

Low Level Concerns Policy



Lealands
High School

Low Level Concerns Policy - SWA

Lealands High School

September 2022

Introduction

Our aims:

Excellence in everything we do	Everyone has responsibility	Respect for all
<ul style="list-style-type: none">• Everyone achieves success and makes excellent progress	<ul style="list-style-type: none">• To prepare young people for life and a positive future	<ul style="list-style-type: none">• Everyone is valued for their contribution
<ul style="list-style-type: none">• We all continually improve what we do and work hard	<ul style="list-style-type: none">• To ensure that school is a safe place	<ul style="list-style-type: none">• All are cared for and supported so that needs are met
<ul style="list-style-type: none">• We care about being the best we can be and getting the best out of those around us	<ul style="list-style-type: none">• To help and support others to grow and succeed	<ul style="list-style-type: none">• We recognise and celebrate the talents, gifts and uniqueness of every individual

In order to achieve these aims students, parents and the school need to work in partnership.

Our vision is to be:

*Everyone **achieves excellence**, demonstrates **respect for all** and takes **responsibility** for their own actions, while helping others to be successful.*

We strive to achieve this vision in all that we do and staff, students, parents, governors, other school stakeholders and partners are all an important part of making this happen.

The culture of Lealands High School is one that is safe for children and unsafe for adults that may pose a risk to children. In accordance with the DfE document 'Keeping Children Safe in Education, September 2022' we follow a child centred and coordinated approach to safeguarding. We believe that safeguarding is the responsibility of **all** adults working or volunteering within the organisation and that all concerns will be reported to the designated safeguarding lead. Essential to this is professional curiosity, openness and transparency where the focus remains on the children attending the establishment. Safeguarding and promoting the welfare of children is **everyone's** responsibility and everyone who comes into contact with children and their families and carers has a role to play in safeguarding. When carrying out this duty, we consider, at all times, what is in the **best interests** of the child.

We ensure that the adults who work with children do so in a way that is in accordance with the ethos and values of the school as set out in our policies, including the expectations that are set out in our Staff Code of Conduct. This policy sets out the details and processes for staff regarding any low-level concerns that may arise about an adult's behaviour within the school and how these will be addressed.

OVERALL AIMS OF THE POLICY

Safeguarding and the promotion of children's welfare is everybody's responsibility. The aim of this policy is to embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in the Code of Conduct are constantly adhered to, monitored and reinforced by all staff.

Keeping Children Safe in Education 2022 states that

‘As part of their whole school approach to safeguarding, schools and colleges should ensure they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.’

In order to achieve this purpose, Lealands High School will:

- Ensure that all staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour in themselves or others.
- Ensure that all staff are trained appropriately in safeguarding including the ability to recognise signs of concern and exercise a level of professional curiosity.
- Recognise the importance of professional boundaries and know when to report and to whom.
- Empower all staff to share any low-level concern with the Headteacher.
- Address any unprofessional behaviour and support the individual to correct it at an early stage.
- Identify concerning, problematic or inappropriate behaviour that may need to be consulted upon with the LADO.
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage.
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised.
- Creating a culture where staff feel able to self-refer.
- Help identify areas for development in the school’s safeguarding system as well as training needs.

What are low-level concerns?

The term ‘allegation of harm’ means that it is alleged that an adult’s behaviour meets the threshold as specified below; they have:

- 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, or
- Behaved in a way that indicates s/he may pose a risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Concerns may arise through, for example

- Suspicion
- Complaint
- Safeguarding concern or allegation from another member of staff
- Disclosure made by a child or other adult within or outside school
- Pre-employment vetting checks

If there is an allegation of harm, the member of staff must be reported to the Headteacher immediately and advice will be sought from the Local Authority's Designated Officer (LADO) (please see our Safeguarding Children Policy for further details about dealing with allegations of harm).

However, there may be occasions when an adult working with children in school acts in a way that does not cause risk to children and does not reach the thresholds described above but is still inappropriate. This could be a behaviour of low-level concern.

