



Low level Concerns Policy

Freegrounds Junior School

Date of last review: September 2023

Date of next review: September 2024

Date approved: September 2023

Approved by: Working Policy Group

This policy should be read alongside the staff Code of Conduct, Whistleblowing Policy, Safeguarding Policy and Child Protection Policy

Purpose

This policy sets out a framework whereby staff are expected to report concerns, no matter how small, about their own behaviour or that of another member of staff, volunteer, supply teacher, contractor or other person working in school. Its purpose is to help create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in the “Guidance for safer working practice for those working with children and young people in education settings” (May 2019) are lived, monitored, and reinforced.

The policy should be read in conjunction with the current statutory guidance – “Keeping Children Safe in Education”.

Who does the policy apply to?

This policy applies to all staff and other individuals who work or volunteer in school.

Definition of a low-level concern

The term Low-Level Concern is any concern or allegation which does not meet the harm threshold (See Appendix A). The Keeping Children Safe in Education 2022 explains (Para 426),

“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’ - that an adult working in or on behalf of the school or college 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 school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

It is crucial that any such concerns, including those which do not meet the harm threshold (see appendix A), are shared responsibly and with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from potential false allegations or misunderstandings.

Reporting low level concerns:

- Helps to ensure staff are clear on expected behaviours
- Empowers staff to share low level concerns
- Addresses unprofessional conduct at an early stage
- Ensures the school is responsive, sensitive and proportionate when handling concerns
- Identifies any weaknesses in the school’s safeguarding system.

Reporting low-level concerns

Where a low-level concern has been identified, this will be reported as soon as possible to the headteacher- **Ryan O’Hearn**. However, it is never too late to share a low-level concern if this has not already happened.

Where the headteacher is not available, the information will be reported to a DDSL- **Vicky Davies, Sarah Robinson** or **Michelle Brightwell**.

Low-level concerns about the headteacher will be reported to the Chair of Governors- **Jerry Hughes**.

Recording concerns

A summary of the low-level concern should be written down, signed, timed, dated and shared by the person bringing the information forward. (See Appendix B)

Where concerns are reported verbally to the headteacher a record of the conversation will be made by the headteacher which will be signed, timed, and dated.

Responding to low-level concerns

Where a low-level concern has been raised this will be taken seriously and investigated within 5 working days. The Headteacher will:

- Speak to the person reporting the concern to gather all the relevant information
- Speak to the individual about the concern raised to ascertain their response, unless advised not to do so by the LADO or police (EPS advice may also need to be taken)
- Where necessary further investigation will be carried out to gather all relevant information. This may involve speaking to any potential witnesses
- The information reported and gathered will then be reviewed to determine whether the behaviour:
 - i. is consistent with the “Guidance for safer working practice for those working with children and young people in education settings” (May 2019): no further action will be required
 - ii. constitutes a low-level concern: no further action is required, or additional training/guidance/support may be required to rectify the behaviour via normal day to day management processes. The employee should understand that failure to improve or a repeat of the behaviour may lead to further action being taken, e.g. either via the Performance Management Policy or Disciplinary Policy
 - iii. is serious enough to consult with or refer to the LADO: a referral should be made to the LADO and advice taken from EPS. In this case the school’s Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed
 - iv. when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO or Police: a referral should be made to the LADO and advice taken from EPS. In this case the school’s Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed.
- Records will be made of:
 - i. all internal conversations including any relevant witnesses
 - ii. all external conversations, e.g. with the LADO
 - iii. the decision and the rationale for
 - iv. any action taken.

Can the reporting person remain anonymous?

The person bringing forward the concern will be named in the written record. Where they request to remain anonymous, this will be respected as far as possible. However, there may be circumstances where this is not possible, e.g. where a fair disciplinary investigation is needed or where a later criminal investigation is required.

Should staff report concerns about themselves (i.e. self-report)?

It may be the case that a person finds themselves in a situation which could be misinterpreted, or might appear compromising to others; or they may have behaved in a manner which on reflection they consider falls below the standard set out in the “Guidance for safer working practice”. In these circumstances they should self-report. This is a reasonable thing to do and this will enable a potentially difficult situation to be addressed at an early opportunity if necessary.

Where behaviour is consistent with the “Guidance for safer working practice” (May 2019)

Feedback will be given to both parties to explain why the behaviour was consistent with the “Guidance for safer working practice”.

Should the low-level concerns file be reviewed?

The records will be reviewed periodically, and whenever a new low-level concern is added, so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and referred to the LADO if required. A record of these reviews will be retained.

References

Low-level concerns will not be included in references unless a low-level concern, or group of concerns, has met the threshold for referral to the LADO and found to be substantiated.

What is the role of the Governing Body?

The headteacher will regularly inform the Governing Body about the implementation of the low-level concerns policy including any evidence of its effectiveness, e.g. with relevant data. The safeguarding governor may also review an anonymised sample to ensure that these concerns have been handled appropriately.

Appendix A: Harm threshold for allegations vs low level concern

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; and/or
- possibly committed a criminal offence against or related to a child; and/or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Low-Level Concern

Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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' – that an adult may have acted in a way that:

- is inconsistent with an organisation's staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO - but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

Staff Sign		Date	