

Case study 3 "Lucy, 2 years 4 months"

Recognising and recording

It is noted by the practitioner, that Lucy has complained that it is painful when she goes to the toilet and that she goes several times during the session. It is also noted by the practitioner that when this is mentioned to the dad, he comments that 'she is just playing games'. After this conversation with the dad, the practitioner has noticed that she became quite distressed when in the bathroom and has noticed some discharge and that the private parts appear red. According to the National Society of the Prevention of Cruelty to Children (NSPCC) (2020a), unusual discharge and soreness or itching in the vaginal or anal area are a couple of the physical signs of sexual abuse. This is further supported by Buckler (2023) who also mentions other physical symptoms such as injuries to the genitalia/anal areas or bruising/pain or itching to the private areas. Additionally, Buckler (2023) also comments that some other signs of sexual abuse include, but is not limited to, children may become withdrawn or fearful, display inappropriate sexualised behaviours towards others, may suffer with urinary tract infections or may be unwilling to remove clothes for intimate care or nappy/clothe changes. On a similar note, Wate and Boulton (2015) also support these signs of sexual abuse, however they also mention that there may be signs of 'love bites' or other bite marks.

Lucy also mentions when ask if anything has happened, she mentions that her daddy said 'it's their secret'. According to the British council (no date) children who are being abused may often feel threatened to keep it a secret by those how are abusing them. The National Health Services (NHS) (2023) supports this by also stating that children might think that the abuse is 'normal' or that it is a 'special secret'. The NHS (2023) also comments that the child may threatened or intimidated by the abuser. The practitioner is ensuring that Lucy's right to a voice and opinion as stated by Article 12- respecting the views of the child (Children and Young People's Commissioner Scotland, 2024) is being acted upon. This is done further by listening to what is being said carefully and responding appropriately.

Ventress (2017) mentions that when recording the signs and symptoms of abuse, practitioners must remember that it is appropriate to make enquires about these signs and symptoms. Although, practitioners are not expected to question the

children, nonetheless it is essential that practitioners record and obtain adequate information to determine the child's safety. This will also enable them to see if there is a situation that requires protective action for the safeguarding of the child. Furthermore, the NSPCC (2022) also states that it is vital that all relevant information is recorded in regards to the welfare and safety of children, if the practitioner or anyone within the organisation has any safeguarding concerns. Anna Craft Trust (no date) comments that it is important to keep records of safeguarding concerns and signs of abuse and that when recording these concerns the practitioner must remain impartial when keeping these records. The practitioner must record what they see and not what they feel and ensure they are considering all available evidence.

HM Government (2015) and the Department of Education (2024a) both state that recording abuse enables the practitioner to collect evidence that can be crucial to the safeguarding and wellbeing of the child and provides clear rationales to the practitioner's actions. They highlight that through recording, the practitioner is able to identify patterns in behaviour that might not be noticed in isolated incidents, this will enable early intervention and support the actions taken by the practitioner. Additionally, The Royal Commission's final report (2017) on record keeping and information sharing, comments that insufficient recordkeeping can contribute to the delay in or failing to identify and respond to the indicators and risks of child sexual abuse. Although the report does mention that recent reforms in policy, legislation and practice has improved the record keeping process. The Education People (2018) also states that inadequate recordkeeping not only suggests that there is a lack of compliance with the statutory requirements but also places the child at the risk of significant harm.

Reporting and Referring

The practitioner has duty of care to Lucy and her welfare and wellbeing is paramount (Children Act 1989, HM Government 2023 and the Department of Education 2024b). The Early Years Alliance (no date) states that it is everyone's responsibility to ensure that any safeguarding concerns are raised and that these concerns are responded to accordingly. Birch (2022) remarks that if there is suspected sexual abuse, as this case suggests, then this must not be discussed with immediate family members/carers and that a referral must be made immediately.

This is further supported by the NSPCC (2023) who states that the setting should have a safeguarding policy and that the local safeguarding board information will be available from the authority website. The society also mentions that if there is a concern that the child is in immediate danger then 999 should be called.

