



Laugh 'N' Learn Nursery Child Protection and Safeguarding Policy

Contacts

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Family Front Door (Children's Social Care in Worcestershire)	01905 822666 Weekdays 9.00 to 5.00pm (4.30 Fridays) 01905 768020 (evenings and weekends)
Police	Call 999 in an emergency, e.g. when a crime is in progress, when there is danger to life or when violence is being used or threatened. For less urgent issues call local police on 101 .
Ofsted	0300 123 1231
Worcestershire County Council Early Years Team	01905 844048 eycc@worcestershire.gov.uk
Local Authority Designated Officer (LADO)	01905 846221 (or via the FFD make an online referral to LADO)
This policy operates in conjunction with, but not limited to, the following policies for Laugh 'N' Learn Nursery and the policies of Broadway First School:	
• Laugh 'N' Learn Nursery and Laugh 'N' Learn Preschool Admission, Induction and Transition Policy • Laugh 'N' Learn Nursery Health and Safety and Risk management Policy • Early Years Personal Care and Health Policy • Early Years Policy • Laugh 'N' Learn Behaviour Policy • Safeguarding and Child Protection Policy • Staff code of conduct	

- Online Safety Policy
- Data Protection Policy
- Behavior and discipline policy
- Health & Safety Policy
- Complaints Policy
- Pupil Equality, Equity, Diversity and Inclusion Policy (April 2024) and our yearly Equality statement (May 2024)
- Social, Emotional Mental Health Policy
- Special Educational Needs and Disabilities
- Whistleblowing
- Suspension and Exclusion policy

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1. Statement of intent

Broadway First School and Laugh 'N' Learn Nursery is committed to safeguarding and promoting the physical, mental and emotional welfare of every pupil, both inside and outside of the school premises. We implement a whole-school/nursery preventative approach to managing safeguarding concerns, ensuring that the wellbeing of pupils is at the forefront of all action taken. This policy is written in conjugation with Broadway First School Child Protection and Safeguarding Policy and sets out a clear and consistent framework for delivering this promise, in line with safeguarding legislation and statutory guidance. It will be achieved by:

- Ensuring that members of the governing board, the headteacher and staff understand their responsibilities under safeguarding legislation and statutory guidance, are alert to the signs of child abuse, and know to refer concerns to the Designated Safeguarding Lead (DSL).
- Ensuring staff, volunteers and governors attend annual Safeguarding Training.
- Teaching pupils how to keep safe, recognise behaviour that is unacceptable and ways to report incidents.
- Identifying and making provision for any pupil who has been subject to, or is at risk of, abuse, neglect, or exploitation.
- Creating a culture of safer recruitment by adopting procedures that help deter, reject or identify people who might pose a risk to children.
- Ensuring that the headteacher and any new staff and volunteers are only appointed when all the appropriate checks have been satisfactorily completed.
- The DSL is Mrs. Helen Organ.

The deputy DSL and Headteacher is Mr. Lee Poultney and deputy DSL Early Years Foundation Stage (EYFS) and Assistant Headteacher is Lisa Fielder.

The nominated safeguarding governor is Mr. Gavin Morris.

The Chair of Governors is Mrs Jackie Ferguson.

Please contact the main office on

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2. Introduction

The actions we take as professionals and as a society, to promote the welfare of children and protect them from harm, are referred to as 'safeguarding'.

Safeguarding can be defined as:

- Protecting children from maltreatment
- Preventing impairment of children's health or development
- Ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes.

'Working Together to Safeguard Children', (Department of Education (DfE) 2023)

Child Protection is part of safeguarding and promoting welfare. It refers to activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

This policy has been developed in line with the following legislation and guidance:

[The Children Act 1989 \(opens in new window\)](#)

[The Education Act 2002 \(opens in new window\)](#)

[The Sexual Offences Act 2003 \(opens in new window\)](#)

[The FGM Act 2003 \(opens in new window\)](#)

[The Children Act 2004 \(opens in new window\)](#)

[The Childcare Act \(2006\) \(opens in new window\)](#)

[Safeguarding Vulnerable Groups Act \(2006\) \(opens in new window\)](#)

[The Childcare \(Disqualification\) Regulations \(2009\) \(opens in new window\)](#)

[The Prevent duty 2023](#)

[Children and Social Work Act \(2017\) \(opens in new window\)](#)

[Statutory framework for the early years foundation stage for group and school providers \(opens in new window\)](#)

[Early years inspection handbook - GOV.UK \(opens in new window\)](#)

[Keeping Children Safe in Education 2023 \(opens in new window\)](#)

[Safeguarding children and protecting professionals in early years settings: online safety guidance for practitioners \(opens in new window\)](#)

[Neglect toolkit 2024](#)

3. Roles and responsibilities

Safeguarding is everyone's responsibility and therefore all adults working in the setting will:

- Take all necessary steps to keep children safe and well
- Promote good health
- Manage behaviour
- Be alert to any issues of concern in the child's life (at home or elsewhere)
- Meet the requirements of the Statutory Framework for the Early Years Foundation Stage (EYFS 2024)
- Follow the policies and procedures of the setting and notify the relevant person or agency without delay if concerns arise
- Keep appropriate records
- Promote online safety in both setting and children's homes.

In addition, the registered provider ensures that they:

- Have a DSL and Deputy DSL in place and give them the time, training and resources to fulfil this role to a high standard
- Have regard to the government's statutory guidance 'Working Together to Safeguard Children 2024' and to the 'Prevent duty guidance for England and Wales 2023
- Implement the requirements of the Early Years Foundation Stage (2024)
- Create a culture of vigilance where children's welfare is promoted and where appropriate and timely action is taken when necessary to safeguard children
- Make specific arrangements for children's safety and wellbeing, including the requirements for first aid, policies and procedures for responding to children who are ill or infectious and those for administering medicines
- Have effective nappy changing procedures in place to protect children
- Safer sleeping practices are adhered to and staff have reviewed NHS safer sleeping guidelines
- Keep a written record of accidents or injuries and first aid treatment and inform parents and/or carers of any accident or injury sustained by the child in a timely manner
- Have premises that are fit for purpose, are compliant with health and safety legislation and complete appropriate risk assessment
- Have an evacuation procedure and suitable fire detection and control equipment

