Safeguarding Children (Early Years)

Referral Routes (Contact Lists 1 and 2) Guidance Notes

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What is an allegation?

Allegations include concerns which call into question whether a member of staff, manager, registered person, childminder, assistant, household member, volunteer or student working with children has:

- harmed a child
- abused a child
- inappropriately handled a child which may have caused them to be harmed or abused
- committed a criminal offence which may make them unsuitable to work with children
- concerns within their personal life which may make them unsuitable to work with children (this could include radicalisation)
- an inability to protect children from unsuitable adults, unsuitable or unsafe resources or an unsuitable environment.
- Caused a child to have an accident or serious injury due to poor risk assessment, poor supervision or neglect of duties

You must ensure you are familiar with the relevant sections of the London Child Protection Procedures found at the following website page: www.londoncp.co.uk/chapters/alleg_staff.html

What training is available?

To ensure you understand the Merton Child and Young Person Well-being Model, you are strongly advised to attend safeguarding training. Training is available to childcare providers within Merton. The safeguarding lead person and those that deputise for this person in childcare settings and all childminders should undertake a Lead Safeguarding training course. They will then be able to demonstrate their ability to deal with concerns about a child in an appropriate manner. The owner/manager should also consider undertaking a Safeguarding for Leaders and Managers training course, which deals with aspects of safe recruitment/safe culture/handling allegations etc. For dates and availability please access the following website page: www.merton.gov.uk/training_for_early_years_and_childcare_workforce

Other safeguarding training courses are also provided by the Merton Safeguarding Children Board (MSCB). For dates and availability please access the following website page: www.merton.gov.uk/lscbtraining

What should be in place?

All providers registered with Ofsted are required to have:

- A designated safeguarding lead to whom concerns about children should be reported, who must have undertaken a Lead Safeguarding course and updated their training every two years;
- A safeguarding procedure which includes what should happen if there are concerns about a child and how allegations are managed;
- A deputy who deals with concerns in the absence of the designated safeguarding lead, who should have undertaken Lead Safeguarding training and updated their training every two years;
• Staff who have an understanding of safeguarding that is included in their induction and have undertaken training or received other updates and information (on an annual basis) to ensure they are familiar with what they should do if they have concerns about a child.

Childminders are always the safeguarding lead person and they must have undertaken Lead Safeguarding training. Childminders are expected to provide an effective induction and at least annual updates regarding safeguarding for any assistants they may employ.

What is child abuse?

The London Child Protection procedures 2016 (www.londoncp.co.uk) provides the following definitions:

**Abuse** A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults or another child or children.

**Physical abuse** may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces illness in a child.

**Emotional abuse** is the persistent emotional maltreatment of a child such as to cause severe and persistent effects on the child's emotional development, and may involve:

• Conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person;

• Imposing age or developmentally inappropriate expectations on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction;

• Seeing or hearing the ill-treatment of another e.g. where there is domestic violence and abuse;

• Serious bullying, causing children frequently to feel frightened or in danger;

• Exploiting and corrupting children.

• Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

**Sexual abuse** involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (e.g. rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing.

Sexual abuse includes non-contact activities, such as involving children in looking at, including online and with mobile phones, or in the production of pornographic materials, watching sexual activities or encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.
**Child Sexual Exploitation** Sexual abuse includes abuse of children through sexual exploitation. Penetrative sex where one of the partners is under the age of 16 is illegal, although prosecution of similar age, consenting partners is not usual. However, where a child is under the age of 13 it is classified as rape under s5 Sexual Offences Act 2003. See Part B1, Practice Guidance.

**Neglect** is the persistent failure to meet a child's basic physical and / or psychological needs, likely to result in the serious impairment of the child's health or development.

Neglect may occur during pregnancy as a result of maternal substance misuse, maternal mental ill health or learning difficulties or a cluster of such issues. Where there is domestic abuse and violence towards a carer, the needs of the child may be neglected.

Once a child is born, neglect may involve a parent failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- Protect a child from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate care-givers);
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional, social and educational needs.

**Female Genital Mutilation (FGM)**

The World Health Organisation (WHO) defines female genital mutilation as:

“all procedures which involve partial or total removal of the external female genitalia or injury to the female genital organs whether for cultural or other non-therapeutic reasons” *(WHO, 1996)*

It is illegal in the UK to subject a child to female genital mutilation (FGM) or to take a child abroad to undergo FGM. FGM is violence against female children and women, a serious public health hazard and a human rights issue. Protecting children and mothers from FGM is everybody’s business. FGM constitutes child abuse and causes physical, psychological and sexual harm.

