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**1 2 Safeguarding children and child protection
Reviewed: January 2023**

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**1. Introduction**

*‘Every child deserves the best possible start in life and the support that enables them to fulfil their potential. Children develop quickly in the early years and a child’s experiences between birth and age five have a major impact on their future life chances. A secure, safe and happy childhood is important in its own right. Children learn best when they are healthy, safe and secure, when their individual needs are met, and when they have positive relationships with the adults caring for them.’*

[Statutory framework for the early years foundation stage](https://www.foundationyears.org.uk/files/2017/03/EYFS_STATUTORY_FRAMEWORK_2017.pdf) (Department for Education, 2017)

**2. Purpose**

This policy is for all *Nursery l*eaders, Management, staff, parents / carers, volunteers and the wider setting community. It provides a framework for safeguarding and promoting the welfare of the children who attend our setting.

**3. Ethos**

We recognise that safeguarding is everyone’s responsibility and provide a welcoming, safe and stimulating environment, where all children can enjoy learning and grow in confidence. There are various ways in which we fulfil our safeguarding responsibility, for example through our environment, curriculum, and clear policies and procedures.

We will take all necessary steps to keep our children safe and well, and ensure they are protected from harm. If we have concerns about children's safety or welfare, we will notify agencies with statutory responsibilities without delay. This means Essex Social Care and, in emergencies, the police.

**4. Statutory framework**

There is government guidance set out in [Working Together to Safeguard Children](https://www.gov.uk/government/publications/working-together-to-safeguard-children--2) (HMG, 2018) on how agencies must work in partnership to keep children safe. This guidance places a shared and equal duty on three Safeguarding Partners (the Local Authority, Police and Health) to work together to safeguard and promote the welfare of all children in their area under multi-agency safeguarding arrangements. The statutory partners in Essex are Essex County Council, Essex Police and five of the seven Clinical Commissioning Groups covering the county and the partnership arrangements sit under the [Essex Safeguarding Children Board](https://www.escb.co.uk/) (ESCB).

Early years providers have a duty under section 40 of the Childcare Act 2006 to comply with the safeguarding and welfare requirements of the Early Years Foundation Stage, under which providers are required to take necessary steps to safeguard and promote the welfare of young children.

Everyone working in early years services should know how to recognise and respond to signs of possible abuse or harm (see Appendix C).

This policy should be read in conjunction with other statutory and local guidance:

* [Statutory framework for the early years foundation stage](https://www.foundationyears.org.uk/files/2017/03/EYFS_STATUTORY_FRAMEWORK_2017.pdf) (DfE, 2017)
* [Working together to safeguard children](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf) (DfE, 2018)
* [SET Procedures](https://www.escb.co.uk/media/2086/set-procedures-oct-2019-updated-southend-logo.pdf) (ESCB, 2019)
* [What to do if you’re worried a child is being abused](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf) (HMG, 2015)
* [The Prevent Duty guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/445977/3799_Revised_Prevent_Duty_Guidance__England_Wales_V2-Interactive.pdf) (Home Office, 2015)
* [Effective Support for Children and Families in Essex](http://www.escb.co.uk/Portals/67/Documents/professionals/EffectiveSupportBooklet2017v5-FINAL.pdf) (ESCB, 2017)
* [Understanding and Supporting Behaviour - safe practice for schools and educational settings](https://schools.essex.gov.uk/pupils/Safeguarding/Pages/understanding-and-supporting-behaviour.aspx) (ESCB, 2020)
* [Children Act](http://www.legislation.gov.uk/ukpga/1989/41/contents)  (HMG, 1989)
* [Children Act](https://www.legislation.gov.uk/ukpga/2004/31/contents) (HMG, 2004)

The policy also complements our Behaviour Policy, which includes information on positive handling, and our Staff Code of Conduct.

Our setting works to the requirements of the Statutory framework for the early years foundation stage. As suggested within the Statutory framework, we follow the principles in [Keeping Children Safe in Education](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892394/Keeping_children_safe_in_education_2020.pdf) (DfE, 2020), the statutory safeguarding guidance for schools and colleges.