- Have lockdown procedures in place
- Deploy staff to meet the needs of all children and ensure their safety
- Implement a robust key person system
- Notify local child protection agencies and Ofsted of any serious accident, illness or injury to, or death of, any child while in their care, and of the action taken
- Only release children into the care of individuals who have been notified to the provider by the parent or carer and ensure that children do not leave the premises unsupervised
- Take all reasonable steps to prevent unauthorised persons entering the premises
- Record the required information about each child, to include name, date of birth, name and address of every parent and/or carer who is known to the provider, information about any other person who has parental responsibility for the child, which parent(s) and/or carer(s) the child normally lives with and emergency contact details for parents and/or carers
- Record the required information about the registered provider and adults in regular contact with children in line with the EYFS Statutory requirements
- Have a complaints procedure and records
- Keep attendance records
- Notify Ofsted of any changes e.g. a new manager, the address of the premises, the name or address of the provider, any proposal to change the hours during which childcare is provided, or any other significant event
- Ensure any online devices in the setting are suitable and monitored to protect children and staff.

The DSL ensures that they:

- Take lead responsibility for safeguarding children in their setting and attend relevant training to fulfil the role of DSL
- Liaise with local statutory children's services agencies
- Provide support, advice and guidance to other staff, on any specific safeguarding issues as required
- Share child protection information with the DSL of any receiving setting or school when children leave the setting.

The role is explicit in the DSL's job description, and they are given sufficient time, resources and funding to fulfil their role. They attend a training course which enables them to identify, understand and respond appropriately to signs of possible abuse and neglect and renew this bi-annually.

The provider nominates a deputy DSL in order to ensure availability at all times during the hours of operation, but the DSL retains overall responsibility.

4. Use of technology/ Online safety/ Photography

We use an electronic monitoring system (SmoothWall) provided by Chestnut Infrastructure Ltd. Staff complete records while on site using the devices provided by the setting. Staff are not permitted to use their own devices in the setting, except in the staff room and office where there are no children present. Where staff are required to use technology for the purpose of recording evidence of pupils' learning staff must only use devices provided by the setting and must adhere to the procedures in accordance with the Broadway First School Online Safety policy. Staff may only share images on Class Dojo and in accordance with approved permissions from parents.

➤ Online safety/ Personal devices

Children are often more adept at using technology than the adults around them, but do not necessarily understand the risks posed by those who they 'meet' online. In many cases parents are not fully aware of the risks and we therefore endeavour to inform and empower parents and carers.

All staff must adhere to Broadway First Schools' Online Safety Policy.

Broadway First School will ensure that appropriate filtering systems are in place on setting devices and setting networks to prevent children accessing inappropriate material, in accordance with the Online Safety Policy. Broadway First School will, however, ensure that the use of filtering and monitoring systems does not cause "over blocking", which may lead to unreasonable restrictions as to what children can be taught online. Staff will be aware of the filtering and monitoring systems in place and will know how to escalate concerns where they are identified. Staff will be made aware of their expectations and responsibilities relating to filtering and monitoring systems during their induction.

➤ Personal electronic devices/ Photography and Images

The use of personal mobile phones/devices around children is strictly prohibited. We operate an 'no mobile phone' policy for staff, governors and visitors. Where contractors need to access devices to enable them to carry out necessary work, the DSL and Nursery Manager will be informed and suitable arrangements will be made. Photographs and videos of children will be carefully planned before any activity with particular regard to consent and adhering to the setting's consent list. It is the responsibility of staff to ensure the list has been consulted before sharing images. Where photographs and videos will involve pupils who are LAC, adopted

children or children for whom there are security concerns, the headteacher/ assistant Head teacher will liaise with the DSL to determine the steps involved. The DSL will, in known cases of children who are LAC or who have been adopted, liaise with the child's social workers, carers or adoptive parents to assess the needs and risks associated with the children. Staff will report any concerns about children or other staff members' use of personal electronic devices to the DSL, following the appropriate procedures

5. Safeguarding as part of the curriculum

We support children's personal, social and emotional development, and as part of this we teach children how to keep themselves and others safe. For example, we teach children independence, self-care and confidence, and we ensure that children understand personal boundaries and acceptable behaviour towards others and themselves. More specifically we support children in understanding healthy and positive relationships and issues of privacy and respect.

6. Recognising abuse and neglect

We recognise that there are many factors which contribute to a child's well-being, and their development, including the parenting capacity of carers and the family home environment, and we are in a unique position to observe any changes in a child's behaviour or appearance which might suggest that they are in need of support or at risk of harm.

We understand that abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm which in itself harms a child. Children may be abused in a family or in an institutional or community setting, by those known to them or more rarely by a stranger, for example via the internet. They may be abused by an adult or adults, or another child or children. When the abuser is a child, it is important to remember that they may also be at risk and these concerns should be raised with the appropriate agencies as well.

7. Abuse and neglect

All staff will be aware of the indicators of abuse and neglect and understand that children can be at risk of harm inside and outside the school, inside and outside of home, and online. Staff will be aware of the impact on children of seeing and hearing domestic abuse. All staff will be aware that abuse, neglect and other safeguarding issues are rarely standalone events that can be given a specific label, and multiple issues often overlap one another; therefore, staff will be vigilant and always raise concerns with the DSL. All staff, especially the DSL and deputy DSL,

will be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school and/or can occur between children outside these environments; this includes being aware that pupils can be at risk of abuse or exploitation in situations outside their families (extra-familial harms). All staff will be aware of the appropriate action to take following a pupil being identified as at potential risk of abuse and, in all cases, will speak to the DSL if they are unsure. All staff will be aware that technology is a significant component in many safeguarding and wellbeing issues, including online abuse, cyberbullying, and the sharing of indecent images.

➤ **Physical abuse**

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 or carer fabricates the symptoms of, or deliberately induces illness in a child.

➤ **Emotional abuse**

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

➤ **Sexual abuse**

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 (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, 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.

➤ Neglect

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 abuse. Once a child is born, neglect may involve a parent or carer 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 caregivers), or
- Ensure access to appropriate medical care or treatment
- Neglect may also include unresponsiveness to a child's basic emotional needs.

