



## **LOW LEVEL CONCERNS POLICY**

*This is a whole school policy that applies to all sections of the School, including Early Years*



**Persons responsible for this policy:**

Head Master

Designated Safeguarding Lead

**This policy was last reviewed in:**

November 2023

## LOW LEVEL CONCERNS POLICY

### I. RATIONALE

This policy should be read in conjunction with the School's Safeguarding (Child Protection) Policy, Staff Code of Conduct 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 Staff Code of Conduct are constantly lived, monitored and reinforced by all staff. The School deals with all concerns about adults working in or on behalf of the School appropriately and promptly.

The School seeks to create an environment where staff are encouraged to, 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 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, and the delineation of professional boundaries and reporting lines;
- empower staff to share any low-level concerns with the Head Master;
- 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 Local Authority Designated Officer (**LADO**);
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and
- help identify any weaknesses in the organisation's safeguarding system.

This policy applies to **all** staff at DPL.

### 2. DEFINING A LOW-LEVEL CONCERN

A low-level concern is one that **does not** meet the harm threshold as stated in the School's Safeguarding (Child Protection) Policy. That is, when anyone working in a school (including volunteers, supply staff and contractors) has:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offense against or related to a child and/or;
- behaved towards a child(ren) in a way that indicates they may pose a risk of harm to the child(ren); and/or

- behaved or may have behaved in a way that indicates they may not be suitable to work with children (which includes behaviour that may have happened **outside** school posing a transferable risk to children).

Responses and actions to behaviours that may meet the harm threshold are contained specifically within:

- section 13 of the School's Safeguarding (Child Protection) Policy; and
- 'Arrangements For Dealing With Safeguarding Concerns Or Allegations Of Abuse/Concerns Raised In Relation To Teachers And Other Staff (Including The Head Master, Governors, Supply Staff And Volunteers)'.

These should be reported to the Head Master without delay.

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' (i.e. they *believe* it could be a concern) – that an adult working in or on behalf of the School 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;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or
- using inappropriate 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.

Although it is important that staff feel comfortable and are clear about the concept of "low-level concerns" and know what to do if they have such a concern, they do not need to be able to determine in each case whether their concern is "low-level" or meets the threshold of an allegation. Once staff have shared what they believe is a low-level concern, that determination should be made by the Head Master and the Designated Safeguarding Lead.

### **3. 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 with the Head Master or in their absence the DSL. This should

be done without delay.

Where there are concerns/allegations about the Head Master, these should be referred to the Chair of Governors (whose contact details can be found in the School's Safeguarding (Child Protection) Policy).

Staff members who are concerned about how their behaviour may have been interpreted, or who, on reflection, have reevaluated their behaviour as possibly being in contradiction to the Staff Code of Conduct and expectations, may self-refer to the Head Master.

A flow chart for reporting concerns is included at Annex A.

#### **4. DEALING WITH LOW-LEVEL CONCERNS**

All low-level concerns may be shared verbally with the Head Master in the first instance, but must then be recorded in writing via CPOMS if they are linked to a pupil of the School. The Staff Safe Module of CPOMS is also available to record all subsequent follow-up work related to the concerns or to record information related to a child who is not a pupil of the School.

The record should include:

- details of the concern;
- the context in which the concern arose; and
- action taken.

Records will remain confidential in accordance with the School's Data Protection Policy and Privacy Notice.

#### **5. RESPONDING TO A LOW-LEVEL CONCERN**

The Head Master will, in the first instance, satisfy herself 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 as per the Safeguarding (Child Protection) Policy.

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.

Where the Head Master is in any doubt whatsoever, advice will be sought from the LADO, if necessary, on a 'no-names' basis.

Having established that the concern is low-level, the Head Master 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 Head Master should collect as much evidence as possible by speaking:

- directly to the person who raised the concern; and

- to the individual involved and any witnesses if appropriate.

The information collected will help 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 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.

## **6. MONITORING OF LOW-LEVEL CONCERNS**

The Head Master will securely retain confidential files on low-level concerns on CPOMS within the 'Staff Confidential' category and with the use of confidential notes on the Staff Safe Module of CPOMS. Potential patterns will be monitored by the School's Senior Leadership Team to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record will be kept of this review within SLT minutes.

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 Resolution Framework, Capability or Disciplinary procedures.

## **7. FURTHER REFERENCES**

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-concerns\\_guidance-2020.pdf](https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concerns_guidance-2020.pdf)

Department for Education, Keeping Children Safe in Education 2022

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1101454/K](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/K)

[eeping 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>

## ANNEX A FLOW CHART FOR REPORTING CONCERNS

### Annex A Flow chart for Reporting Concerns