The practitioner would report their concerns to the settings designated safeguarding lead (DSL), who is responsible for taking the lead on responding to safeguarding concerns and support the practitioner through this safeguarding process. The DSL will make sure that they are a point of contact for other safeguarding partners (NSPCC, 2019 and Barnsley Safeguarding Children Partnership, 2022). By recording these signs of suspected sexual abuse the practitioner will be able to make contributions that are descriptive, accurate and informed about what Lucy has said verbally and what the practitioner has also observed, providing impartial evidence to make a referral. (Horbert and Frankel 2009, Lindon and Webb, 2016). Through this a Multi-Agency Referral Form (MARF) will be filled out by the DSL with the records that the practitioner has made of Lucy's physical appearances and exact words. The MARF will then be sent to the Multi agency Safeguarding Hub Cardiff (Cardiff and Vale of Glamorgan Regional Safeguarding Children board, no date). Reid and Burton (2017) supports this, as they remark that the practitioner should ensure that the document used are suitable for recording the details needed. Through reporting and referring, the practitioner will be acting upon section 47 of the Children Act 1989 where the local authority will act upon information where there is reasonable cause to suspect significant harm and need to obtain an emergency protection order.

As Lucy is a child at risk, the practitioner and the DSL are enforcing their duty of care further by informing the local authority that they suspect that a child is at risk as stated in section 131 of the Social Services and Wellbeing (Wales) Act 2014. Through reporting and referring the suspected sexual abuse, the practitioner is able to work towards supporting and promote Lucy's wellbeing as stated in section 1 of the Care Act 2014. This can be done through ensuring that a strong and positive relationship is built between the practitioner and Lucy. This would be in line with Bowlby's attachment theory (1969), where the practitioner has engaged with Lucy not only to meet her needs and support her development and also developing a strong attachment with Lucy. This provides Lucy with the foundation for later

development of emotional and mental health and competence (Watson and Ecken 2018). Bowlby's theory (1969) also highlights that there is a developed understanding of a safe, consistent and significant person to help create a sense of security for the child to flourish, develop and grow (Whitters (2020). Lucy has shown she feels safe to disclose that 'it is their secret' to the practitioner, when she was asked if anything had happened.

The Settings Responsibility

Section one of the Children Act 1989 mentions that the welfare of the child is paramount. The settings responsibility is to ensure that there is a safeguarding policy in place, this will be a guidance for all practitioners to safeguard children against abuse and neglect. This policy will be in line with a number of legislations, that includes Children (Abolition of Defense of Reasonable Punishment) (Wales) Act 2020, Violence against Woman, Domestic Abuse and Sexual Violence (Wales) Act 2015, Children Act 1989 and 2004 and Safeguarding Vulnerable Groups Act (2006) (Smart Horizon, 2023, Social Care Wales, no date). These are only a small selection of the legislations that the policy is in line with. Childcare Act 2006 states that local authorities (in England) must improve the wellbeing of children, this includes the child's wellbeing in relation to protection from harm and neglect. This is further supported and instilled in the settings practice with the United Nations Convention of the Rights of the Child's (UNCRC) Article 19 which is the right of the child to have protection against violence, harm and abuse (Unicef, no date). Section 25 of the Children Act 2004 also supports the Childcare Act 2006 and the UNCRC by stating that local authorities (in Wales) have a duty to cooperate and make arrangements to promote the wellbeing of children and to work together with other multi-agencies. This policy also upholds Care Inspectorate Wales' (2016) Standard 20- child protection of the National Minimum Standard.