➤ Domestic abuse

Domestic abuse/violence refers to any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. Domestic abuse can encompass, but is not limited to, the following types of abuse: • **psychological** • **physical** • **sexual** • **financial** • **emotional**.

We recognise that exposure to domestic abuse can have a serious, long-lasting effect on children and young people and are aware of support systems to support families experiencing domestic violence:

- **Operation Encompass:** A notification service between the police and early years settings to inform of any domestic abuse incidents in the home.
- **MARAC (multi agency risk assessment conference):** Information relating to children who are victims of domestic abuse will be shared with representatives from the local authority (WCF early years team) who will share the voice of the child at MARAC, this information is confidential and supports keeping children safe.

➤ Being Alert

We are alert to possible signs of abuse and neglect, for example:

- Bruising on parts of the body which do not usually get bruised accidentally, e.g. around the eyes, behind the ears, back of the legs, stomach, chest, cheek and mouth (especially in a young baby), etc

- Any bruising or injury to a very young, immobile baby
- Burns, scald or bite marks
- Any injuries or swellings, which do not have a plausible explanation
- Bruising or soreness to the genital area
- Faltering growth, weight loss and slow development
- Unusual lethargy
- Any sudden uncharacteristic change in behaviour, e.g. child becomes either very aggressive or withdrawn
- A child whose play and language indicates a sexual knowledge beyond his/her years
- A child who flinches away from sudden movement
- A child who gives over rehearsed answers to explain how his/her injuries were caused
- An accumulation of a number of minor injuries and/or concerns
- A child whose attendance is erratic, or suddenly ceases, without any contact from the family
- A parent's behaviour or presentation, e.g. evidence of possible alcohol or drug misuse, mental health difficulties, or domestic violence
- Arrangements for the collection of the child which gives rise to concern
- Hunger/thirst at the start of the day
- Lack of attention to child's basic hygiene needs
- A child who discloses something which may indicate he/she is being abused.

We are aware and will respond appropriately to contextualised safeguarding, responding to children's experiences of significant harm beyond their family and home

8. Pupils potentially at greater risk of harm

The school and nursery recognises that some groups of children can face additional safeguarding challenges, both online and offline, and understands that further barriers may exist when determining abuse and neglect in these groups of pupils. Additional considerations for managing safeguarding concerns and incidents amongst these groups are outlined below.

➤ Children who need social workers

Children may need social workers due to safeguarding or welfare needs. These needs can leave children vulnerable to further harm and educational disadvantage. As a matter of routine, the DSL will hold and use information from the Local Authority (LA) about whether a child has a social worker in order to make decisions in the best interests of the child's safety, welfare, and educational outcomes.

Where a child needs a social worker, this will inform decisions about safeguarding, e.g. responding to unauthorised absence, and promoting welfare, e.g. considering the provision of pastoral or academic support

➤ **Looked After Children (LAC) and Previously Looked After Children (PLAC)**

Children most commonly become looked after because of abuse and/or neglect. Because of this, they can be at potentially greater risk in relation to safeguarding. PLAC, also known as care leavers, can also remain vulnerable after leaving care. The governing board will ensure that staff have the skills, knowledge and understanding to keep LAC and PLAC safe. This includes ensuring that the appropriate staff have the information they need, such as:

- Looked after legal status, i.e. whether they are looked after under voluntary arrangements with consent of parents, or on an interim or full care order.
- Contact arrangements with parents or those with parental responsibility.
- Care arrangements and the levels of authority delegated to the carer by the authority looking after the child.

The DSL will be provided with the necessary details of the child/ren's social workers and the Virtual School Head (VSH), and, for PLAC, personal advisers. Further details of safeguarding procedures for LAC and PLAC are outlined in the school's LAC Policy

➤ **Children and the court system**

Children are sometimes required to give evidence in criminal courts, either for crimes committed against them or for crimes they have witnessed.

➤ **Children missing from education**

Children below statutory school age are not required to attend a setting regularly if at all, but once registered most do attend regularly and most parents will let the setting know if they are not going to be present. Therefore, we give consideration to children not attending and seek to assure ourselves that the child's absence is not a cause for concern.

A child who is absent from the setting or has unexplainable and/or persistent absence can be a vital warning sign of a range of safeguarding issues, including neglect, Child sexual exploitation (CSE) and child criminal exploitation (CCE), particularly county lines. The setting will ensure that the response to children persistently being absent from education supports identifying such abuse and helps prevent the risk of pupils becoming absent from education in the future. Staff will monitor pupils that are absent from the setting, particularly on repeat occasions and/or prolonged periods, and report them to the DSL following normal safeguarding procedures.

➤ **Children with family members in prison**

These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health.

➤ **Homelessness**

Being homeless or being at risk of becoming homeless presents a real risk to a child's welfare. Indicators that a family may be at risk of homelessness include household debt, rent arrears, domestic abuse and anti-social behaviour

9. Child Exploitation

Child exploitation occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18. This may be child sexual exploitation, which does not always involve physical contact, it can also occur through the use of technology and can still be abuse even if the sexual activity appears consensual. It could also be child criminal exploitation, e.g. 'county lines', which is a geographically widespread form of harm involving drug networks or gangs, who groom and exploit children and young people to carry drugs and money from urban areas to suburban and rural areas, market and seaside towns. Exploitation may also involve modern slavery and trafficking, which is not always from country to country, sometimes children are trafficked within the local area.

10. Honour-based Abuse (HBA)

Encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community, including domestic abuse, threats to kill, female genital mutilation (FGM), forced marriage, and practices such as breast ironing. All forms of HBA are abuse (regardless of the motivation) and will be handled and escalated as such.

11. Faith abuse

Children can be at risk of abuse linked to faith or belief, and could be caused by, a belief in witchcraft, spirit or demonic possession, ritual or satanic abuse features; or when practices linked to faith or belief are harmful to a child.

12. Child on child abuse

Children can abuse other children. Abuse can take many forms, this can include (but is not limited to) bullying (including cyberbullying); sexual violence and sexual harassment; physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm; sexting and initiating/hazing type violence and rituals. In such circumstances we would consider the potential needs of the perpetrator as well as the victim.

