

Develop and implement policies essay sample

[Life](#), [Childhood](#)



1. 1Outline the current legislation that underpins the safeguarding of children and young people within own UK Home Nations.

There is no one piece of legislation that underpins the safeguarding of children and young people in the United Kingdom but there are countless that are constantly being reviewed, changed or updated. From these many legislations, child care settings develop policies, according to the Oxford online dictionary a policy is ‘ A course or principle of action adopted or proposed by an organisation or individual’. Policies are a guide for all those involved in the setting, to ensure and endorse the well-being of all families, children and staff and provide a common understanding of how these things should be done within the setting. Understanding the legislation involving children is vital to creating policies that are up to date, relevant, understandable and useable. In this essay I will be outlining some of the most up to date and important legislation that underpins the safeguarding of children.

The United Nations (UN) convention on the rights of children in 1989 is a hugely essential piece of legislation which has influenced all child protection/safeguarding legislations. This is a treaty of nations which aims for all children to be treated equally, fairly and with dignity throughout their childhood and lifetime. All kinds of children’s rights were discussed and agreed upon; the right to life, liberty, freedom, justice, health treatment, education, equality and much more. Article 19 is most relevant to safeguarding children, “ Government must take all appropriate measures to protect a child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including

sexual abuse; while in the care of parent(s), legal guardian(s) or any other person who has the care of the child". The first legislation to come from our government after the convention was the ' Children's Act 1989'.

The act proceeds to outline key principles and duties for main and local authorities to follow and fulfil. One key principle that affects childcare settings is that local authorities have a duty to provide services for all families, children and young people without discrimination. A way in which local authorities provide services is through funding/grants. For example, I have completed and returned a grant form to my local authority for my setting. Once approved, my setting will receive funding for each individual child.

After the tragic case of Victoria Climbié the government brought out the policy ' Every child matters' in 2004 which was legally underpinned in the ' Children's Act 2004', bringing up to date the 1989 children's act. There are six principles and aims within the acts and policies for children to be healthy, to stay safe, to enjoy life, to achieve, to make positive contributions and to achieve economic wellbeing. In other words, the aim is for children to be well balanced and all round healthy individuals who strive to achieve and make positive contributions to the world. This is done in an environment which inspires the children to succeed. A vital service that was not there for Victoria Climbié. If a setting has a concern about a child's health and wellbeing it is vital that this concern is communicated to the local authorities, social services or police and written records of any concerns are to be made and kept securely.

Every individual that works with children, young people or vulnerable people has to have a CRB. This was brought in through the 'Police Act of 1997'. A CRB is a Criminal Records Bureau check. Employees have a CRB form to fill in, providing proof of identity and qualifications as well as references. This is returned to the criminal records bureau where all this information and the persons potential criminal record is checked and it is determined whether or not that individual is suitable to work with child, young people or vulnerable people.

It is a criminal offence for an employer to not complete the CRB process on an employee. It is also a criminal offence to employ an individual they know is inappropriate to work with children, young people or vulnerable people. This act is updated in the 'Protection of Children's Act 1999' and the 'Criminal Justice and Court Service Act 2000'. The latter contains the list of convictions which bars individuals from working with children, young people and vulnerable people.

The 'Children's Act 2004' was continuously updated and developed into the 'Children's Act 2006'. This act states that all settings have to follow the Early Years Framework Stages (which were renewed in 2012). The Early Years Framework Stages (EYFS) is aimed to fulfil the five aims of 'every child matters' and the previous children's act of 2004. The intentions are to achieve these aims by setting standards, promote equal opportunities and through a framework of partnerships, improve quality and consistency and lay secure foundation for all learning and development, present and future. By improving the quality the service and experiences are improved for all

children and families. Safeguarding children is a vital part of improving all childcare services/settings.

‘ Working together to safeguard children’ 2006 (updated 2010, 2013) is a guidance that sets out how organisations and settings should work together. It is aimed at people who work with children. This guidance sets out all individuals which work with children should have ‘ safeguarding’ training. To safeguard children effectively all staff/adults in a childcare role/setting need to be able to recognise the signs of abuse and know what to do about those signs which means that they need training. It also states that there should be one individual within each setting named as ‘ responsible person’ for safeguarding. All safeguarding issues and concerns would be brought to this person and then to the relevant parties (social service etc) if needed.

Safeguarding children from abuse and harmful situations is essential for all those who worked with children. But it is also important to safeguard children from discrimination because of faith, race, gender, language, appearance, where they live, economics or disability. Everyone including the children has the right to live without discrimination. There are many legislations with the aim to prevent discrimination and to look at all of them would create another essay but the legislation on disability discrimination will be briefly examined as an example.

The ‘ Disability Discrimination Act 1995’ (extended 2005) and the ‘ Special Educational Needs and Disability Act 2001’ are aimed to prevent discrimination that disabled people including face. In the 1995 act, a disabled person is defined as “ someone who has a physical or mental

impairment who has substantial and long-term adverse affect on his or her ability to carry out normal day-to-day activities”.

Through these acts all disabled people, including children should have access to employment, education, good, facilities and services, buying or renting property. Schools and childcare settings are to make changes to policies, physical layout of settings and planning including providing alternative forms of activities. The setting will work closely with other professionals, the child, family and all staff to support each other. The aim is to fully include the child within the setting therefore safeguarding the child from discrimination and emotional distress.

Safeguarding from all harm does not just mean from abuse, there are many ways that children are in harm's way; fire, accidents, hazardous substances, medication, ill health, disease and building/environment safety. There are many legislations to cover each of these harmful situations. Control of substances hazardous to health regulation 2002 (COSHH) requires settings to carry out risk assessment on any hazardous substances (cleaning products) and to take necessary action to keep them locked away out of the child's reach.

Reporting of injuries, diseases and dangerous occurrences regulations 1995 (RIDDOR) legally requires settings to report work-related deaths, major injuries, over-three-day injuries, work-related diseases and dangerous occurrences. Health and Safety (first aid) regulations 1981 make it a legal requirement that first aid kits are in all workplaces, schools, child care settings and a member of staff to be appointed first aider. These are just

three of many legislations focussed upon safeguarding people/children from day-to-day harm.

All children have the right to be safe, to live without fear of harm and abuse because each child can reach their full potential if given the chance, support and protection that all children need. Parents have the right to believe their child; their most precious person is safe, secure and happy. The government has a duty to ensure that children are safe by creating legislation to protect children and following through. Child care settings have the duty and responsibility to ensure children are safe. The Early Years Foundation Stages (EYFS) guidelines (from government) state “ the provider must take necessary steps to state safeguard and promote the welfare of children”.

This means that there should be policies (which staff are familiar with) that clearly state the procedure actions the setting takes to safeguard all the children and staff while within their care. These policies are a direct result of the child protection legislations. To create and keep up to date policies it is essential to be familiar with the relevant legislations and to remember that these legislations are ever changing with the hope that children will be safe from harm.