**Trigger Trio**

Recent research has indicated that some children are living in circumstances which can increase their vulnerability to being abused or neglected. These circumstances are where children are living in homes where there is:

- Domestic violence
- One or more adults in the home with adult mental health issues
- One or more adults in the home abusing alcohol or drugs

*If you are aware of a child living in such circumstances, you should always contact the MASH team.*

**What do I do if I have concerns about a child?**

If you have concerns about a child in your care, you should initially discuss your concerns with the safeguarding lead within your setting. They are responsible for making a decision as to what action...
needs to be taken. Your setting will have a safeguarding policy and you should refer to that if you are unsure of the procedure.

If you are a childminder then you are responsible for making the decision as to what action should be taken. You should follow your own safeguarding procedure. If you are in doubt, then you should contact the MASH team for advice.

Concerns must always be recorded in permanent ink and must always be dated and signed by the person who had the concern and, where relevant, by the safeguarding lead.

Any follow up action or decisions MUST be recorded clearly by the safeguarding lead, dated and signed.

**Do not rely on someone else to take action.**

If a child discloses that they have been abused or neglected:

- **Stay calm**
- **Listen** carefully to what is said
- **Do not promise to keep secrets** – find an appropriate early opportunity to explain that it is likely that the information will need to be shared with others
- **Allow** the child to continue at his/her own pace
- **Ask questions for clarification only**, and at all time avoid asking questions that suggest a particular answer
- **Reassure** the child that they have done the right thing in telling you
- **Tell them** what you will do next and with whom the information will be shared
- **Record** in writing what was said, as soon as possible, using the child’s own words – note date, time and names mentioned, to whom the information was given and ensure that all records are signed and dated.
- **Inform** the safeguarding lead as soon as possible
- **Ensure** that a decision is made about what should happen next, and whether a referral should be made.

**Notifying Parents**

Where practicable, concerns should be discussed with the parent and parents should be told that you are making a referral to the MASH team, unless that is likely to place the child at risk of significant harm through delay or the parent’s actions or reactions. However, if you have significant concerns that a child may be at risk of radicalisation by their parents and you make a referral under the Prevent Duty, then parents should not be told that you have made the referral, unless the MASH team agree that you should do so.

A child protection referral from a professional cannot be treated as anonymous, so the parent will ultimately become aware of the identity of the referrer. Where the parent has not been informed that you have made the referral or where a parent refuses to give permission for the referral, then the reasons for proceeding without parental agreement must be recorded on the MASH referral form.
Confidentiality and Information Sharing

- A key factor in many serious case reviews has been a failure to record information, to share it, to understand the significance of the information shared, and to take appropriate action in relation to known or suspected abuse or neglect.

- Often it is only when information from a number of sources has been shared that it becomes clear that the child is at risk of, or is suffering harm.

- Information sharing is vital to safeguarding and promoting the welfare of children

Making a referral to MASH for specialist intervention (red on the Merton Wellbeing Model)

If you suspect that a child is being abused or neglected, or is at risk of being abused or neglected, then you should make a referral to Merton's MASH team (office hours) or the Emergency Duty Team (out of hours).

According to the seriousness of the situation you may also need to contact the Police.

Urgent referrals relating to Child Protection

If you believe that urgent action is needed because, for example, a child is in immediate danger or needs accommodation (upper Level 3 of the Merton Wellbeing Model), phone the MASH on 020 8545 4226 or 020 8545 4227 (Out of hours: 020 8770 5000) and give as much information as you can.

Your information will be passed immediately to the manager who will make a decision on the risk level and acknowledge this with you within one hour. You must follow up your telephone call by sending a completed Child Protection Referral form to the MASH within 24 hours. The Child Protection Referral form is available for download or printing at www.merton.gov.uk/casa-forms

Other Child Protection concerns

If you have a Child Protection concern but urgent and immediate action is not needed (lower Level 3 of the Merton Wellbeing Model), you must complete a Child Protection Referral form in as much detail as possible and send it to the MASH at mash@merton.gov.uk

A screening team sitting within the MASH will analyse and prioritise the contacts before passing them to the MASH navigators. MASH navigators and supervising social workers can advise the screeners on these contacts.

Staff from every agency gather and share information to enable an informed decision to be made. The MASH manager will use the collected information to BRAG the level of risk (see page 7 for definition of BRAG) and decide the most appropriate intervention for the child's identified needs.