13. Poor mental health

Poor parental mental health can be a significant risk factor for children, and we would consider this in our assessment of children's needs. We also acknowledge that children's own mental health is an important factor in their health and development in both the short and long term, and we therefore work to promote good mental health and consider signs and indicators of poor mental health in children, as part of our safeguarding responsibilities

All staff will be made aware that mental health problems can, in some cases, be an indicator that a child has suffered, or is at risk of suffering, abuse, neglect or exploitation. The setting will consult the Designated Senior Mental Health Lead to share concern

14. Preventing radicalisation

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk is a part of a setting's safeguarding approach. As with other safeguarding risks, staff are alert to changes in children's behaviour which could indicate that they may be in need of help or protection. All staff complete training on Prevent and British values.

15. Sexual violence and sexual harassment between children

Sexual violence and sexual harassment can occur between two children of any age and sex. It can also occur through a group of children sexually assaulting or sexually harassing a single child or group of children. It can occur online and offline (both physical and verbal) and are never acceptable.

16. Special education needs and disabilities (SEND)

Children with SEND are far more likely to be abused or neglected, possibly because of the challenges faced by parents and carers, or because they are particularly vulnerable if they have

delayed cognitive and language development, and possibly because signs and symptoms of abuse and neglect can sometimes be attributed to their condition.

We acknowledge and understand that unwanted behaviour in particular can be an indicator of trauma as a result of abuse and neglect and would therefore consider all needs holistically in order to determine the right kind of support for the child and family.

When managing safeguarding in relation to children with SEND, staff will be aware of the following:

- Certain indicators of abuse, such as behaviour, mood and injury, may relate to the child's disability without further exploration; however, it should never be assumed that a child's indicators relate only to their disability
- Children with SEND can be disproportionately impacted by issues such as bullying, without outwardly showing any signs
- Communication barriers may exist, as well as difficulties in overcoming these barriers

When reporting concerns or making referrals for children with SEND, the above factors will always be taken into consideration. When managing a safeguarding issue relating to a child with SEND, the DSL will liaise with the school's SENCO, as well as the child's parents where appropriate, to ensure that the child's needs are met effectively.

Extra information can be found below;

- SEND code of practice: 0 to 25 years - GOV.UK (www.gov.uk)
- Supporting pupils with medical conditions at school - GOV.UK (www.gov.uk)
- Special Educational Needs and Disabilities Information and Support Services (SENDIASS) that offers information, advice and support for parents and carers of children and young people with SEND.
- Find your local IAS service (councilfordisabledchildren.org.uk)
- <https://www.mencap.org.uk/> - Represents people with learning disabilities, with specific advice and information for people who work with children and young people
- Children with special educational needs and disabilities (SEND) | NSPCC Learning
- Safeguarding deaf and disabled children and young people | NSPCC Learning

17. Procedures for responding to concerns

Any adult working in the setting who is concerned about a child or who identifies that a child or family may need extra help and support, will discuss this with the DSL. They may also want to have a discussion with their SENCo and/or a colleague from another agency to get a better understanding of the child and their family, and this will be with the family's consent.

As a team we recognise the importance of context, i.e. the family and wider environment in which the child lives. Our effective keyperson system allows us to know our families well and understand the challenges they may face.

If a member of staff has any concern about a child's welfare, or a child has reported a safeguarding concern in relation to themselves or a peer, they will act on them immediately by speaking to the DSL or deputy DSL. Staff will be aware that children may not feel ready or know how to tell someone that they are being abused, exploited or neglected, and/or they may not recognise their experiences as harmful. Staff will be aware that this must not prevent them from having professional curiosity and speaking to the DSL, or deputy DSL, if they have a concern about a child. The DSL and Deputy DSL's will consider whether a family group decision-making forum is appropriate to determine the help and support the family network can provide for a child where concerns have been raised about their safety or wellbeing. All staff members are aware of the procedure for reporting concerns and understand their responsibilities in relation to confidentiality and information sharing, as outlined in the Communication and Confidentiality section of this policy.

Where the DSL is not available to discuss the concern, staff members will contact the deputy DSL with the matter. If a referral is made about a child by anyone other than the DSL, the DSL will be informed as soon as possible. The LA will make a decision regarding what action is required within one working day of the referral being made and will notify the referrer. Staff are required to monitor a referral if they do not receive information from the LA regarding what action is necessary for the child. If the situation does not improve after a referral, the DSL will ask for reconsideration to ensure that their concerns have been addressed and that the situation improves for the child. If early help is appropriate, the case will be kept under constant review. If the child's situation does not improve, a referral will be considered. All concerns, discussions and decisions made, as well as the reasons for making those decisions, will be recorded in writing by the DSL and kept securely in a locked cupboard or securely on the DSL part of the server. If a child is in immediate danger, a referral will be made to **the Worcestershire Children's First/ Family Front Door** and/or the police immediately. If a child has committed a crime, such as sexual violence, the police will be notified without delay. Where there are safeguarding concerns, the setting will ensure that the child's wishes are always taken into account, and that there are systems available for children to provide feedback and express their views. When responding to safeguarding concerns, staff members will act calmly and supportively, ensuring that the child feels they are being listened to and believed. An inter-agency assessment will be

undertaken where a child and their family could benefit from coordinated support from more than one agency. These assessments will identify what help the child and family require in preventing needs escalating to a point where intervention would be needed. Where an Operation Encompass notification has been received the DSL will follow guidance. Operation Encompass is now operational for Early Years.

➤ **Emerging concerns**

We may find that general concern begins to build up around a child's behaviour, demeanour or presentation. Concerns may include what is seen or heard and may include the way family members relate to the child and/or the setting. Such concerns may not seem to be very significant on their own, but together may indicate a need for family support that should not be ignored. Therefore, concerns are always recorded factually and accurately along with any decisions or action taken in order to support the decision-making process.

➤ **Responding to disclosure**

A disclosure occurs when a child or young person indicates directly, or through play or drawings for example, that he or she has been or is being abused in some way. Occasionally a disclosure may be very clear and contain specific details about whom, or what was involved, or where and when apparent abuse took place. More commonly disclosure emerges as part of routine activity or conversation.