The setting will also have a Data Protection policy that will be in line with the Data Protection Act 2018 that also incorporates General Data Protection Regulation (GDPR). This policy states that those responsible for using data have a responsibility to follow strict rules. These include ensuring that information is used fairly, accurately, are adequate and relevant and is only uses what is necessary and is keep up to date. The setting also has a confidentiality policy (in line with the Data

Protection Act 2018), this means that all information will only be disclosed on a need to know basis. This also provides confidence for practitioners to know when to share information and the agencies they may need to share information with (Early Years Solution, no date, Early Years Alliance 2019). All information collected and recorded by the practitioner, surrounding their concerns about Lucy will be kept, used and shared in line with these legislations and policies. These documents will also be stored safely and appropriately in line with legislation and policy.

Government guidance has an expectation for those working with children to have regular training in safeguarding and child protection at regular intervals (Hughes and Owen, 2009). Furthermore, everyone should receive safeguarding training and have knowledge on what they need to do if and when they have a concern (NSPCC, 2024). This will provide practitioners with the confidence to report, record and referred abuse. The setting provider is responsible for ensuring that they provide training opportunities for their staff, enabling them with current and up to date safeguarding knowledge (PACEY, 2024).

The setting will have a designated safeguarding lead (DSL), this individual will be responsible for the implementation and development of safeguarding policies and procedures, the training of staff in safeguarding issues, liaise with multi-agency professionals and upkeep the wellbeing and welfare of the children and staff. The DSL may be one individual or it can be a shared responsibility, with the probability of the DSL being the manager/deputy manager of the setting (NSPCC, 2020 and Buckler 2023). The HM Government's (2023) Working Together to Safeguard Children 2023 states that a child-centred approach is fundamental to safeguard every child and promote their welfare. The document also informs the setting that strong multi-agency working is necessary for identifying and responding to the needs of children and their families. Information sharing using multiagency sharing models such as MASH is essential to enable practitioners and other professionals to uphold their care of duty and enable early interventions. MASH helps improve information sharing with timely safeguarding actions and promoting the child's wellbeing (Home Office, 2014 and Walker, 2018). Frost (2021) argues that multiagency working helps to assist information sharing between professionals, informs policies and procedures and produces more effective safeguarding for children. Some challenges in multiagency working could be the lack of understanding of individual roles in

safeguarding, leading to uncertainty, lack of confidence and missed opportunities to report concerns. Confusion and lack of understanding over protocols and procedures, lack of consistent communication channels can also further prevent safeguarding issues being noted and acted upon (Department of Education, 2021). This could lead to significant harm to the child if signs/concerns are not acted upon accordingly. Working together with multiagency professionals will help promote the safeguarding of Lucy within the setting and local community. The setting can also further ensure the safeguarding of Lucy by ensuring that Standard 15 of the NMS is upheld by having 1 adult to 4 children aged between 2-3 years and that there are 2 staff members on duty at all times. Further safeguarding within the setting, would be ensuring that 80% of staff are qualified Level 3 or above or working towards a qualification (Welsh Government, 2023). Disclosure and Barring Service (DBS) checks give employers, further safeguarding opportunities to check if individuals have any criminal convictions that would prevent them from working with children (Mind, 2022 and HM Government, no date).

Individual Portfolio Reference List

Anna Craft Trust, (no date) *reporting and Recording Safeguarding Issues*. Available at [Reporting & Recording Safeguarding Issues - Ann Craft Trust](#) [Accessed: 7th July 2024].

Barnsley Safeguarding Children Partnerships, (2022) *Role of the Designated Safeguarding Lead (DSL)*, Available at: <https://www.barnsley.gov.uk/media/21285/dsl-roles-and-responsibilities.pdf> [Accessed: 10th July 2024].

Birch, S. (2022) *Sexual Abuse-Early Years Considerations*, Available at <https://safeguarding.network/content-delivery/sexual-abuse-early-years-considerations/> [Accessed: 10th July 2024].

British Council, (no date) *Guidance on Handling a Disclosure from a Child*, Available at: [handling disclosure from a child 0.pdf \(britishcouncil.org\)](#) [Accessed: 7th July 2024].

Buckler, R. (2023) *Developing Child-centred Practice for Safeguarding and Child Protection: Strategies for Every Early Years Setting*. Abingdon, Oxon: Routledge.