The team receiving the case will also receive a summary of any relevant information that was gathered during the MASH process. This will help them to provide the most informed and appropriate services for the child.

The MASH manager will then decide whether to:

- Pass the case to the First Response social work team
- Refer the case to another agency or service, such as Supporting Families or an enhanced social work or multi-disciplinary team or
- Close the case with no further action.
MASH BRAG rating definitions

- **Red**: There is a potential child protection issue (e.g. serious injury to the child). Requires immediate action, and information from MASH navigators is expected within 2 hours.

- **Amber**: There are significant concerns but immediate action is not required. Requires information from MASH navigators within 6 hours.

- **Green**: There are concerns regarding a child’s well-being but these do not meet statutory requirements. Requires information from selected MASH navigators within 24 hours.

- **Blue**: There is no safeguarding concern and the issue can be dealt with by a Universal service. No MASH response required. Advice or referral to a Universal service may be provided.

Follow-up

Having made your referral, if you get no response from the MASH within 3 working days, then you should phone them back to check progress.

If the referral has been given a ‘red’ or ‘amber’ rating, be prepared to be involved in the first assessment and/or a possible child protection conference. If MASH decide to close the case with no further action, and you still have concerns, then you should consider making a referral for universal preventative services to a Children’s Centre or writing a CASA.

Alternatively, if you continue to have high concerns about the child, you should take your concerns back to the MASH team in the first instance. If you still feel that your concerns are not being addressed you should evoke ‘The Merton Escalation Procedure’.

Recording

The safeguarding lead should clearly record, date and sign any decision making processes when concerns are raised about a child. They or person making the MASH referral in their absence should also keep a written record of discussions with child, parent, managers and the information provided to the MASH team.

Written records held on file (including any notes made at the time) of the decisions taken in the course of any discussion with the MASH must be clearly dated, timed and signed. Any follow up action taken should also be fully recorded.

Records should be:

- Clear
- In straightforward language
- Concise
- Accurate in fact
- Differentiate between fact, observation, allegation, opinion
- Always written in ink, with any amendments clearly crossed through and signed/dated
- Clearly evidence any decision making and follow-up action
Making a referral for Targeted Intervention / CASA (amber on the Merton Wellbeing Model)

When considering if a child would benefit from targeted intervention, you need to assess the risk to the child. If you think the risk is high and a child has been or is likely to be abused or neglected, then you should make a referral to the MASH team for specialist intervention (see above).

However, if you assess the risk as lower, and feel the family could wait a few weeks to receive support, then you can complete a CASA, which are available online at www.merton.gov.uk/casa-forms.htm

Once completed send the CASA directly, via secure mail, to EYCCS, 10th floor, Civic Centre, London Road, Morden SM4 5DX or via secure email to fsd@merton.gov.uk

CASA referrals are assessed by a member of staff from the Supporting Families Team who will be able to make a decision as to whether the case should be allocated to a Family Support Worker. If you have sent the CASA in, then you will be contacted to inform you whether the child has been allocated for support.

Making a referral for Universal Support (green or blue on the Merton Wellbeing Model)

If the child or family are in need of Universal Support, you may be in a position to offer support yourself. Some parents may just need signposting to other universal services, such as a Health Visitor, GP, Council departments (such as Housing) or other organisations such as the Citizens Advice Bureau.

Alternatively you can refer into the Children’s Centres Service for a range of support using appropriate referral forms. To find out details of your local children’s centre or to find out what services they are able to offer parents please visit www.merton.gov.uk/childrenscentres

Or email fsd@merton.gov.uk for advice about the services available and the correct form to complete.

Any forms of referrals for children centre services should be sent via secure email to fsd@merton.gov.uk

Allegations of serious harm or abuse by any person living with, working with or looking after a child in an Ofsted registered provision, or concerns about their suitability to be working with or around children

What should be in place?

If you employ or manage people who work (paid or unpaid) with children you must have:

- A designated senior manager to whom allegations or concerns should be reported
- A safeguarding procedure which includes what should happen if an allegation is made
- A whistle-blowing policy
- A deputy who deals with allegations or concerns in the absence of the designated senior manager or where that person is the subject of the allegation or concern
If you are a childminder you will need to have a procedure for dealing with allegations against you, or against someone who lives or works with you.

All staff should be made aware of the designated senior manager and the deputising arrangements, and all staff should be aware of the organisation's whistle-blowing policy and feel confident to voice concerns about the attitude or actions of colleagues.