If a child makes a disclosure we will:

- Contain our reaction as far as possible – try not to express shock or disbelief
- Listen to the child, accept what they say and communicate to them that we accept it
- Not make any promises to the child about not passing on the information – the child needs to know that someone who will be able to help them will be spoken to
- Record the information as accurately and quickly as possible, including the timing, setting and those present, as well as what was said
- Discuss with the DSL to determine the most appropriate course of action
- Not interrogate the child. We may ask for clarification but will not ask leading questions. We will use 'TED' questions, i.e. 'Tell me what happened', 'please explain what you mean when you say' and 'can you describe the person?' or 'can you describe the place?'

➤ **Sharing concerns with parents and carers**

Concerns will generally be shared with the child's parents/carers. This can eliminate misunderstandings and can help us better understand the needs of the child and the family situation. It also ensures that our relationship with parents is built on trust and openness. Parents are fully involved in decision making and we seek consent to share information.

However, in some circumstances we would not share information with parents or seek consent to share others, for example if:

- Sexual abuse is suspected
- It is considered that discussing the issue with parents may put the child at further risk of significant harm
- A criminal offence may have been committed
- Organised abuse is suspected
- Fabricated illness is suspected
- An explanation is given by parents/carers which is felt to be inconsistent or unacceptable.

➤ Understanding the child and family's need

We use the Worcestershire Safeguarding Children Partnership (WSCP) Levels of need guidance to support our understanding of the child's needs and our decision making. In some circumstances we may be able to offer additional support ourselves. Sometimes we might need to work with another agency or possibly more than one. If possible, we will avoid a formal process, but when a child's situation becomes more complex or there appears to be increased risk, it may be necessary to draw up more formal plans with the family in order to coordinate the work.

Level 1

Represents children with no identified additional needs. Their needs are met through the routine services they receive from early years services, schools and health services, such as the GP or public health nurses, and hospital. Some may also be receiving services from housing and voluntary sector organisations. Most children will successfully develop and thrive at this level of need. These are known as universal services available to all children and young people.

Level 2

Represents children with additional presenting needs which can include parenting support, emotional wellbeing, housing, finances, and vulnerabilities in their community known as

contextual safeguarding. These extra needs can be met by a universal service providing single agency additional support and/ or co working with one or more partner or voluntary agencies to address the identified additional needs. An offer of early help and support will build on a family's existing strengths and focusing on whole family working to respond to the child's identified needs, safety and wellbeing with a focus on addressing and preventing an escalation of those needs and vulnerabilities.

If further support is required, we would (with the engagement of the family) carry out an Early Help Assessment and seek consent to involve other professionals as appropriate, and/or talk to a community social worker for advice and support.

Level 3

Represents children and young people who have complex needs themselves and/ or their family do, which impacts upon their safety, wellbeing and family life adversely. This may include multiple adverse childhood experiences, risk of family breakdown, poor emotional and mental health, inadequate parenting, domestic and/ or substance misuse. They will require several agencies working together with the family in a co-ordinated way to help the family make changes and improve the family functioning and outcomes for the children.

Level 4

Represents children who need statutory and/or specialist interventions including:

- Children in need, including those in need of protection
- Children looked after and privately fostered
- Young people who have committed an offence
- Children with acute mental health needs

The definition of '**child in need**' is defined by the Children Act 1989 s17 (10), which provides that a child is to be taken as 'in need' if

- s/he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority . . .; or
- her/his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or
- s/he is disabled. You are disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

A child in need of protection is described in Section 47 of the Children Act 1989, Paragraph (1):

‘Where a local authority has reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm, the authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child’s welfare’.

Children and young people who are looked after children under section 20 or section 31 of the Children Act 1989 will all be receiving services from children’s social care at level 4.

➤ **Managing referrals**

The reporting and referral process outlined in the Reporting Safeguarding Concerns Flowchart will be followed accordingly, found on the Safeguarding board in the staff room. All staff members, in particular the DSL, will be aware of the LA’s arrangements in place for managing referrals. The DSL will provide staff members with clarity and support where needed. When making a referral to WCF or other external agencies, information will be shared in line with confidentiality requirements and will only be shared where necessary to do so. The DSL will work alongside external agencies, maintaining continuous liaison, including multi-agency liaison where appropriate, in order to ensure the wellbeing of the pupils involved. The DSL will work closely with the police to ensure the school does not jeopardise any criminal proceedings, and to obtain help and support as necessary. Where a child has been harmed or is in immediate danger or at risk of harm, the referrer will be notified of the action that will be taken within one working day of a referral being made. Where this information is not forthcoming, the referrer will contact the assigned social worker for more information.

➤ **Family Front Door**

We recognise Family Front Door as the referral point for all referrals where members of the community and professionals refer children and young people living in Worcestershire where they are worried about their safety and welfare.

Where we have concerns about a child, we would contact the Family Front Door on **01905 822666** weekdays 9.00am to 5.00pm (until 4:30pm on a Friday). Or, if the child concern is not immediate use the local authority online form to raise the concern. During out of office hours (5.00pm to 9.00am weekdays and all-day weekends and bank holidays) we would contact the Emergency Duty team on **01905 768020**.

However, if the child needs immediate protection, we contact the Police on **999**, and if a child is brought to us with serious injuries, we telephone for an ambulance

If we are not in agreement with the Family Front Door about the level of need and appropriate action, we will use the levels of need guidance to support a professional discussion with the decision maker, and if still unsatisfied we would use the WSCP Escalation policy. [Escalation-Policy-Resolution-of-Professional-Concerns.pdf \(safeguardingworcestershires.org.uk\)](https://safeguardingworcestershires.org.uk/Policy-Resolution-of-Professional-Concerns.pdf)

In the meantime, we would continue to observe the child and support them and their family.

If necessary, we would make another referral.

➤ Open cases

If there is new information about a child who already has an allocated social worker, we share this directly with them.

18. Supporting children

We recognise that children who are abused or witness violence may find it difficult to develop a sense of self-worth. They may feel helplessness, humiliation and some sense of blame. We acknowledge that settings may be the only stable, secure and predictable element in the lives of children who have been abused or who are at risk of harm, and we are aware that research shows that their behaviour may be challenging and defiant or they may be withdrawn.

As part of our support staff members are made aware of how adverse childhood experiences (ACES) can impact their overall development.

