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Safeguarding: Practice, legislation and the multidisciplinary team

Ben is a 6 year old boy in your year 1 class. He has a brother in year 4. As his teacher, you have known him to be a quiet boy but eager to please and is progressing with his learning. During the last month, you have noticed that Ben is coming into school with dirty clothes on, often unwashed and hasn't brushed hair or teeth. You have also noticed that he seems to be very hungry, always taking more than one piece of fruit at snack time and eating it quickly. Yesterday you caught him going in to another child's sandwich box and taking his sandwiches. When you asked him about it, he got upset but told you that mummy didn't go shopping this week. Consider how you might deal with this situation with regards to recognising and reporting concerns.

Part 2: Case Study 2

Introduction

According to the NSPCC, safeguarding acts to promote the welfare of a child and protects them from harm. Child protection is part of this process and involves identifying and protecting vulnerable children and the procedures practitioners use to respond to these concerns (NSPCC, 2024). I will be examining Case Study 2 by looking at how as practitioners we can recognise signs and symptoms of abuse, and how this is recorded by analysing past serious case reviews such as Victoria Climbié and Daniel Pelka. I shall also be examining how these cases affected law changes and the lessons learned from them in relation to my case study. Finally, I shall be looking at our responsibility as early year practitioners and settings in having a holistic approach to safeguarding.

Recognising and recording

According to a briefing published by the NSPCC (2021), risk factors and areas for improvement in safeguarding in the early years sector included staff not having received appropriate training in how to recognise the signs of abuse or neglect or how to respond to these concerns, and lacked information about what to do if they had a concern. These reviews emphasised for practitioners and staff working in early years settings to be competent in identifying indicators of child abuse and neglect, applying professional curiosity if concerned about a child's welfare and to consider a children's lived experiences away from settings through regular and up to date safeguarding and child protection training and the sharing information with other agencies (NSPCC, 2021).

The legislation in KCSIE (2023) states that all staff working directly with children, including practitioners, care takers, cleaners and catering staff, must read at least ‘part one’ of the guidance and be aware of any amendments as the legislation is regularly updated (KCSIE, 2023). Within Part one of KCSE (2023), some of the main indicators of abuse and neglect are described, which help practitioners to understand the different types of abuse and how practitioners might link these indicators to concerns observed. For example, in the case study of Ben he had been observed as coming into school with dirty cloths, unbrushed hair and always being hungry, all possible signs of neglect (KCSIE (2023), NSPCC (2024)).

Guidance from Keeping Children Safe in Education (2023), The Children’s Act (2004), Working Together to Safeguard Children (DfE, 2023) and “What to do if you’re worried a child is being abused” (DfE, 2015) are used to create safeguarding and child protection policies, procedures and practices according to NCPCC (2024). In addition to these lawful obligations and guidance, practitioners may undertake specialized training to support children that are experiencing ACE’s linked to abuse or neglect, such as through understanding attachment theory or self-regulation in children, or scenarios where a child might not be able to communicate their needs (Conkbayir (2023), Shemmings et al (2016), Goldberg, Muir and Kerr (2009)). Practitioners may also undertake training in co-regulation techniques and trauma-informed approaches so they can respond to dysregulation and know how to listen and question a child making a disclosure or when asking a child about a concern (Szczygiel, 2018). When dealing with a child making a disclosure, practitioners must not make promises that the information will need to be shared and when questioning and should never infer blame but remain non-judgemental and ask open-ended questions, so that the child is comfortable in sharing what might be sensitive and vital information. The practitioner should make sure the information in the disclosure being recorded is valid and recorded using the child’s view and voice, not the assumptions or opinions of the practitioner. Practitioners should be aware that abuse may be normalised within that child’s lived experience, resulting in abuse that is difficult to evidence. Additionally, practitioners need to be culturally competent to challenge their own unconscious bias and be better able to identify aspects of cultural or safeguarding concerns, and the child’s wellbeing within their cultural context (Akilapa and Simkiss (2012)). An awareness of contextual safeguarding is also important, as children can also experience harm, abuse and exploitation from outside of their families. Children can be vulnerable in school, local communities and online, therefore practitioners must adopt an ‘it could happen here’ attitude and act in the best interests of the child (KCSIE (2023), Working together to safeguard children (2024), Prevent Duty Guidance (2024)).