Our setting also works in accordance with statutory and local guidance where there are concerns about radicalisation and extremism and child protection procedures will be followed.

**5. Roles and responsibilities**

The Management has oversight of our safeguarding arrangements and ensures that they operate effectively, that there are appropriate policies in place, and that staff receive the right training to keep children safe.

Our setting is required to have a designated practitioner to take lead responsibility for safeguarding children. To ensure there is cover when the Lead Practitioners are absent, we also have a Deputy Lead Practitioner. Their names are on the front page of this policy.

Our Lead Practitioners are responsible for liaison with local statutory children's services agencies, including Essex Social Care and other agencies as required. The Lead Practitioner provides support, advice and guidance to staff on an ongoing basis, and on any specific safeguarding issues as required. Our Lead Practitioners and Deputy Lead Practitioner attend a child protection training course to enable them to identify, understand and respond appropriately to signs of possible abuse and neglect.

They also ensure that everyone in our setting (including temporary staff, volunteers, visitors and contractors) is aware of our child protection procedures and that they are followed at all times.

Everyone in our setting has a responsibility to provide a safe environment in which our children can learn. Any child may benefit from early help and all staff members are aware of the Essex [Early Help](https://www.essexeffectivesupport.org.uk/early-help/) procedures and our role in it. They are aware of signs of abuse and neglect so they are able to identify children who may be in need of help or protection.

All staff members are aware of and follow our procedures (as set out in this policy) and are aware of how to make a request for support to Essex Social Care if there is a need to do so. If staff have any concerns about a child’s welfare, they must act on them immediately and speak with the Lead Practitioner or Deputy Lead Practitioner – they do not assume that others have taken action.

**6. Child Protection Procedures**

Our setting works with local statutory services to promote the welfare of children and protect them from harm. This includes providing a co-ordinated offer of Early Help when additional needs of children are identified and contributing to inter-agency plans which provide additional support, for example Child In Need or Child Protection plans.

All staff members have a duty to identify and respond to suspected / actual abuse or disclosures of abuse. Any member of staff, volunteer or visitor to the setting who receives a disclosure or allegation of abuse, or suspects that abuse may have occurred, **must** report it immediately to the Lead Practitioner (or, in their absence, the Deputy Lead Practitioner).

Where there is risk of immediate harm, the setting will telephone the Essex Social Care Children & Families Hub and / or the police. Less urgent concerns or requests for support will be sent to the Children and Families Hub via the [Essex Effective Support portal](https://www.essexeffectivesupport.org.uk/). We may also seek advice from Essex Social Care or another appropriate agency about a child protection concern, if we are unsure how to respond to it.

Wherever possible, we will share any safeguarding concerns, or an intention to make a request for support to Essex Social Care, with parents / carers. However, we will not do so where it is felt that it could place the child at greater risk of harm or impede a criminal investigation. On occasions, it may be necessary to consult with the Children and Families Hub and / or Essex Police for advice on when to share information with parents / carers.

If a member of staff continues to have concerns about a child and feels the situation is not being

addressed or does not appear to be improving, the staff member concerned should press for re-consideration of the case with the Lead Practitioner. The Deputy Lead Practitioner should be consulted if the Lead Practitioner is not available.

If, for any reason, the Lead Practitioners or Deputy Lead Practitioner are not available, this will not delay appropriate action being taken. Safeguarding contact details are displayed in the setting to ensure that all staff members have unfettered access to safeguarding support, should it be required. Any individual may request support from Essex Social Care where it is suspected that a child has been harmed, or where there is a risk of harm to a child.

When new staff, volunteers or visitors join our setting they are informed of the safeguarding arrangements in place, the name of the Lead Practitioner and Deputy Lead Practitioner, and how to share concerns with them.