The setting will endeavour to support all children by:

- Encouraging self-esteem and self-assertiveness, as well as promoting respectful relationships, challenging bullying and humiliating behaviour
- Promoting a positive, supportive and secure environment giving children a sense of being valued
- Consistently applying strategies to which are aimed at supporting vulnerable children, and supporting children in understanding that some behaviour is unacceptable but that they are valued and not to be blamed for any abuse which has occurred
- Liaising with other agencies that support the child such as Children's Social Care and Early Help providers

- Notifying the Family Front Door immediately where there is a significant concern, and the child could be at risk of significant harm
- Providing continued support to a child about whom there have been concerns if they leave the setting by ensuring that appropriate information is forwarded under confidential cover to their new setting. A copy of records (which may potentially be required as evidence in the future), will be retained until the child has reached the age of 25 years.

19. Positive physical intervention

There are circumstances when it is appropriate for staff of Laugh 'N' Learn Nursery to use reasonable force to safeguard children and young people. The term 'reasonable force' covers the broad range of actions used by staff that involve a degree of physical contact to control or restrain children. This can range from guiding a child to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'. The use of force may involve either passive physical contact, such as standing between children or blocking a child's path, or active physical contact such as leading a child by the arm out of the classroom. Staff only ever use physical intervention as a last resort when managing unwanted behaviour, and it is the minimal force necessary to prevent injury or damage to property. All staff must adhere to the Laugh 'N' Learn's Behaviour Policy.

All such incidents of physical intervention are recorded.

Physical intervention of a nature that causes injury or distress to a child may be considered under management of allegations or disciplinary procedures.

We recognise that touch is appropriate in the context of working with children and all adults in the setting have been given safer working practice guidance to ensure they are clear about their professional boundaries.

20. Record Keeping and Documenting concerns

Our records are a factual account of what was seen and heard, containing the child's own words where appropriate and completed as soon as possible, not later than the end of the working day. These are recorded using our Child Protection On-Line monitoring system (CPOMS) and are stored electronically. Records describe the care and condition of the child and may include professional opinion which would be clearly indicated. They also include the comments and views of both the child and the parents/carers.

➤ Single central record (SCR)

The school keeps an SCR which records all staff, including agency and third-party supply staff, and teacher trainees on salaried routes, who work at the school. All members of the governing board are recorded on the SCR. The following information is recorded on the SCR:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- A check of professional qualifications, where required
- A check to determine the individual's right to work in the UK and additional checks for those who have lived or worked outside of the UK
- A section 128 check for those in management positions

For agency and third-party supply staff, the setting will also record whether written confirmation from the employment business supplying the member of staff has been received which indicates that all the necessary checks have been conducted (i.e. all the same checks the setting would perform on any individual working in the setting or who will be providing education on the setting's behalf, including through online delivery) and the date that confirmation was received. If any checks have been conducted for volunteers, this will also be recorded on the SCR. If risk assessments are conducted to assess whether a volunteer should be subject to an enhanced DBS check, the risk assessment will be recorded. Written confirmation that supply agencies have completed all relevant checks will also be included. The setting is free to record any other information it deems relevant. The details of an individual will be removed from the SCR once they no longer work at the setting.

➤ Security, storage, and retention of records

The DSL reviews such records regularly so that increasing concerns can be identified and action taken to ensure that needs are met.

Parents have the right to access information held about their child so records are shared with them if they make this request, however there are some exceptions, namely those described

previously in the section on sharing information with parents, for example when sharing the information would place the child at risk of significant harm.

All safeguarding records are retained until the child reaches the age of 25 years.

➤ **Transfer of child protection records at transition**

Records are transferred at each stage of a child's education, when they move from one establishment to another, either at normal transfer stage such as moving from nursery to school, or as the result of a move such as a transfer to a different area. They are transferred within 5 days and are passed directly and securely to the safeguarding lead in the receiving establishment. They are transferred securely and electronically by CPOMS. If this is not possible by hand if possible or signed for if posted.

In order to safeguard children effectively, when a child moves to a new educational establishment, the receiving establishment is immediately made aware of any current child protection concerns, by telephone prior to the transfer of records.

➤ **Children in more than one setting**

Where children are dual registered (e.g. on roll at nursery but receiving education in another establishment, such as a short stay school, medical education team or attending more than one Early Years setting), any existing child protection records are shared with the new establishment prior to the child starting, to enable the new establishment to risk assess appropriately.

We keep a copy of the transfer form along with a copy of the chronology of events and any records pertaining to the establishment (e.g. completed 'welfare concern' forms).

➤ **Children subject to a Child Protection (CP) plan**

If a child is the subject of a child protection plan at the time of transfer, we speak to the safeguarding lead of the receiving establishment giving details of the child's key social worker from Children's Social Care Services and ensuring the establishment is made aware of the requirements of the child protection plan.

➤ **Receiving establishment unknown**

If a child, subject of a child protection plan leaves and the name of the child's new education placement is unknown, the DSL will contact the child's Social Worker to discuss how and when records should be transferred. Where the records are of prior child protection/welfare concerns,

and there is not an open case or a social worker involved with the family, the DSL will inform the Family Front Door. Child protection files would be retained by us and transferred to the new setting, once known, or destroyed once the child has reached the age of 25.

21. Building a safer workforce

➤ Safer recruitment

The provider checks the suitability and obtains an enhanced criminal record records disclosure for anyone working directly with children.

An enhanced DBS check with barred list information will be undertaken for all staff members engaged in regulated activity. A person will be considered to be in 'regulated activity' if, as a result of their work, they:

- Are responsible on a daily basis for the care or supervision of children.
- Regularly work in the school at times when children are on the premises.
- Regularly come into contact with children under 18 years of age.

The DfE's DBS Workforce Guides will be consulted when determining whether a position fits the child workforce criteria.

We keep a record of the date and the serial number of the DBS certificate.

Applicants are asked to complete an application form, and we obtain two employer's references, including the most recent employer. If this is not possible, for example if the applicant is applying for their first position, we will obtain character references and complete a risk assessment.

Staff do not take up a post until checks are completed to a satisfactory level.

The registered provider and the manager of the setting have completed safer recruitment training and at least one of them is included on every interview panel.

