

Low-Level Concerns Policy

1. Introduction

At Wellies Day Nursery Ltd, we take safeguarding very seriously. This includes ensuring that adults who work with children do so in a way that is in accordance with the ethos and policies set out by the Nursery, including the Staff Code of Conduct. This policy sets out the detail and processes for staff regarding low-level concerns they may have (See appendix 1).

2. Summary

It may be possible that a member of staff acts in a way that does not cause risk to children but is inappropriate. A member of staff who has a concern about another member of staff should inform a named DSL about their concern using a Low-Level Record of Concern form. A low-level concern form should also be completed in all cases.

3. Low level Concerns

A low level concern is not insignificant, but is one that does not meet the threshold for harm and a referral through to the LADO

It includes behaviour such as

- Being overfamiliar with children
- Having favourites
- Shouting at a child
- Acting inconsistently with the code of conduct
- Engaging with a child on a one to one basis in a secluded area or behind a closed door
- Using inappropriate sexualised, intimidating or offensive language
- Inappropriate behaviour out of work such as use of drugs, inebriation or acting in a way that brings disrepute on the school or teaching profession.

These concerns would commonly not have any direct harm to children but may be the result of carelessness or thoughtlessness.

4. Investigation of low-level concerns

The DSL will follow up on all low-level investigations. They should talk to the person reporting the concern (unless this is anonymous) and follow up with the person who the concern is raised about and any witnesses.

The DSL will consider the full details of concerns, if they are unsure if the allegation meets the harm criteria or not then they will consult the LADO for advice and guidance.

If the concern is deemed low level, they will gather information and take any appropriate action, this may involve a disciplinary, retraining or rewriting policies.

The record will be kept on the person's personnel file. In the event of other allegations being made which meet the Harm criteria for a referral to the LADO, the Head Teacher will share this information fully with the LADO as this will identify any patterns or escalation in behaviour.

5. Clarity around Allegation vs Low-Level Concerns vs Appropriate Conduct

Keeping children safe in education 2021 gives clear guidance around these concerns

Allegation

Behaviour which indicates that an adult who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Low-Level Concern

Any concern – no matter how small, even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with an organisation’s Code of Conduct, and/or
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult’s suitability to work with children.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation’s Code of Conduct, and the law.

6. Storage and use of Low-Level Concerns and follow-up information

Low-Level Concern forms (Appendix 2)and follow up information will be stored securely within the nursery’s safeguarding systems on an individual’s personnel file, with access only by the core management team. This will be stored in accordance with the nursery’s GDPR and data protection policies.

The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the DSL reported to.