**7. Training**

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The Lead Practitioners and Deputy Lead Practitioner undertake Level 3 Child Protection training at least every two years. The Manager and all staff members receive appropriate child protection training which is updated regularly and in line with advice from the ESCB. In addition, all staff members receive safeguarding and child protection updates as required, and at least annually, to provide them with relevant skills and knowledge to safeguard children effectively. Records of all child protection training undertaken are kept for all staff.

**8. Professional confidentiality**

Confidentiality is an issue which needs to be discussed and fully understood by all those working with children, particularly in the context of child protection. A member of staff must never guarantee confidentiality to anyone about a safeguarding concern (including children and parents / carers) or promise to keep a secret. In accordance with statutory requirements, where there is a child protection concern, this must be reported to the Lead Practitioners or Deputy Lead Practitioner and may require further referral to and subsequent investigation by appropriate authorities.

Information on individual child protection cases may be shared by the Lead Practitioner or Deputy Lead Practitioner with other relevant staff members. This will be on a ‘need to know’ basis only and where it is in the child’s best interests to do so.

**9. Records and information sharing**

Well-kept records are essential to good child protection practice. Our setting is clear about the need to record any concern held about a child or children within our setting and when these records should be shared with other agencies.

Where there are concerns about the safety of a child, the sharing of information in a timely and effective manner between organisations can reduce the risk of harm. Whilst the Data Protection Act 2018 places duties on organisations and individuals to process personal information fairly and lawfully, it is not a barrier to sharing information where the failure to do so would result in a child or vulnerable adult being placed at risk of harm.

Any member of staff receiving a disclosure of abuse or noticing signs or indicators of abuse, will record it as soon as possible, noting what was said or seen (if appropriate, using a body map to record), giving the date, time and location. All records will be dated and signed and will include the action taken. This is presented to the Lead Practitioners or Deputy Lead Practitioner who will decide on appropriate action and record this accordingly.

Any records relating to child protection are kept on an individual child protection file for that child (which is separate to any other child file). All child protection records are stored securely and confidentially until the child transfers to another educational setting.

Where a child transfers from our setting to another educational setting, their child protection records will be forwarded to the new educational setting. These will be marked ‘Confidential’ and for the attention of the Lead Practitioners (or in the case of a school, the Designated Safeguarding Lead) at the new educational setting, with a return address on the envelope so it can be returned to us if it goes astray. We will obtain evidence that the paperwork has been received by the new setting, and then destroy any copies held in our setting. Where appropriate, the Lead Practitioners may also contact the new educational setting in advance of the child’s move there, to enable planning so appropriate support is in place when the child arrives.

Where a child joins our setting, we will request child protection records from the previous educational setting (if applicable, and if none are received).

**10. Interagency working**

It is the responsibility of the Lead Practitioners to ensure that the setting is represented at, and that a report is submitted to, any Child Protection Conference called for children registered with us, or previously known to us. Where possible and appropriate, any report will be shared in advance with parents / carers. The member of staff attending the meeting will be fully briefed on any issues or concerns the setting has and be prepared to contribute to the discussions at the conference.

If a child is subject to a Child Protection or a Child in Need plan, the Lead Practitioners will ensure the child is monitored regarding their attendance, emotional wellbeing, developmental progress, welfare and presentation. If the setting is part of the Core Group (interagency forum for achieving the outcomes of a Child Protection plan), the Lead Practitioners will ensure the setting is represented, provides appropriate information and contributes to the plan at these meetings. Any concerns about the Child Protection plan and / or the child’s welfare will be discussed and recorded at the Core Group meeting, unless to do so would place the child at further risk of significant harm. In this case the Lead Practitioner will inform the child’s key worker immediately and then record that they have done so, and the actions agreed.

**11.**​ **Allegations about members of the workforce**

All staff members are made aware of the boundaries of appropriate behaviour and conduct. These matters form part of staff induction and are outlined in our Staff Code of Conduct. The setting works in accordance with statutory guidance and the [SET Procedures](https://www.escb.co.uk/media/2086/set-procedures-oct-2019-updated-southend-logo.pdf) (ESCB, 2019) in relation to allegations against an adult working with children (in a paid or voluntary capacity). Section 7 of the current [SET Procedures](https://www.escb.co.uk/media/2086/set-procedures-oct-2019-updated-southend-logo.pdf) (ESCB, 2019) provides detailed information on this.