We keep a record of ID checks, right to work in the UK, qualifications (certificates are checked), references obtained and DBS certificate details.

The same processes are used for volunteers and student DBS certificates obtained by their training provider are checked and the details recorded.

The governing board will conduct the appropriate pre-employment checks for all prospective employees, including internal candidates and candidates who have lived or worked outside the UK.

The appropriate DBS and suitability checks will be carried out for all governors, volunteers, and contractors.

The setting would like to inform shortlisted candidates that we may conduct an online search as part of our due diligence checks in the safer recruitment process as defined in KCSiE 2023.

➤ **Staff suitability**

All settings providing care for pupils/children under the age of eight must ensure that staff and volunteers working in these settings are not disqualified from doing so under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018.

A person may be disqualified if they:

- Have certain orders or other restrictions placed upon them.
- Have committed certain offences.

All staff members are required to sign the Staff Disqualification Declaration Form confirming that they are not disqualified from working in a schooling environment. A disqualified person will not be permitted to continue working at the school, unless they apply for and are granted a waiver from Ofsted. The setting will provide support with this process.

➤ **Ongoing suitability**

Following appointment, consideration will be given to staff and volunteers' ongoing suitability – to prevent the opportunity for harm to children or placing children at risk.

➤ **Referral to the DBS**

The setting will refer to the DBS anyone who has harmed a child or poses a risk of harm to a child, or if there is reason to believe the member of staff has committed an offence and has been removed from working in regulated activity. The duty will also apply in circumstances where an individual is deployed to another area of work that is not in regulated activity or they are suspended.

➤ Induction, training and continued supervision

Staff members will undergo safeguarding and child protection training at induction, which will be updated whenever there is a change in legislation. The induction training will cover appropriate child protection and safeguarding training, including online safety training

- The Child Protection and Safeguarding Policy and an understanding of the settings safeguarding policies and procedure
- The Child-on-child Abuse Policy and procedures.
- The Staff Code of Conduct.
- Part one of 'Keeping children safe in education' (KCSIE) (or Annex A, if appropriate).
- Behavior management and the Behaviour Policies (BFS and Laugh n Learn Nursery)
- Early Years Personal and Health Care policy
- Early years Policy
- How and when mobile phones and technology can be used in the setting
- How to define and identify possible signs of harm, abuse and neglect
- What to do if concerns arise
- What to do if concerned about the behaviour or conduct of another adult (contact the Local Authority Designated Office (LADO))
- Who is the designated safeguarding lead in the setting.
- Information about the role and identity of the DSL and deputy DSLs.

Training will cover an understanding of expectations, applicable roles and responsibilities in relation to filtering and monitoring and:

- The issues surrounding sexual violence and sexual harassment.
- Contextual safeguarding.
- Continuous and Comprehensive Evaluation (CCE) and the need to refer cases to the National Referral Mechanism.
- Updated online safety training.

All staff complete level 2 safeguarding training at least every three years.

All staff members will also receive regular safeguarding and child protection updates as required, but at least annually.

The DSL, deputy DSL, manager and registered provider complete designated safeguarding training and attend regular safeguarding update/forum meetings at least annually.

The DSL and deputy DSLs will undergo child protection and safeguarding training, and update this training at least every two years. The DSL and deputy DSLs will also obtain access to resources and attend any relevant or refresher training courses, ensuring they keep up-to-date with any developments relevant to their role.

This will include training to understand:

- The assessment process for providing early help and statutory intervention, including local criteria for action and WCF referral arrangements
- How LAs conduct child protection case conferences and child protection review conferences, to enable the DSL to attend and contribute to these effectively when required.
- The importance of providing information and support to WCF.
- The lasting impact that adversity and trauma can have.
- How to be alert to the specific needs of children in need, children with SEND and/or relevant health conditions, and young carers.
- The importance of internal and external information sharing.
- The Prevent duty.
- The risks associated with online safety, including the additional risks faced online by children with SEND.

Safeguarding is always discussed at staff meetings and all staff are provided with updates at least annually.

All new staff, students and volunteers are given a copy of all policies and procedures and receive induction training which includes

➤ Disqualification

Staff are required to disclose any convictions, cautions, court orders or reprimands and warnings which might affect their suitability to work with children, whether these occur prior to, or during, their employment at the setting. They are asked to confirm this at each supervision meeting.

22. Whistleblowing

If staff have concerns about a colleague, they report them to the manager, provider or DSL either at their supervision meeting or preferably as the issue occurs. If they feel unable to do so they can seek guidance using the [government guidance on whistleblowing \(opens in new window\)](#).

All information relating to concerns would be handled in confidence, kept in a locked secure location and only made available to those who have a right or professional need to see them. Staff must adhere to the Whistle Blowing policy

23. Allegations against someone working on the premises (LADO referral)

A complaint is an allegation of abuse if it indicates that someone:

- Has/may have acted in a way that has harmed a child
- Acted in a way which has put a child at risk
- Possibly committed a criminal offence against or related to a child
- Behaved towards a child or children in a way that indicates he/she is unsuitable to work with children.

If a complaint (from a parent, child, staff member, member of the public, etc) includes an allegation of abuse, whether made verbally or in writing, the incident would be noted in the record of complaints (with minimal detail to ensure confidentiality) and the registered provider informed.

The registered provider/Manager or DSL will make a record of the allegation and contact LADO either through the online referral form or phone.

We will not investigate an allegation of abuse or discuss with the person involved and we will follow the advice of LADO.

The registered provider will inform Ofsted of any allegations of serious harm or abuse whether the allegations relate to harm or abuse committed on the premises or elsewhere.

- Confirmation of the allegation in writing would be sought from the person making the allegation, but action would not be delayed whilst awaiting written confirmation
- The recipient of the allegation would immediately inform the registered provider

- The registered person may delegate responsibility for action to the setting manager, but remains accountable for ensuring that the concern is shared immediately with the LADO on **01905 846221**
- The manager would telephone the LADO and if this is not possible, the Family Front Door
- If the allegation is against the DSL or the manager, it will be necessary to report the concern to the person's superior. If this is not possible staff should inform the LADO directly
- If the allegation is against the registered person, the DSL should inform the LADO immediately and then notify Ofsted (or any relevant childminder agency)
- A note would be made of any actions advised by the LADO or by Ofsted and of the date and time they are implemented
- The provider would conduct a risk assessment to determine whether the staff member should be suspended
- Parents/carers would be informed unless to do so could put the child in further danger.

