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Hassocks

Low Level Concerns Policy

Written by: Rachel Borland

Policy Review Date: September 2024

Next Review due: September 2025

This Policy relates to the whole school and is reviewed annually to ensure compliance with current regulations and law and must be read in conjunction with our Child Protection and Safeguarding Policy and other relevant LVS Hassocks and Licensed Trade Charity policies.

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 or for the 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 our Child Protection and Safeguarding policy are lived, monitored, and reinforced.

The policy should be read in conjunction with the current statutory guidance – “Keeping Children Safe in Education 2023” Part 4, Section 2.

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

A low-level concern is any concern, no matter how small, even if no more than causing a sense of unease or a ‘nagging doubt’, that a person working in or on behalf of the school may have acted in a way that:

- is inconsistent with the school’s Staff Code of Conduct, and
- does not meet the allegations threshold or is otherwise not considered serious enough to make a referral to the LADO

Examples of behaviour that could require reporting of a low-level concern 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 (please refer to the school's Code of Conduct), 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.

Clarity on Low Level Concern vs Allegation:

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.

Reporting Low Level Concerns

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

Where the Principal is not available, the information will be reported to the designated safeguarding lead (or deputy), i.e. the most senior member of SLT acting in this role.

Low-level concerns about the Designated Safeguarding Lead will be reported to the Director of SEN and those about the Principal will be reported to the Director of Education and Operations.

Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Principal of the details as soon as possible.

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.

Where concerns are reported verbally to the Principal a record of the conversation will be made by the Principal 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 dealt with promptly. The Principal 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 (HR 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:

- is consistent with the school's Code of Conduct: no further action will be required
- 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. via the Capability and Disciplinary Procedures
- is serious enough to consult with or refer to the LADO: a referral should be made to the LADO and HR advice taken

Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed:

- 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 HR advice taken. In this case the school's Staff Behaviour and Code of Contact within the Child Protection and Safeguarding Policy and Disciplinary Policy will be followed

- when considered with any other low-level concerns that have previously be made, records will be made of:
 - all internal conversations including any relevant witnesses
 - all external conversations, e.g. with the LADO
 - the decision and the rationale for it
 - 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 (ie 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 Code of Conduct. In these circumstances they should self-report. This will enable a potentially difficult situation to be addressed at an early opportunity if necessary.

Where Behaviour is Consistent with the Code of Conduct

Feedback will be given to both parties to explain why the behaviour was consistent with the Code of Conduct.

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 Governors?

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

A low level concern is something you have observed/been told about that you feel needs recording because:

- it may need to be shared with other professionals
- where action was taken to deal with the concern/incident, or
- no action was taken but the concern needs monitoring in case action needs to be taken.

Check whether significant incident form is more appropriate to complete before proceeding

Name of person /adult concerns About		Date and time of this report	
Name of person reporting		Signature	

If this relates to a specific incident:

Location of Incident		Date and time of incident	
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DETAILS OF CONCERN /INCIDENT (please tick type as relevant)

Low level safeguarding (low level behaviour, concern about general welfare)

Name of person receiving form:

Date form received:

Action Taken

HR Notified Yes / No

WHAT FURTHER ACTION IS REQUIRED? (IF APPLICABLE) (WHO WILL ACTION / OBSERVE, MONITOR)

Report written by (Name,
signature and role on event)

FINAL UPDATE ON FURTHER ACTIONS (IF APPLICABLE)

Added by:

Role:

Date:

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Reviewed by lead staff member on site (name & signature)		Date:
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Governors notified on Principal's report	Date
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