We have processes in place for reporting any concerns about a member of staff (or any adult working with children). Any concerns about the conduct of a member of staff will be referred to the Manager (or the Deputy in their absence). This role is distinct from the Lead Practitioner as the named person should have sufficient status and authority in the setting to manage employment procedures. Staffing matters are confidential, and the setting operates within statutory guidance around Data Protection.

Where the concern involves the Manager, it will be reported direct to the Proprietor.

The [SET Procedures](https://www.escb.co.uk/media/2086/set-procedures-oct-2019-updated-southend-logo.pdf) (ESCB, 2019) require that, where an allegation against a member of staff is received, the Manager (or Proprietor) will inform the duty Local Authority Designated Officer (LADO) in the Children’s Workforce Allegations Management Team on **03330 139 797 or** **lado@essex.gov.uk**within one working day. However, wherever possible, contact with the LADO will be made immediately, as they will then advise on how to proceed, whether the matter requires police involvement and the referral process – referral forms can be accessed via the [Essex Safeguarding Children Board website](https://www.escb.co.uk/working-with-children/concerns-about-the-welfare-of-a-child/) (see *Managing Allegations in the Workforce*).

This will include advice on speaking to children and parents / carers and Human Resources. The setting does not carry out any investigation before speaking to the LADO.

In accordance with the [Statutory framework for the early years foundation stage](https://www.foundationyears.org.uk/files/2017/03/EYFS_STATUTORY_FRAMEWORK_2017.pdf) (DfE, 2017), we will also inform Ofsted of any allegations of serious harm or abuse by any person living, working, or looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere). We will also notify Ofsted of the action taken in respect of the allegations. We will make these notifications as soon as reasonably practicable, but within 14 days of the allegations being made. We are aware that not complying with these requirements without reasonable excuse is committing an offence.

\*Ofsted telephone number 0300 123 4666, email CIE@ofsted.gov.uk, or see their [website](https://www.gov.uk/government/organisations/ofsted).

**12.**​ **Use of reasonable force**

The term ‘reasonable force’ covers a broad range of actions used by staff that involve a degree of physical contact to control or restrain children. There may be circumstances when it is appropriate for staff to use reasonable force to safeguard children, but these are exceptional circumstances and do not form part of our routine approach to managing behaviour. ‘Reasonable’ means using no more force than is needed. Our setting works in accordance with statutory and local guidance on the use of reasonable force and recognises that where intervention is required, it should always be considered in a safeguarding context.

**13. Whistleblowing**

All members of staff and the wider setting community should be able to raise concerns about poor or unsafe practice and feel confident any concern will be taken seriously by the leadership team. We have ‘whistleblowing’ procedures in place, and these are available in our Whistleblowing Policy. However, for any member of staff who feels unable to raise concerns internally, or where they feel their concerns have not been addressed, they may contact the [NSPCC whistleblowing helpline](https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/) on: 0800 028 0285 (line is available from 8:00 AM to 8:00 PM, Monday to Friday) or by email at: help@nspcc.org.uk.

Parents / carers or others in the wider setting community with concerns can contact the NSPCC general helpline on: 0808 800 5000 (24-hour helpline) or email: help@nspcc.org.uk.

**14. Online Safety**

Technology forms part of the Statutory framework for the early years foundation stage. We help our children to begin to learn how to use technology safely, and to be safe online as we recognise computer skills are key to accessing learning.

We will engage with our parents / carers about online safety to support them in keeping their children safe at home when using technology.

**15. Use of mobile phones**

We acknowledge that mobile phones are often the only means of contact available and can be helpful in supporting safeguarding arrangements in settings, including when on outings. In our setting, when mobile phones are used, this is underpinned by a risk assessment and within a clear framework, so everyone understands their responsibilities in ensuring phones are used safely.