Information of a disclosure or a safeguarding concern needs to be recorded accurately and be up to date if practitioners intend to get correct and timely support for children. Furthermore, the sharing of concerns needs to be done with the appropriate staff to support in identifying possible patterns of behaviours and therefore tackle abuse, exploitation and neglect concerns (Burton and Reid, 2018). However, a failure to act on early indicators of abuse or neglect, poor record keeping, or not sharing information with relevant staff and agencies could compromise the safety and welfare of a child. According to KCSIE, Part One (2023) the designated safeguarding lead (DSL) or deputies are the most likely to have a whole picture of any child that a practitioner has concerns about and will also advise how to respond to safeguarding concerns. Long-term impact of ACE’s experienced by children that suffer abuse and neglect can have a cumulative effect, increasing the numbers of ACE’s suffered, according to Hughes *et al* (2016). This statement affirms the importance of accurate recording of disclosures and the follow-up of this information with DSL’s and other agencies by practitioners. In case study 2 it is important to understand that there could be many

reasons behind a child's experiences and ways to address these to support the child and their family moving forward. The practitioner and DSL need to build a holistic picture of a child, their challenges, and how these are impacting their wellbeing. Without a holistic overview, strategies for supporting the child and their family could be undermined (Knight, 2015).

Reporting and Referral

The Information Commissioner's Office (2024) guidance for sharing safeguarding information states that DPA (2018) allows for the sharing of information when identifying a child at risk of harm and to safeguard them from harm. DPA (2018) does not prevent this but supports practitioners to understand that any processing and sharing of information about a child or family is carried out in a fair, proportionate and lawful way. ICO (2024) suggests that not sharing information could be more harmful when this information is needed to protect a child and that the appropriate sharing of information is central to effective safeguarding. This point is echoed in guidance from the DFE Sharing Information (2024) and goes on to say that DPA (2018) parts 2 and 3 enable the sharing of information by providing a framework. However, it is key to consider whether the sharing of information actively supports the safeguarding of the child; for example, a conversation with a random colleague about a concern would not be supportive of the best interest of the child. ICO (2024) also touches upon findings in serious case reviews where children have died or suffered significant harm through abuse and neglect because of gaps found in information sharing, which have then contributed to failures to protect the children concerned.

All early year settings will have safeguarding policies which will advise how sensitive information relating to safeguarding concerns is stored and shared (Information sharing (2024), KSCIE (2023), The Caldicott Principles (2020), DPA (2018)). For example, Warwickshire Council record all safeguarding concerns on a green paper which must then be passed onto a DSL as soon as possible – however, a DSL must be informed immediately if a child is in immediate risk of harm at the end of the school day. If a child is of immediate risk, anyone can and must contact social care, the police, or NSPCC to protect that child's wellbeing. According to KCSIE (2023), section 47 may be issued at this point in accordance with the Children Act (1989). When considering the information recorded in case study 2 in reference to the guidance around sharing information, it is of upmost importance that clear communication between professionals meets the needs of children and their wellbeing. The concerns recorded in case study 2 have little or no context and additional information of the family are needed; factors such as parental mental health, history of domestic abuse, substance reliance and poverty may be influencing these concerns, and this knowledge is needed to have a holistic picture of the family and child and to address their needs. KCSIE (2023) guidance states that no single practitioner can have a full picture of a child's needs and circumstances, meaning that any professional or practitioner who meets a child should be aware of their role in identifying signs of abuse or neglect and sharing this information in order that prompt action can be taken to safeguard and protect them from further maltreatment. Information that is shared in a way that is coordinated, accurate and timely enables for a more accurate assessment of risk and the sharing concerns with multiple agencies safeguarding hub can aid in building an understanding the chronology of a child (West Berkshire council, no date).

