



Safer working practise for
adults working with
young children at
Loughborough Campus Nursery

Loughborough Campus
Nursery
A safe place for development, learning and play

Adults have a crucial role to play in the lives of children. This guidance has been produced to help you establish the safest possible learning and working environment, which safeguards children, and reduce the risk of you being falsely accused of improper or unprofessional conduct.

Your responsibility

Staff are accountable for the way in which they: exercise authority; manage risk; use resources; and safeguard children. All staff have a responsibility to keep young children safe and to protect them from abuse (sexual, physical and emotional), neglect and safeguarding concerns.

Children have a right to be safe and to be treated with respect and dignity. It follows that trusted adults are expected to take reasonable steps to ensure their safety and well-being. **Failure to do so may be regarded as professional misconduct.**

The safeguarding at Loughborough Campus Nursery is in part, exercised through the development of respectful, caring and professional relationships between adults and children and behaviour by the adult that demonstrates integrity, maturity and good judgement.

LSU, Loughborough University, the public, and parents/carers will have expectations about the nature of professional involvement in the lives of children and their families. When accepting a role working in an early years setting you should understand and acknowledge the responsibilities and trust involved in that role.

This means that you must:

- *understand the responsibilities which are part of your employment or role, and be aware that sanctions will be applied if these provisions are breached*
- *always act, and be seen to act, in the child's best interests*
- *avoid any conduct which would lead any reasonable person to question your motivation and intentions*
- *take responsibility for your own actions and behaviour*

This means that the LSU should:

- *promote a culture of openness and support*
- *ensure that systems are in place for concerns to be raised*
- *ensure that adults are not placed in situations which render them particularly vulnerable*
- *ensure that all adults are aware of expectations, policies and procedures*

Making professional judgements

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight however, behaviour, which **is illegal, inappropriate or inadvisable**.

There will be rare occasions and circumstances in which you have to make decisions or take action in the best interest of a child which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the child in their charge and, in so doing, will be seen to be acting reasonably.

These judgements should always be recorded and shared with a manager. Adults should always consider whether their actions are **warranted, proportionate, and safe and applied equitably**.

This means that where no specific guidance exists staff should:

- *discuss the circumstances that informed their action, or their proposed action, with their line manager or, where appropriate, the nursery designated safeguarding lead. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted*
- *always discuss any misunderstanding, accidents or threats with the Head of Nursery or designated safeguarding lead*
- *always record discussions and actions taken with their justifications on a Safeguarding Concern form and pass it on to the DSO*
- *record any areas of disagreement and, if necessary refer to another agency/the LSU/Ofsted/LCC/other Regulatory Body*

Power and positions of trust and authority

As a result of the close relationship between key person and parents that develops when working with babies and young children, together with your knowledge, position and/or the authority invested in the role, you are in a position of trust. The relationship between a person working with children and parents is one in which the adult has a position of power or influence.

It is vital for you to understand the nature of this power; that is, that the relationship cannot be one between equals and that there is a level of responsibility you must exercise as a consequence. The potential for exploitation and harm of vulnerable parents means that adults have a responsibility to ensure that an **unequal balance of power is not used for personal advantage or gratification.**

This means that staff should not:

- *use their position to gain access to information for their own advantage and/or a child or family's detriment. For example, ask a parent to mend their car as a favour.*
- *Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incident. For example, consider carefully request from parents to babysit out of work hours.*

Confidentiality

The storing and processing of personal information is governed by the Data Protection Act 1998. You may have access to confidential information about children and their families which must be kept confidential at all times and only shared when legally permissible to do so and in the interest of the child. At the start of your employment with LSU, you will have signed a declaration to this effect.

Records should only be shared with those who have a legitimate professional need to see them. You should never use confidential or personal information about a pupil or her/his family for your own, or others' advantage (including that of partners, friends, relatives or other organisations). *You need to know what specific information can be shared in observations, assessments, and other reports.*

Confidential information should never be used casually in conversation or shared with any person other than on a need-to-know basis. In circumstances where the child's identity does not need to be disclosed, the information should be used anonymously.