We will ensure that staff personal mobiles:

* are stored securely and will be switched off or on silent whilst staff are on duty;

* are not used to take pictures of the children attending the setting;
* will not be used to take photographs, video or audio recordings in our setting;
* are not used to contact parents / carers or children except in the event of an emergency; and
* are not used by visitors.

**16. Cameras, photography and images**

Most people who take or view photographs or videos of children do so for acceptable reasons. However, due to cases of abuse to children through taking or using images, we must ensure that we have safeguards in place.

To keep our children safe, we will:

* obtain parents’ / carers’ consent for photographs to be taken, used, or published (for example, on our website or displays);
* ensure only the setting’s designated cameras are used when photographing our children;
* ensure that children are appropriately dressed;
* ensure that children’s names are not used;
* ensure that personal devices including cameras, mobile phones, tablets, smart watches or other such technology are not used to take photographs, video or audio recordings in our setting without prior explicit written consent from the setting;
* ensure that all images are stored securely and in accordance with statutory guidance; and
* ensure where professional photographers are used that the appropriate checks such as those with the Disclosure and Barring Service, references and parental consent are obtained prior to photographs being taken.

**Appendix A: Children and Families Hub flow chart**

**Please note: these procedures are also set out on the** [**Effective Support for Children and Families in Essex**](http://www.escb.co.uk/Portals/67/Documents/professionals/EffectiveSupportBooklet2017v5-FINAL.pdf) **website.**



**Appendix B: Essex Windscreen of Need and levels of intervention**



All partners working with children, young people and their families will offer support as soon as we are aware of any additional needs. We will always seek to work together to provide support to children, young people and their families at the lowest level possible in accordance with their needs

Children with **Additional** needs are best supported by those who already work with them, such as Family Hubs or schools and other educational settings, organising additional support with local partners as needed. When an agency is supporting these children, an Early Help Plan and a Lead Professional are helpful to share information and co-ordinate work alongside the child and family.

For children whose needs are **Intensive**, a coordinated multi-disciplinary approach is usually best, involving either an Early Help Plan or a Shared Family Assessment (SFA), with a Lead Professional to work closely with the child and family to ensure they receive all the support they require. Examples of intensive services are children’s mental health services and Family Solutions.

**Specialist** services are where the needs of the child are so great that statutory and/or specialist intervention is required to keep them safe or to ensure their continued development. Examples of specialist services are Essex Social Care or Youth Offending Service. By working together effectively with children that have additional needs and by providing coordinated multi-disciplinary/agency support and services for those with intensive needs, we seek to prevent more children and young people requiring statutory interventions and reactive specialist services.

**Appendix C – types of abuse and harm**

**Abuse** isa form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. A child may be abused by an adult or adults or another child or children – categories:

* physical
* emotional
* sexual
* neglect

**Signs of possible abuse**

* significant changes in children's behaviour
* deterioration in children’s general well-being
* unexplained bruising, marks or signs of possible abuse or neglect
* children’s comments which give cause for concern
* any reasons to suspect neglect or abuse outside the setting, for example in the child’s home or that a girl may have been subjected to (or is at risk of) Female Genital Mutilation and / or
* inappropriate behaviour displayed by other members of staff, or any other person working with the 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

**Children with special educational needs and disabilities**

Our setting understands that children with special educational needs (SEN) and disabilities can face additional safeguarding challenges. Barriers can exist when recognising abuse and neglect in this group of children. This can include:

* assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the child’s disability, without further exploration
* that they may be more prone to peer group isolation than others
* the potential to be disproportionally impacted by things like bullying, without outwardly showing signs
* communication difficulties in overcoming these barriers

**Domestic abuse**

Domestic abuse can take many forms, including psychological, physical, sexual, financial and emotional. Our setting recognises that exposure to domestic abuse can have a serious, long-term emotional and psychological impact on children. We work with other key partners and will share relevant information where there are concerns that domestic abuse may be an issue for a child or family or be placing a child at risk of harm.

