon advice given from these agencies? Have you kept a record? How do you monitor the actions and the impact they have had? • When would you need to inform your insurance provider of any serious accident, illness or injury to, or death of any child in your care?

Useful links and further help:

Derby and Derbyshire Safeguarding Children Partnership
Inspecting safeguarding in early years, education and skills settings
Early years inspection handbook
Report a serious childcare incident
Information sharing advice for safeguarding practitioners
Safer Recruitment Consortium - (Guidance for safer working practice for those working with children and young people in education settings)
Disqualification Under the Childcare Act
Counter-terrorism strategy (CONTEST) 2018
Channel and Prevent Multi-Agency Panel (PMAP) guidance
National Referral Mechanism Guidance
Information sharing advice for safeguarding practitioners
Data protection
ICO – Information Commissioners Office
NSPCC – National Society for the Prevention of Cruelty to Children
Derbyshire County Council - Support for families and early help
Prevent referrals (saferderbyshire.gov.uk)
Mental Health Support Network provided by Chasing the Stigma | Hub of hope
Education Support helpline - free and confidential emotional support for teachers and education staff
The building blocks of good mental wellbeing | Education Support
Stronger Families Safer Children
Think Family

CONTACT INFORMATION:

Child or adult at risk of immediate harm and in need of protection: Derbyshire Police – 999/ Starting Point – 01629 533190
Worried about a child: Derbyshire Police -101 / Starting Point Consultation & Advice Service for Professionals - 01629 535353 / Starting Point Referral Form/ Local Safeguarding Designated Officer - 01629 533190 / Derby and Derbyshire LADO referral form / professional.allegations@derbyshire.gov.uk
Education Data Hub/Data Protection: Email - educationdatahub@derbyshire.gov.uk
DBS The East Midlands Regional Outreach Officer: Email DBSRegionaloutreach@dbs.gov.uk Tel: 01325 953 562 / 07867 153 500

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Education Data Hub/Data Protection: Email - educationdatahub@derbyshire.gov.uk
DBS The East Midlands Regional Outreach Officer: Email DBSRegionaloutreach@dbs.gov.uk/alexandra.honey1@dbs.gov.uk/ Tel: 01325 953 562 / 07867 153 500
Derby City Professional Consultation Line – new phone number: The professional consultation line number will change from 1st December 2026. The new number will be 01332 640055. There is no change to the opening hours which will continue to be 10 am – 4pm.

TRAINING

DSL training: Derbyshire Early Years Service - Eventbrite or Email: CS.EYS@derbyshire.gov.uk
Other training: Training (ddscp.org.uk)

MODEL POLICIES for the PVI sector

Safeguarding (Derbyshire SchoolsNet)
Derbyshire SchoolsNet - Early Years