There are some circumstances in which you are expected to share information about a pupil, for example, when abuse is alleged or suspected. **In such cases, individuals have a responsibility to pass information on without delay, but only to those who need to know and with designated safeguarding responsibilities.** If a child – or their parent / carer – makes a disclosure regarding abuse or neglect, the member of staff should follow the Nursery's procedure. **See Flow chart for raising a safeguarding concern about a child.**

This means that you:

- *need to know the name of their Designated Safeguarding Lead and be familiar with LSCB child protection procedures and guidance:*
- *are expected to treat information you receive about children and families in a discreet and confidential manner*
- *should seek advice from a designated safeguarding lead) if you are in any doubt about sharing information you hold or which has been requested.*
- *need to be clear about when information can/ must be shared and in what circumstances*
- *need to know the procedures for responding to allegations against staff and to whom any concerns or allegations should be reported*
- *need to ensure that where personal information is recorded using modern technologies that systems and devices are kept secure.*
- *should not promise confidentiality to a child or parent, but should give reassurance that the information will be treated sensitively. If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from the Designated Safeguarding Lead.*

Standards of behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children. They should adopt high standards of personal conduct in order to maintain confidence and respect of the general public and those with whom they work.

There may be times where an individual's actions in their personal life come under scrutiny from the community, the media or public authorities, including with regard to their own children, or children or adults in the community. **Staff should be aware that their behaviour, either in or out of the workplace, could compromise their position within the work setting in relation to the protection of children, loss of trust and confidence, or bringing the employer into disrepute.** Such behaviour may also result in a bar from engaging in regulated activity or action by another relevant regulatory body.

This means that you should not:

- *behave in a manner which would lead any reasonable person to question your suitability to work with children or to act as an appropriate role model*
- *make, or encourage others to make sexual remarks to, or about, a parent or child*
- *use inappropriate language to or in the presence of parents, children or volunteers*
- *discuss their personal or sexual relationships with or in the presence of pupils*
- *make (or encourage others to make) unprofessional personal comments which scapegoat, demean or humiliate, or might be interpreted as such*

The Childcare (Disqualification) Regulations 2009 set out grounds for disqualification under the Childcare Act 2006 where the person or a person living in the same household or employed in the same household meets certain criteria set out in the Regulations. For example, an individual will be disqualified where they have committed a relevant offence against a child; been subject to a specified order relating to the care of a child; committed certain serious sexual or physical offences against an adult; been included on the DBS children's barred list; been made subject to a disqualification order by the court; previously been refused registration as a childcare provider or provider or manager of a children's home or had such registration cancelled.

A disqualified person is prohibited from providing relevant early childcare as defined in the Childcare Act 2006 or being directly concerned in the management of such childcare.

This means that you should:

- *be aware that behaviour by themselves, those with whom they share a household, or others in their personal lives, may impact on their work with children. You have a responsibility to disclose any change in circumstances. You will be asked to confirm your suitability to work with children at return to work interviews, appraisals and supervisions.*
- *understand that a person who provides Early Years education or Childcare may be disqualified because of their "association" with a person living or employed in the same household who is disqualified.*

Dress and appearance

A person's dress and appearance are matters of personal choice and self-expression and some individuals will wish to exercise their own cultural customs. However, a uniform has been provided appropriate to your professional role. You should ensure they are dressed decently, safely and appropriately, for the tasks they undertake.

Gifts, rewards and favouritism

There are occasions when pupils or parents wish to pass small tokens of appreciation to staff e.g. at Christmas or as a thank-you and this is usually acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. Similarly, it is inadvisable to give such personal gifts to pupils or their families. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return.

Social contact outside of the workplace

It is acknowledged that staff may have genuine friendships and social contact with parents of children, independent of the professional relationship. Staff should, however, also be aware that professionals who sexually harm children often seek to establish relationships and contact outside of the workplace with both the child and their parents, in order to 'groom' the adult and the child and/or create opportunities for sexual abuse. It is also important to recognise that social contact may provide opportunities for other types of grooming such as for the purpose of sexual exploitation or radicalisation.