Cardiff and Vale of Glamorgan Regional Safeguarding Children's Board, (2023) *Reporting Concerns*, Available at: <https://www.cardiffandvalersb.co.uk/children/contact-childrens-board/reporting-concerns/> [Accessed: 10th July 2024].

Care Act 2014, s. 1 Available at: <https://www.legislation.gov.uk/ukpga/2014/23/part/1/crossheading/general-responsibilities-of-local-authorities> [Accessed: 10th July 2024].

Childcare Act 2006, s. 1, [Childcare Act 2006 \(legislation.gov.uk\)](#) [Accessed: 10th July 2024].

Children Act 1989, s. 17(1a). Available at: [Children Act 1989 \(legislation.gov.uk\)](#) [Accessed: 25th June 2024].

Children Act 1989, s.1. [Children Act 1989 \(legislation.gov.uk\)](#) [Accessed: 10th July 2024].

Children Act 2004, s. 25, Available at: [Children Act 2004 \(legislation.gov.uk\)](#) [Accessed: 2nd July 2024].

Children Act 1989, s. 47 Available at: <https://www.legislation.gov.uk/ukpga/1989/41/section/47> [Accessed: 10th July 2024].

Care Inspectorate Wales, (2016) *National Minimum Standards for Regulated Childcare for Children up to the Age of 12 Years*, Available at [National Minimum Standards for Regulated Childcare for children up to the age of 12 years \(careinspectorate.wales\)](#) [Accessed: 11th July 2024].

Children and Young People's Commissioner Scotland (2024). *UNCRC Full Text*. Available at: <https://www.cypcs.org.uk/rights/uncrc/full-uncrc/> [Accessed: 11th July 2024].

Department of Education, (2021) *Multi-Agency Reform: Key Behaviour Drivers and Barriers Summary Report*, Available at: [Multi-agency reform: Key behavioural drivers and barriers summary report \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984547/multi-agency-reform-key-behaviour-drivers-and-barriers-summary-report.pdf) [Accessed: 13th July 2024].

Department of Education, (2024a) *Information Sharing Advice for Practitioners providing Safeguarding Service for Children, Young People, Parents and Carers*, Available at: [DfE non statutory information sharing advice for practitioners providing safeguarding services for children, young people, parents and carers \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984547/multi-agency-reform-key-behaviour-drivers-and-barriers-summary-report.pdf) [Accessed: 7th July 2024].

Department of Education, (2024b) *Keeping Children Safe in Education 2024*, Available at [Keeping children safe in education 2024 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984547/multi-agency-reform-key-behaviour-drivers-and-barriers-summary-report.pdf) [Accessed: 10th July 2024].

Early Years Alliance, (no date) *Safeguarding in the Early Years*, Available at: <https://www.eyalliance.org.uk/safeguarding-early-years> [Accessed: 10th July 2024]

Early Years Alliance, (2019) *Information Sharing and Data Protection*, Available at: [Information sharing and data protection | early years alliance \(eyalliance.org.uk\)](https://www.eyalliance.org.uk/information-sharing-and-data-protection) [Accessed: 11th July 2024].

Early Years Solutions, (no date) *Confidentiality Policy*, Available at: [Confidentiality policy \(earlyyearssolutions.co.uk\)](https://www.earlyyearsolutions.co.uk/confidentiality-policy) [Accessed: 10th July 2024].

Frost, N. (2021) *Safeguarding Children and Young People: A Guide for Professionals Working Together*. London: SAGE Publications.

HM Government, (2015) *What to do if you're worried a child is being abused Advice for Practitioners*, Available at: [Stat guidance template \(publishing.service.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484547/what-to-do-if-youre-worried-a-child-is-being-abused-advice-for-practitioners.pdf) [Accessed: 7th July 2024].