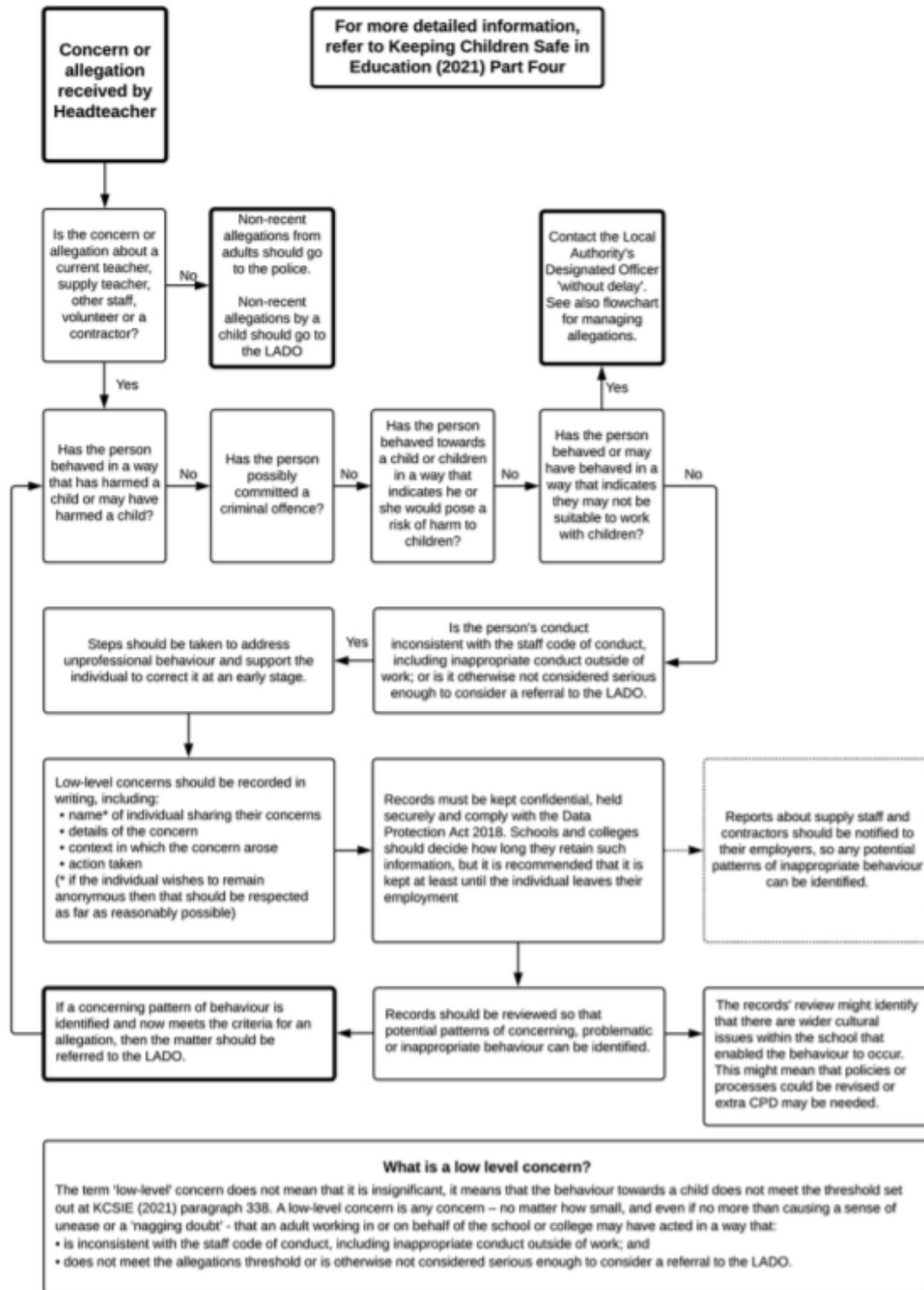
Low-Level Concerns will not be referred to in references unless they have been formalised into more significant concerns resulting in disciplinary or misconduct procedures.

Whenever staff leave, any record of low-level concerns which are stored about them will be reviewed as to whether or not that information needs to be kept.

Consideration will be given to:

- a) Whether some or all of the information contained within any record may have any reasonably likely value in terms of any potential historic employment or abuse claim so as to justify keeping it, in line with normal safeguarding records practice; or,
- b) If, on balance, any record is not considered to have any reasonably likely value, still less actionable concern, and ought to be deleted accordingly.

Appendix 1



Low-Level Concern Form

<u>Low-Level Record of Concern Regarding A Staff Member</u>	
<p>Please use this form to share any concern – no matter how small, and even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:</p> <ul style="list-style-type: none"> ● Is not consistent with our Code of conduct, and/or; ● Relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about an adult’s suitability to work with children. <p>Where possible please speak with the DSL as soon as possible. It is also helpful to document your concerns, which can be done using this form and then passed to the DSL. When completed, please pass this form to the DSL. If the concern is about a DSL, please pass on to an alternative named DSL.</p> <p>Remember a low-level concern is different to an allegation.</p>	
Date of low-level concern:	
Member of staff involved:	
Concern information:	
Reported by:	
Discussion with LADO: Date and details of discussion	
Outcome:	