**What is an allegation?**

There are a wide range of situations which fall under the term ‘allegation’, but generally it will include concerns about a member of staff, manager, student, volunteer or anyone else that works or lives in a childcare (domestic or non-domestic) premises or a childminder, childminder’s assistant or member of a childminder’s household who has:

- Behaved in a way that has, or may have, harmed a child
- Possibly committed a criminal offence against or in relation to a child
- Behaved towards a child in a way that indicates s/he is unsuitable to work with children

In addition, you should include concerns:

- Where children may be at risk due to radicalisation (Prevent Duty)
- Where a child may have sustained a serious accident or injury due to poor childcare practice, poor supervision of children, ineffective risk assessment or inability to ensure the health and safety of children
- Where something may have happened in someone’s personal life which calls into question their suitability to work with children (e.g. a particular conviction, concerns about their ability to care for their own children etc.).

These behaviours should be considered within the context of the four categories of abuse (i.e. physical, sexual and emotional abuse and neglect).

These include concerns relating to inappropriate relationships between members of staff and children or young people, for example:

- Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see ss16-19 Sexual Offences Act 2003)
- 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003)
- Other 'grooming' behaviour giving rise to concerns of a broader child protection nature, such as inappropriate text / e-mail messages or images, gifts, socialising
- Possession of indecent photographs / pseudo-photographs of children
- Living in the same household as another person who is disqualified, known as disqualification ‘by association’ (someone who has been convicted of an offence against a child)

Concerns may be raised by other staff (whistleblowing), parents, the general public, the police or other professionals, or it may be the case that information comes to light in other ways, for example, a concern about a member of staff outside of their work.
What should happen if there is an allegation, or a serious injury/accident to a child within the work place, or there are concerns about the suitability of a member of staff due to something that may have happened outside of work?

If an allegation or concern arises about a member of staff, manager, student, volunteer or anyone else connected with a childcare provision, or a childminder, their assistants or household members, and this may present a risk of harm to child/ren, or affect their suitability to work with children or be around children, this must be reported to the **LADO in the first instance and then to Ofsted**.

When informed of a concern or allegation, the designated senior manager **should not investigate the matter.** They should:

- Obtain written details of the concern / allegation, signed and dated by the person receiving it;
- Approve and date the written details;
- Record any information about times, dates and location of incident/s and names of any potential witnesses;
- Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions;
- If appropriate (you may need to seek advice about this from the LADO) ask any staff involved to provide a written account about what happened, but this should be in the staff’s own words and should be signed and dated by them. **This should not be an investigation**, however, you may need to conduct some initial enquiries in order to clarify some information and determine the action you need to take in relation to suspending staff. Whilst this may include asking staff to provide a written account, you **must not** question staff in any way or allow staff to collaborate before writing their individual accounts and staff should not be led in any way to give a specific response. **Remember - do not investigate.**

The registered person, the childminder or the manager must contact the LADO within one working day (or within 4 hours where the matter is urgent such as the death or near death of a child) AND must notify Ofsted as soon as possible. If the allegation involves radicalisation you should also notify the MASH team. You will be asked to provide the following information. You should have as much of it ready as possible when you call:

- Name, address and date of birth of the child/ren involved
- Name, address and contact number of the child/ren’s father
- Name, address and contact number of the child/ren’s mother
- Your name and address
- The name of the owner/manager of the establishment/childminder
- Your Ofsted registration number
- A brief summary of the allegation / whistleblowing and the written account of the person making the allegation* (you are strongly advised to ask the person who made the allegation to put it in writing). This should include:
(i) confirmation of the day/s the alleged incident occurred
(ii) the name/s of the staff member/childminder/household member who they are making the allegation against
(iii) the name/s of the child/ren who were involved
(iv) a summary of the what has been alleged

- The name and date of birth of the accused member/s of staff, childminder, assistant or household member
- The date the accused member(s) of staff took up employment with the establishment
- Details of the accused member(s) of staff, childminder, assistant or household member’s DBS
- Whether the member(s) of staff or childminding assistant has been suspended from work, or if not, what other arrangements have been put in place to ensure children are safeguarded
- If the allegation is against a childminder, then they will be asked how many other children they are caring for. You should note that Ofsted may require the childminder to temporarily stop childminding whilst the allegation is investigated by suspending their registration.
- If the allegation is against a member of a childminder's household or their assistant, the childminder will be asked how they will ensure children’s safety whilst the investigation takes place.