Two historical serious case reviews with similar concerns relating to abuse and neglect, some of which are echoed in case study 2, are that of Daniel Pelka and Victoria Climbié. Victoria Climbié was an 8-year-old child who suffered torture and starvation before her eventual murder in 2000 (The Victoria Climbié Inquiry, 2003). Her report ended with a long list of recommendations, including the need for accurate records and better information systems, as well as changes to the Children Act 2004. A Children's Commissioner was appointed in England and local Safeguarding Children's Boards (LSCBs) were created in England and Wales. Additionally, a duty of children's services was placed on local authorities to appoint a lead member for services accountable for the delivery of services, and the Welsh government adopted the United Nations Convention on the Rights of the Child (NSPCC, 2024).

Daniel Pelka died aged 4 in 2012. For a period of around six months Daniel had been starved, assaulted, neglected and abused. Practitioners were concerned about his weight, constant hunger, and unexplained marks on his body. His mother explained that Daniel had a medical issue, and that this was the reason for his weight problems. Furthermore, an older sibling who was in good health had explained that marks were from accidental incidents. A review into Daniel's death said that there had been failings by multi-agency child protection systems to support the effective and coordinated sharing of information between organisations and practitioners; on top of this, there was no record anywhere of Daniel's voice being heard about his home life (Children's Services Network, 2013).

The timeline of Child Protection is ongoing and amendments to legislation, laws and guidance will follow as governments continue to learn from serious case views. In 2022 corporal punishment was made illegal in Wales, after an inquiry into the deaths of Arthur Labinjo-Hughes and Star Hobson. The DfE published an updated 'Working Together to Safeguard Children' document in 2023, which included guidance on multi-agency working to protect and promote the welfare of children in England (NSPCC, 2024).

Setting Responsibilities

All staff working are required to read Part one of KCSIE (2023) which sets out the legal duties staff must follow to promote and safeguard the welfare children in schools. Through thorough training, settings can empower staff to carry out procedures around safeguarding with confidence. The Munro review of child protection (2011) focusses on a child-centred approach, stating that professionals working with children need listen to what children say and take their views seriously, and practitioners need to work collaboratively with children and their families to support their needs, as stated in the Children Act 1989 under section 17 and the Equality Act 2010. The Equality Act (2010) puts responsibility on local authority to have due regard to eliminate discrimination and promote equality of opportunity; this also applies to the process of the identification of need and risk faced by a children.

The United Nations Convention on the Rights of the Child (UNCRC) is an international agreement that protects the rights of children and provides a child-centred framework for the development of services to children. The UK Government ratified the UNCRC in 1991, and by doing so recognised a child's right to expression (UK Government, 2010 b) and the articles set out within the UNCRC support practitioners to use rights to support them in building a holistic picture of the child. By listening to the child's views and use their voice

when recording concerns to ensure that the child's voice is at the centre when working with their family or with other agencies as stated in article 12 of the UNCRC (UNICEF, 2024). This is so that the correct support is provided, as stated in Working together to Safeguard Children (2023). In part 3 of KCSIE (2023) and the safe recruitment of staff, it is stipulated that all staff require an Enhanced DBS, or 'Disclosure and Barring Service', certificate, to prevent unsuitable recruitment. Eric Robinson, Chief Executive for the Disclosure and Barring Service, said: 'DBS checks in education are an essential safeguarding tool, improving the safety and wellbeing of children and young people.' (Disclosure and Barring Service, 2023).

Settings need robust and clear procedures around reporting and sharing of information so that staff are clear of their duties. They also need to provide a secure environment where children feel safe and can build positive relationships and feel able to share their voice with trusted adults (EYFS, 2024).

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