**Contextual safeguarding**

Safeguarding incidents and behaviours can be associated with factors outside our setting. All staff are aware of contextual safeguarding and that they should consider whether wider environmental factors present in a child’s life are a threat to their safety and / or welfare. To this end, we will consider relevant information when assessing any risk to a child and share it with other agencies to support better understanding of a child and their family.

**Children not attending**

Our setting recognises that not attending is a potential indicator of abuse or neglect. It is also recognised that, when not in the setting, children may be vulnerable to or exposed to other risks, so we work with parents / carers and other partners where appropriate to keep children in the setting whenever possible. Parents / carers should always inform us of the reason for any absence *[insert arrangements for acting on absence / refer to any other relevant policies].*

Further information about types of abuse and harm is given in [What to do if you’re worried a child is being abused: Advice for practitioners](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf) (HMG, 2015) and [Keeping Children Safe in Education](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/892394/Keeping_children_safe_in_education_2020.pdf) (DfE, 2020).

**Children potentially at risk of greater harm**

We recognise that some children may potentially be at risk of greater harm and require additional help and support. These may be children with a Child in Need or Child Protection Plan, those in Care or previously in Care or those requiring mental health support. We work with Essex Social Care and other appropriate agencies to ensure there is a joined-up approach to planning for these children and that they receive the right help at the right time.

**Mental health and wellbeing**

Our staff are aware that mental health and wellbeing problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. We understand that, where children have suffered abuse or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. Where we have concerns that this may impact on mental health, we will seek advice and work with other agencies as appropriate to support a child and ensure they receive the help they need.

Positive mental health is the concern of the whole community and we recognise that educational settings play a key part in this. Our setting aims to develop the emotional wellbeing and resilience of all children and staff, as well as provide specific support for those with additional needs. We understand that there are risk factors which increase someone’s vulnerability, and protective factors that can promote or strengthen resiliency. The more risk factors present in an individual’s life, the more protective factors or supportive interventions are required to counter-balance and promote further growth of resilience.

**Prevention of radicalisation**

The [Counter-Terrorism and Security Act](http://www.legislation.gov.uk/ukpga/2015/6/contents) (HMG, 2015) placed a new duty on childcare providers and schools. Under section 26 of the Act, childcare providers and schools are required, in the exercise of their functions, to have ‘due regard to the need to prevent people from being drawn into terrorism’. This duty is known as the **Prevent duty**.

As an early years setting, we recognise that we serve arguably the most vulnerable and impressionable members of society. The Early Years Foundation Stage (EYFS) makes clear that to protect children in their care, providers must be alert to any safeguarding and child protection issues in the child’s life at home or elsewhere. We must take action to protect children from harm and be alert to harmful behaviour by other adults in the child’s life.

We already focus on children’s personal, social and emotional development, in an age appropriate way, in the following ways:

* ensuring that children learn right from wrong
* mix and share with other children
* value other’s views
* know about similarities and differences between themselves and others
* challenge negative attitudes and stereotypes.

Channel is a national programme which focuses on providing support at an early stage to people identified as vulnerable to being drawn into terrorism.

Our setting works in accordance with local procedures for Prevent and with other agencies, sharing information and concerns as appropriate. Where we have concerns about extremism or radicalisation, we will seek advice from appropriate agencies and, if necessary, refer to Essex Social Care and / or Channel.

**Female Genital Mutilation**

*Female Genital Mutilation* (FGM) comprises all procedures involving partial or total removal of the external female genitalia or other injury to female genital organs. It is illegal in the UK and a form of child abuse.

Our setting will operate in accordance with the statutory requirements relating to this issue, and in line with local safeguarding procedures.

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| **Lead Practitioner for safeguarding** | Mahila Samarbakhsh, Angela McQuitty and Emma Roche |
| **Deputy Lead Practitioner for safeguarding**  | *Carrie Chapman* |

**I CONFIRM THAT I HAVE READ/ UNDERSTOOD /AM AWARE OF THE THIS DOCUMENT.**

**NAME …………………………………. SIGNATURE ……………………………….. DATE ……………………..**