*NOTE: People making a referral should be willing to give their name and telephone number so they can be contacted at a later date

The LADO will ask you to complete a LADO referral form, and this will be emailed to you.

If an allegation requires immediate attention but is received outside normal office hours, then you should consult Merton's children's social care emergency duty team or local police and inform the LADO as soon as possible.

The registered person or childminder must also contact Ofsted directly when an allegation has been made against a member of staff, a childminder or a person living or working with a childminder. This should be done as soon as possible, ideally within 24 hours of notifying the LADO, but must be within 14 days.

Remember, it is the registered person’s responsibility to make the decision about whether to suspend staff from duty or not. They should follow their own safeguarding procedure and determine the risks to children.

Every effort should be made to maintain confidentiality and guard against publicity while an allegation is being investigated or considered. Apart from keeping the child, parents and accused person (where this would not place the child at further risk) up to date with progress of the case, information should be restricted to those who have a need to know in order to protect children, facilitate enquiries, manage related disciplinary or suitability processes.
Strategy Meeting/Consultation/Initial Evaluation

The LADO will need to decide what action to take. As such they will look at the referral received and speak to the manager/safeguarding lead and consider first whether further details are needed and whether there is evidence or information that establishes that the allegation is false or unfounded. This will include discussion as to whether the child is not confused as to dates, times, locations or identity of the member of staff.

If the allegation is not demonstrably false, the LADO will decide to either undertake a telephone consultation or convene a strategy meeting to discuss the allegation. This will usually take place within 3 to 5 working days of the allegation being referred to the LADO, or on the same day if the child is at immediate risk of harm.

In the event that a meeting is called, the registered owner/manager of the early years setting will be asked to attend (unless the allegation or concern is about them), and they will need to bring along or discuss:

- The member of staff/s or assistants recruitment
- The staff/childminder/assistant’s training history
- A copy of the setting’s policies and procedures relating to the issue
- Accident/incident forms relating to the child for the six months prior to the allegation, or in relation to the room where the alleged incident occurred
- The child’s learning and development folder, where relevant
- Other relevant documentation

If you are required to attend the meeting and provide this information, you will be informed by a member of the Early Years Team or the LADO.

If concerns have been raised about a childminder, then they will not be invited to any meetings. If deemed necessary a member of staff from the Early Years team will attend any meetings or discussions. They or the LADO will provide feedback to the childminder.

Ofsted is always invited to strategy meetings concerning settings on the early years register, and they are copied into any minutes and recommendations made.

The police and a social worker from the MASH team may also be invited, or any other organisations or professionals deemed necessary.

What will happen next?

The meeting will consider all the information and:

- Decide whether there should be a section 47 enquiry and / or police investigation;
- Consider whether any parallel disciplinary process can take place and agree protocols for sharing information;
- Consider the current allegation in the context of any previous allegations or concerns;
- Where appropriate, take account of any entitlement by staff to use reasonable force to control or restrain children;
- Consider whether a complex abuse investigation is applicable
- Plan enquiries if needed, allocate tasks and set timescales;
- Decide what information can be shared, with whom and when;
• Ensure that arrangements are made to protect the child/ren involved and any other child/ren affected, including taking emergency action where needed;
• Consider what support should be provided to all children who may be affected;
• Consider what support should be provided to the member of staff and others who may be affected and how they will be kept up to date with the progress of the investigation;
• Ensure that investigations are sufficiently independent;
• Make recommendations where appropriate regarding suspension, or alternatives to suspension;
• Identify a lead contact manager within each agency;
• Agree timescales for investigations to be completed, how they will be reviewed and progress monitored by the LADO;
• Consider issues for the attention of senior management (e.g. media interest, resource implications);
• Consider reports for consideration of barring;
• Consider risk assessments to inform the employer’s safeguarding arrangements;
• Agree dates for future strategy meetings / discussions.

The strategy meeting / discussion / initial evaluation will also take into account the following definitions when determining the outcome of allegation investigations:

1. **Substantiated**: there is sufficient identifiable evidence to prove the allegation;
2. **False**: there is sufficient evidence to disprove the allegation;
3. **Malicious**: there is clear evidence to prove there has been a deliberate act to deceive and the allegation is entirely false;
4. **Unfounded**: there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstances;
5. **Unsubstantiated**: this is not the same as a false allegation. It means that there is insufficient evidence to prove or disprove the allegation; the term therefore does not imply guilt or innocence.