If no further action is recommended, we may still proceed with disciplinary procedures. If there are concerns about the suitability of the member of staff to continue to work with children, we have a statutory duty to refer to the Disclosure and Barring Service (DBS)

In all cases where an allegation against a member of staff is made, we would review all policies and procedures, and address identified training/supervision needs.

Records of allegations would be retained until the alleged perpetrator reaches normal retirement age, or for 10 years if that is longer.

The registered provider completes training on managing allegations.

24. Concerns or allegations that do not meet the harm threshold

We recognise the importance of ensuring staff working with children and young people remain suitable throughout their employment. This includes ensuring that all adults who work with children either paid or voluntary do so in accordance with our settings values and policies including the Staff Code of Conduct.

➤ What is a low-level concern?

Keeping children safe in education, 2024 (KCSIE) states:

'The term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt'.

A low-level concern is therefore where an adult may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to setting policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- humiliating children
- exhibiting behaviours which breach the professional standards required by the setting as set out in the staff code of conduct.

➤ **Safeguarding culture**

In our duties to safeguard children and young people we recognise our responsibility to create and embed a culture of openness, trust and transparency which reflects our settings values. As part of this we ensure our staff code of conduct is understood, adhered to and reviewed in conjunction with staff. Through effective supervision and on-going training, we support adults working with children to distinguish between expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others.

➤ **The importance of sharing low-level concerns**

We recognise that creating an environment where low-level concerns can be shared appropriately is pivotal to our safeguarding duties and may prevent the abuse of children, either accidentally, neglectfully or deliberately.

We also recognise the sharing of low-level concerns as a positive action and one which can help us address unprofessional behaviour and support the individual to correct this at an early stage.

➤ **Reporting a low-level concern**

The reporting of low-level concerns should be direct to the settings manager. It is an expectation that the Manager would then liaise with the DSL in a timely manner to discuss the low-level concern and then plan the next steps.

However, if the concern is regarding the DSL and/or manager this should be directed to the registered person or if this is inappropriate the LADO.

Low-level concerns raised about students, supply staff or contractors will also be reported to their employers or educational institution.

➤ Self-reporting

We encourage adults working with children to self-report where they have found themselves in a situation which may have been misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

➤ Responding to low-level concerns

Concerns will be dealt with sensitively and proportionately. To understand the concern raised the Manager will collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously, and;
- to the individual involved and any witnesses.

Information collected will help them to categorise the type of behaviour and determine what further action may need to be taken in line with the staff code of conduct. Potential actions could be:

- Allegations that meet the harm threshold will be referred to the LADO for advice
- Low-level concerns that the setting feel may need further guidance on will be referred to the LADO for advice
- Low-level concerns that the setting feel they can deal with internally will be dealt with via the settings normal processes. This can range from the requirement to revisit training, coaching and mentoring or in some cases disciplinary action.

➤ Recording low-level concerns

All low-level concerns should be recorded in writing. The record should include details of the concern, the context in which the concern arose, along with the rationale for decisions made and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Records will be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

➤ Reviewing low level concerns

We recognise that reviewing low-level concerns can help us to improve our settings safeguarding processes and potentially identify any weakness or wider cultural issues which have enabled the behaviour(s) to occur. Learning from reviews will be shared with staff in the form of policy change or training to minimise risks.

Where patterns of inappropriate, problematic or concerning behaviour have been identified a course of action, will be taken either through our disciplinary procedures or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, this will be referred to the LADO.

➤ References

Low-level concerns will remain on an employee's record until the individual leaves their employment.

We will not include low-level concerns in references unless:

- the concern (or group of concerns) has met the threshold for referral to the LADO and is found to be substantiated; and/or
- the concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance.

25. Communication and confidentiality

All child protection and safeguarding concerns will be treated in the strictest of confidence in accordance with setting's data protection policies. Where there is an allegation or incident of sexual abuse or sexual violence, the victim is entitled to anonymity by law; therefore, the setting will consult its policy and agree on what information will be disclosed to staff and others, in particular the alleged perpetrator and their parents. Where a report of sexual violence or sexual harassment is progressing through the criminal justice system, the setting will do all it can to protect the anonymity of the children involved in the case.

Concerns will only be reported to those necessary for its progression and reports will only be shared amongst staff members and with external agencies on a need-to-know basis. During the disclosure of a concern by a child, staff members will not promise the child confidentiality and will ensure that they are aware of what information will be shared, with whom and why.

Where it is in the public interest, and protects children from harm, information can be lawfully shared without the victim's consent, e.g. if doing so would assist the prevention, detection or prosecution of a serious crime. Before doing so, the DSL will weigh the victim's wishes against

their duty to protect the victim and others. Where a referral is made against the victim's wishes, it is done so carefully with the reasons for the referral explained to the victim and specialist support offered.

Depending on the nature of a concern, the DSL will discuss the concern with the parents of the child/ren involved. Discussions with parents will not take place where they could potentially put a pupil at risk of harm. Discussion with the victim's parents will relate to the arrangements being put in place to safeguard the victim, with the aim of understanding their wishes in terms of support arrangements and the progression of the report. Discussion with the alleged perpetrator's parents will have regards to the arrangements that will impact their child, such as moving classes, with the reasons behind decisions being explained and the available support discussed. External agencies will be invited to these discussions where necessary.

Where confidentiality or anonymity has been breached, the school will implement the appropriate disciplinary procedures as necessary and will analyse how damage can be minimised and future breaches be prevented. Where a child is leaving the nursery, the DSL and headteacher will consider whether it is appropriate to share any information with the child's new provider, in addition to the child protection file, that will allow the new provider to support the child and arrange appropriate support for their arrival.

26. Policy review

This policy will be reviewed annually or when an incident occurs or there are new local or national policies and procedures. The review process will be led by the registered provider and the DSL and include all those working in the setting.

	Date	Signed
Staff agreement:		
Governor agreement:		
To be reviewed:		