This means that you should:

- *advise senior management of any regular social contact you have with a child which could give rise to concern*
 - *refrain from sending personal communication to parents unless agreed with senior managers*
 - *inform senior management of any relationship with a parent where this extends beyond the usual parent/professional relationship. For example, requests or arrangements where parents wish to use child care services outside of the workplace e.g. babysitting, tutoring*
- Failure to do so may be regarded as professional misconduct.***

Communication with children and parents (including the use of technology)

In order to make best use of the many educational and social benefits of new and emerging technologies, children and staff need opportunities to use and explore the digital world. E-safety risks are posed more by behaviours and values than the technology itself.

Staff should ensure that they establish safe and responsible online behaviours, Communication with parents and children both in the 'real' world and through web based and telecommunication interactions should take place within explicit professional boundaries. This includes the use of computers, tablets, phones, texts, e-mails, instant messages, social media such as Facebook and Twitter, chat-rooms, forums, blogs, websites, gaming sites, digital cameras, videos, web-cams and other hand held devices. (Given the ever changing world of technology it should be noted that this list gives examples only and is not exhaustive.)

This means that you should:

- *not seek to communicate/make contact and be circumspect about responding to contact with parents and children outside of the purposes of your work*
- ***carefully consider the parent/professional relationship before befriending parents on Facebook***
- *use only equipment and Internet services provided by the setting. Personal mobile phones should never used in rooms where the children are present. A nursery mobile is available for trips and outings. **Failure to do so may be regarded as professional misconduct.***
- *ensure that their use of technologies could not bring their employer into disrepute.*

Photography, videos and other images

Many educational activities involve recording images. These may be undertaken for displays, publicity, to celebrate achievement and to provide records of evidence of the activity. **Under no circumstances are staff permitted to use their personal equipment to take images of pupils at or on behalf of the Nursery.** Whilst images are regularly used for very positive purposes, adults need to be aware of the potential for these to be taken and/or misused or manipulated for pornographic or 'grooming' purposes. Particular regard needs to be given when images are taken of young or vulnerable children who may be unable to question why or how the activities are taking place. Children who have been previously abused in a manner that involved images may feel particularly threatened by the use of photography, filming etc.

Images should not be displayed on websites, in publications or in a public place without parents consent. The definition of a public place includes areas where visitors to the Nursery have access. For the protection of children, it is recommended that when using images for publicity purposes that the following guidance should be followed:

- if the image is used, avoid naming the child, (or, as a minimum, use first names rather than surnames)
- if the child is named, avoid using their image
- schools and settings should establish whether the image will be retained for further use, where and for how long images should be securely saved

This means that you should:

- *Only take images with the Nursery tablet and cameras.*
- *only publish images of children where they and their parent/carer have given explicit written consent to do so. Consent for the use of images is sought on induction and permissions recorded on FirstSteps.*
- *retain images only when there is a clear and agreed purpose for doing so.*
- *store images in an appropriate secure place in the school or setting These should be taken on the approved data system or on the LSU*

Nursery/photographs. Photographs and videos containing images of children should never be saved on the tablet or cameras.

- *ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose.*
- *be able to justify capturing, retention and use of images of children in the Nursery's possession.*

This means that adults should not:

- *take images of children for their personal use.*
- *display or distribute images of pupils unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child).*
- *take images of children using personal equipment.*
- *take images of children in a state of undress or semi-undress.*
- *take images of children which could be construed as indecent or sexual.*

Mobile phones and other portable devices.

Loughborough Campus Nursery has arrangements with regard to the taking and use of images, which is linked to the safeguarding and child protection policy. This covers the wide range of devices, which can be used for taking/recording images e.g. cameras, mobile phones, smart phones, tablets, web-cams etc. and arrangements for the use of these by both staff, parents and visitors.