HM Government, (2023) *Working Together to Safeguard Children 2023*, Available at [Working together to safeguard children 2023: statutory guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984547/multi-agency-reform-key-behaviour-drivers-and-barriers-summary-report.pdf) [Accessed: 10th July 2024].

HM Government, (no date), *Data Protection*, Available at: [Data protection: The Data Protection Act - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/984547/multi-agency-reform-key-behaviour-drivers-and-barriers-summary-report.pdf) [Accessed: 10th July 2024].

HM Government, (no date), *Disclosure and Barring Service*, Available at: [About us - Disclosure and Barring Service - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/984547/multi-agency-reform-key-behaviour-drivers-and-barriers-summary-report.pdf) [Accessed: 13th July 2024].

Home Office, (2014) *Multi Agency Working and Information Sharing Project Final Report*, Available at [Multi Agency Working and Information Sharing Project: Final report \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984547/multi-agency-reform-key-behaviour-drivers-and-barriers-summary-report.pdf) [Accessed: 12th July 2024].

Horbert, C and Frankel, J (2009) *Good Practice in Safeguarding Children*, 3rd Edition Cheltenham: Nelson Thomas

Hughes, L. and Owen, H. (2009) *Good Practice in Safeguarding Children Working Effectively in Child Protection*. London; Jessica Kingsley Publishers

Lindon, J. and Webb, J. (2016) *Safeguarding and Child Protection*. Fifth edition. London: Hodder Education. Available at:

https://librarysearch.uwtsd.ac.uk/permalink/44WHELF_UWTSD/11c0l68/alma99100593802802421 [Accessed: 10th July 2024].

Mind, (2022) *DBS Checks and your Mental Health*, Available at: [What is a DBS check? - Mind](#) [Accessed: 13th July 2024].

National Health Service, (2023) *Spotting signs of Child Sexual Abuse*, Available at [Spotting signs of child sexual abuse - NHS \(www.nhs.uk\)](#) [Accessed: 7th July 2024].

National Society of the Prevention of Cruelty to Children, (2019) <https://learning.nspcc.org.uk/media/1587/role-description-for-child-protection-lead.pdf> [Accessed: 10th July 2024].

National Society for the Prevention of Cruelty to Children, (2020) *Definitions and Signs of Child Abuse*, Available at: [definitions-signs-child-abuse.pdf](#) [Accessed: 7th July 2024].

National Society for the Prevention of Cruelty to Children, (2020) *Nominated Child Protection Lead or Designated Safeguarding Officer*, Available at: [Named child protection or safeguarding lead | NSPCC Learning](#) [Accessed: 12th July 2024].

National Society for the Prevention of Cruelty to Children, (2022) *Child Protection Records, Retention and Storage Guidelines*, Available at: [Child protection records, retention and storage guidelines \(nspcc.org.uk\)](#) [Accessed: 23rd June 2024].

National Society of the Prevention of Cruelty to Children, (2023) *Protecting Children from Sexual Abuse*, Available at: [Protecting children from sexual abuse | NSPCC Learning](#) [Accessed: 10th July 2024].

National Society of the Protection of Cruelty to Children, (2024) *Mandatory Safeguarding and Child Protection Training*, Available at: [Mandatory child protection training | NSPCC Learning](#) [Accessed: 12th July 2024].

PACEY, (2024) *Safeguarding*, Available at: [Safeguarding | PACEY](#) [Accessed: 13th July 2024].

Reid, J. and Burton, S. (eds) (2017) *Safeguarding and Protecting Children in the Early Years*. Second edition. London: Routledge.

Royal Commission into Institutional Response to Child Sexual Abuse, (2017) *Recordkeeping and Information Sharing*, Available at: https://www.childabuseroyalcommission.gov.au/sites/default/files/final_report_-_volume_8_recordkeeping_and_information_sharing.pdf [Accessed: 10th July 2024].

Smart Horizons, (2023) *Legislation for Safeguarding*, Available at: [Legislation for Safeguarding | Child Protection Company](#) [Accessed: 10th July 2024].

