



Low-Level Concerns Policy

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Signed by (GBR):	Date: 04/09/2022
Next review due by: 04/09/2023	
Related Documents: KCSIE - Keeping Children Safe in Education (2022) Staff Code of Conduct; School Safeguarding and Child Protection Policy Guidance for schools on dealing with Allegations of abuse against Staff and Volunteers Whistle Blowing Policy (see Appendix A - Flow chart for Reporting Concerns)	

Rationale

This policy should be read in conjunction with Princess May School's Safeguarding and Child Protection Policy, Staff Code of Conduct, Guidance for schools on dealing with Allegations of abuse against Staff and Volunteers and Whistleblowing Policy, to enable staff to share their concerns, no matter how small, about their own or another member of staff's behaviour.

The purpose of the policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the school's Code of Conduct are constantly lived, monitored and reinforced by all staff.

The school deals with all concerns about adults working in or behalf of the school appropriately and promptly. The school seeks to create an environment where staff are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below expected professional standards.

This policy seeks to

- ensure that staff are clear about, and confident to distinguish between, expected and appropriate behaviour from concerning, problematic or inappropriate behaviour – in themselves and others, professional boundaries and reporting

- empower staff to share any low-level concerns with the Headteacher
- help staff address unprofessional behaviour and help the individual to correct such behaviour at an early stage
- identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the LADO
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised
- help identify any weaknesses in the organisation’s safeguarding system.

This policy applies to **all** staff at Princess May School.

Defining a Low-Level Concern

The term ‘low-level’ concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold, see paragraph 426, Part Four – Keeping Children Safe In Education 2022 – ***What is a low-level concern?***

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf

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 allegations threshold or is otherwise not considered 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;
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- Using inappropriate sexualised, intimidating or offensive language.

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, are shared responsibly and with the right person, the Head teacher, 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.

Dealing with Low-Level Concerns

Responsibilities of staff

It is important that **all** staff are clear of the expectations the school stipulates from them as contained in the Staff Code of Conduct. This is covered annually by the Designated Safeguarding Lead, and as part of the school's induction for new staff.

It is crucial that **any** concerns in relation to a staff member's behaviour, including those which do not meet the harm threshold, are shared responsibly and with the Headteacher. This should be done without delay;

- Treat the matter seriously and keep an open mind;
- Make a written record of the information including the time, date and place of incident/s, persons present and what was said and sign and date this;
- Immediately report the matter to the Headteacher (unless the allegation is against the Headteacher, in which case the Chair of Governors must be reported to).

Where there are concerns/allegations about the Headteacher, this should be referred to the Chair of Governors, by emailing admin@princessmay.hackney.sch.uk

Records will remain confidential in accordance with the school's Data Protection policies and GDPR.

Staff members who are concerned about how their behaviour may have been interpreted, or, on reflection, re-evaluate their behaviour as one that may have been in contrary to the school's code of conduct and expectations, they self-refer to the Headteacher.

Responding to a Low-Level Concern

The Headteacher will in the first instance obtain written details of the concern or allegation, (but does not investigate or interview child, adult or witnesses), will satisfy them self that it is a low-level concern and should not be reclassified as a higher-level concern/allegation and dealt with under the appropriate procedure below. The circumstances in which a low-level concern might be reclassified are where:

- (a) the threshold is met for a higher-level concern/allegation
- (b) there is a pattern of low-level concerns which collectively amount to a higher-level concern/allegation or
- (c) there is other information which when taken into account leads to a higher-level concern/allegation.

The Head teacher will:

- Contact the [Local Authority Designated Officer \(LADO\)](#) within 1 working day and seek their advice on how to proceed;
- Discuss with the LADO next steps using the London Child Protection Procedures Flow Charts Allegations/Concerns Against Staff;
- In consultation with the LADO conduct a disciplinary investigation, ***if an allegation indicates the need for this;***
- Contribute to the child protection process by attending professional strategy meetings and other meetings as required;
- Maintain contact with the LADO throughout the process;

- Ensure clear and comprehensive records regarding the allegation, actions taken and outcome are retained on the staff member's personnel file;
- Consider along with Human Resources and the LADO whether a referral to the DBS should be made.
- Inform the Chair of Governors of the allegation.

If the Headteacher was to be in any doubt whatsoever, advice will always be sought from the LADO, if necessary, on a 'no-names' basis.

Having established that the concern is low-level, the Headteacher will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. If the concern has been raised via a third party, the Headteacher should collect as much evidence as possible by speaking:

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

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. All of this needs to be recorded along with the rationale for their decisions and action taken. Reports about supply staff and contractors will be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training etc. In dealing with a low-level concern with a member of staff, this will be approached in a sensitive and proportionate way. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

Details of the concern will be recorded along with the rationale for decisions and action taken.

Any conversation with a member of staff following a concern will include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question. Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment may be required. Some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures, which will be followed where appropriate. Some concerns may be related to performance management and advice may be sought from the school's HR manager.

Monitoring of Low-Level Concerns

The Headteacher will securely retain confidential files on low-level concerns.

No record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- (a) the concern (or group of concerns) has been reclassified as a higher-level concern, or
- (b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.⁴

Further References

Department for Education, Keeping Children Safe in Education 2022

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf

Working together to Safeguard Children. Statutory guidance on inter-agency working to safeguard and promote the welfare of children.

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Guidance for safer working practice for those working with children and young people in education settings (February 2022)

<https://c-cluster-110.uploads.documents.cimpress.io/v1/uploads/d71d6fd8-b99e-4327-b8fd-1ac968b768a4~110/original?tenant=vbu-digital>

Guidance for schools on dealing with Allegations of abuse against Staff and Volunteers

<https://www.princessmay.hackney.sch.uk/attachments/download.asp?file=17&type=pdf>

Responding to low-level concerns about adults working in education (update: October 2021)

<https://learning.nspcc.org.uk/news/2021/october/responding-low-level-concerns-in-education>

Farrer & Co – Developing and implementing a low-level concerns policy: a guide for organizations which work with children – Adele Eastman, Jane Foster, Owen O’Rorke and David Smellie. 2020

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concernsguidance-2020.pdf>

Appendix A

Flow chart for Reporting Concerns