This mean that you should:

- *keep your mobile phone secure in the lockers during work hours.*
Failure to do so may be regarded as professional misconduct.
- *explain to visitors and parents the setting is a non mobile phone area and challenge any contraventions*
- *be vigilant of the public taking photos outside the boundaries and report any concerns*

Physical contact

Physical contact is essential for physical, cognitive and emotional development in babies and young children. It is entirely appropriate and proper for staff to have physical contact with children, however, it is crucial that they only do so in ways appropriate to their professional role and in relation to the child's individual needs and ages and stages of development. It is not possible to be specific about the appropriateness of each physical contact, since an action that is appropriate with one child, in one set of circumstances, may be inappropriate in another, or with a different child. Any physical contact should be in response to the child's needs at the time, of relevant duration and appropriate to their age and stage of development.

If a member of staff believes that, an action by them or a colleague could be misinterpreted, or if an action is observed which is possibly abusive, the incident and circumstances should be immediately reported to the Head of Nursery and recorded. Where appropriate, the manager should consult with the Local Authority Designated Officer (the DO).

This means that you should:

- *be aware that even well intentioned physical contact may be misconstrued by the parents, an observer or any person to whom this action is described. For example, taking a child by the wrist rather than by the hand.*
- *always be prepared to explain actions and accept that all physical contact be open to scrutiny*
- *always tell a colleague when and how you offered comfort to a distressed child or need to undertake nappy changing or toilet duties*
- *extra caution may be required where it is known that a child has suffered previous abuse or neglect. You need to be aware that the child may associate physical contact with such experiences.*

Nappy changing and Intimate / personal care

Loughborough Campus Nursery has a nappy and toileting policy which ensures that the health, safety, independence and welfare of children is promoted and their dignity and privacy are respected. Intimate and personal care should be open and transparent and accompanied by recording systems. Children should be encouraged to act as independently as possible and to undertake as much of their own personal care as is possible and practicable and appropriate to their ages and stages of development. When assistance is required, this should normally be undertaken by one member of staff, however, they should try to ensure that another appropriate adult is in the vicinity who is aware of the task to be undertaken and that, wherever possible, they are visible and/or audible.. A nappy changing chart should be kept of all intimate and personal care tasks undertaken and should include times and the name of the person undertaking the task.

This means that you should:

- *adhere to the Nursery's intimate and personal care and nappy changing policies.*
- *make other staff aware of the task being undertaken.*
- *always explain to the baby/child what is happening before a care procedure begins.*
- *consult with colleagues where any variation from the agreed procedure/care plan is necessary.*
- *record the justification for any variations to the agreed procedure/care plan and share this information with the child and their parents/carers.*

Exposure to inappropriate images

Staff should take extreme care to ensure that children and young people are not exposed, through any medium, to inappropriate or indecent images. There are no circumstances that will justify adults: making, downloading, possessing or distributing indecent images or pseudo-images of children (child abuse images). Accessing these images, whether using the Nursery's, or personal equipment, on or off the premises, or making, storing or disseminating such material is illegal.

If indecent images of children are discovered at the establishment or on the Nursery's equipment, an immediate referral should be made to the Designated Safeguarding Officer and the police contacted if relevant. The images/equipment should be secured and there should be no attempt to view or delete the images as this could jeopardise necessary criminal action.

If the images are of children known to the Nursery, a referral should also be made to children's social care in line with local arrangements. Under no circumstances should any adult use Nursery equipment to access pornography. In the event of any indecent images of children or unsuitable material being discovered on a device the equipment should not be tampered with in any way. The device should be secured and isolated from the network, and the DO contacted without delay. Adults should not attempt to investigate the matter or evaluate the material themselves as this may lead to a contamination of evidence and a possibility they will be at risk of prosecution themselves.

This means that staff should:

- *abide by the establishment's acceptable use and e-safety policies*
- *ensure that children cannot be exposed to indecent or inappropriate images*
- *ensure that any films or material shown to children are age appropriate*
- *equipment containing pornography or links to it should never be brought into or used in the workplace. This will raise serious concerns about the suitability of the adult to continue working with children and young people.*
- *Staff should keep their passwords confidential and not allow unauthorised access to equipment.*

Related Documents

Mobile phones and other portable devices policy

LSU Safeguarding and child protection policy

Campus Nursery

LSU Social media policy

Intimate care policy

Loughborough Campus **Nursery**

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