Where it is concluded that there is insufficient evidence to substantiate an allegation, the Chair of the strategy meeting / discussion or initial evaluation will prepare a separate report of the enquiry and forward this to the designated safeguarding lead to enable them to consider what further action, if any, should be taken.

If an allegation is substantiated and the person is dismissed, or the employer stops using that person, or the person resigns, the LADO will discuss with the employer whether a referral should be made to the Disclosure and Barring Service (DBS).

However, in all cases, the employer and the LADO should review the circumstances of the case to determine whether there are any improvements to be made to the organisation’s procedures or practice.

Where a childminder has been involved, this review may also include Ofsted and the Early Years team.
What happens when a child has a serious accident or injury*

If a child has a serious accident or is involved in an incident which results in a serious injury whilst in your care, then you must:

- Contact Ofsted at cie@ofsted.gov.uk. Ideally you would do this within 14 days of the accident. Ofsted will require you to provide a summary about how the injury happened, the action that you took, and it should include any action you have taken as a result, to prevent the accident from happening again (where applicable).
- Contact the Early Years Team at providers@merton.gov.uk
- Contact the LADO within 24 hours where the accident or injury calls into question whether there was poor childcare practice, poor supervision of children or unsafe resources/premises which led to the accident/incident
- Contact the Health & Safety Executive following RIDDOR reporting (within 10 days)

*Ofsted defines serious injuries as:

- broken bones or a fracture
- loss of consciousness
- pain that is not relieved by simple pain killers
- acute confused state
- persistent, severe chest pain or breathing difficulties
- amputation
- dislocation of any major joint including the shoulder, hip, knee, elbow or spine
- loss of sight (temporary or permanent)
- chemical or hot metal burn to the eye or any penetrating injury to the eye
- injury resulting from an electric shock or electrical burn leading to unconsciousness, or requiring resuscitation or admittance to hospital for more than 24 hours
- any other injury leading to hypothermia, heat-induced illness or unconsciousness; or requiring resuscitation; or requiring admittance to hospital for more than 24 hours
- unconsciousness caused by asphyxia or exposure to harmful substance or biological agent
- medical treatment or loss of consciousness arising from absorption of any substance by inhalation, ingestion or through the skin
- medical treatment where there is reason to believe that this resulted from exposure to a biological agent, or its toxins, or infected material.

You should also notify Ofsted if a child becomes lost whilst in your care.
What happens when a child dies whilst in your care or receives very serious or life threatening injuries

If a child dies whilst in your care, or later, as the result of something than happened while the child was in your care, or the child has serious or life threatening injuries then you must immediately contact:

- The LADO at LADO@merton.gov.uk
- The MASH team on 020 8545 4226/4227
- Ofsted at cie@ofsted.gov.uk (marked urgent – child death/very serious injury)
- The Police (where you think this is appropriate)
- The Health & Safety Executive (follow up with a RIDDOR report within 10 days)
- The Early Years Team at providers@merton.gov.uk / 0208 274 5300

It is important that when you contact the above organisations you make it clear that a child has died (or has serious or life threatening injuries) and stress the urgency of the situation.

You must not clean up after the accident/incident, as the room or place where the accident/incident occurred could be a potential crime scene. You will need to make arrangements to move children to another area or room, or arrange for them to be collected, where this is necessary. Where it is not possible to leave the area exactly as it was, then photos should be taken immediately of all areas, equipment and resources, using a camera that records the exact date and time. This will need to be made available for any investigations which may take place by the police, H&S Executive, Ofsted or the Local Authority.

You must not investigate the accident/incident, however, you should arrange for everyone who was involved to provide a written account which they should sign as a true and accurate record. This should be in the person’s own words and there should be no collaboration amongst those present prior to writing their accounts and no attempt by anyone to interfere in this process.

Managers/childminders should also write an overview detailing what happened, with a timescale, details of children and staff involved and the action taken to date. These will need to be made available for any investigations which may take place by the police, H&S, Ofsted or the Local Authority.

Where it is clear that the accident or incident was the direct result of the actions of one particular person, you should make arrangements to safeguard children, following your safeguarding procedure and your staff Code of Conduct document.

There will be other records which you hold which may also be included in an investigation, so you should ensure that you keep anything which may be relevant (attendance registers, child records, staff records, accident records, medication records, incident records, training records, relevant policies or procedures etc.).

Decisions will be made by the organisations you have contacted as to what will happen next, and you will need to comply with any instructions given or decisions that are made.

You may decide to temporarily close your setting for a few days, or it may be the case that Ofsted will temporarily suspend your registration, according to the circumstances of the case.