The term 'low-level' concern does not mean that it is insignificant; it means that the adult's behaviour towards the child does not reach the threshold set out above. A low-level concern is any concern, no matter how small, that causes a sense of unease or 'nagging doubt' because an adult may have acted in a way that is inconsistent with the school's code of conduct, including inappropriate conduct outside of work and, does not meet the allegations threshold or is otherwise not serious enough to consider a referral to the LADO.

Examples of low-level concerns include but are not limited to:

- being over friendly with children;
- having favourites;
- having photographs of children on their mobile phone;
- using inappropriate sexualised, intimidating or other offensive language or tone;
- engaging with a child on a one-to-one basis in a secluded area;
- humiliating students.

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

Staff do not need to determine whether the concern is an allegation of harm or is a low-level concern. Their role is to share the concern with the Headteacher who will determine whether it is a low-level concern or whether it meets the threshold for an allegation of harm. The Headteacher will then respond accordingly in line with this policy.

Sharing Low-level concerns

All low-level concerns are shared with the Headteacher as soon as reasonably possible and, in any event, within 24 hours of becoming aware of the concern when it relates to a specific incident. If the concern is about the Headteacher, the Chair of Governors must be contacted by the member of staff.

Self-referring

Occasionally, an adult within the school may find themselves in a situation that could be misinterpreted or might appear compromising to others. Equally an adult may, for whatever reason, have behaved in a way which, upon reflection, they consider may fall below the expected standards. Self-referring, in these circumstances, can be positive for a number of reasons;

- it is self-protective in that it enables a potentially difficult situation to be addressed at the earliest opportunity;

- it demonstrates awareness of the expected standards of behaviour;
- it helps to maintain an open culture where everyone recognises
- it aspires to the highest standards of conduct.

In line with KCSIE, the school aims to ensure that there is an environment in which staff feel confident to self-refer.

Recording Low-level concerns

Staff will initially be given the opportunity to share their low-level concern verbally with the Headteacher. If the concern is provided verbally, a written record of the conversation will be made by the Headteacher. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken. The Headteacher will use professional judgement to determine what information may be needed for safeguarding purposes. The name of the individual sharing the concern, and their role must be stated, as should the name and role of the person about whom the concern is being raised. The record will include brief context in which the low-level concern arose, and concise details which should be in chronological order and as precise and accurate as possible. The record must be signed, timed and dated by the person reporting the concern.

Responding to Low-level concerns

Once the Headteacher has received the low-level concern, they will do the following, but not necessarily in this order as a different sequence may be appropriate on different occasions:

- Speak to the person who has raised the concern, (unless it is anonymously).
- Speak to any potential witnesses (unless advice has been sought from the LADO and they have advised not to do so).
- Speak to the individual about whom the concern has been raised (unless advised by the LADO not to do so).
- Review the information and determine whether the behaviour:
 1. is entirely consistent with the code of conduct and the law;
 2. constitutes a low-level concern;
 3. is not serious enough to consider a referral to the LADO- but may merit consulting with and seeking advice from the LADO;
 4. when considered with any other low-level concerns that have previously been raised about the individual, could now meet the threshold of an allegation and should be referred to the LADO;
 5. meets the threshold of an allegation and should be referred to the LADO.

The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's code of conduct. The headteacher will be the ultimate decision-maker in respect of all low-level concerns.

Possible outcomes for Low-level concerns

If the behaviour is not of concern and is entirely consistent with our Code of Conduct, the Headteacher will:

- Update the individual who shared the concern;
- Update the person about whom the concern was raised;
- Consider if further training or explanation about low-level concerns is necessary.

If it is determined that the behaviour constitutes a low-level of concern, it will be responded to in a sensitive and proportionate way. Any further investigations will be done discreetly and on a need-to-know basis.

- Most low-level concerns are by their very nature likely to be minor.
- Some will require no more action than a conversation with the Headteacher or a senior member of staff.
- Others may be dealt with through management guidance or specific training.
- Ongoing and transparent monitoring of an individual's behaviour may be appropriate such as an action plan or risk assessment being put in place which would need to be agreed to by the individual.
- Some low-level concerns may raise issues of misconduct or poor performance and this may lead to the Headteacher taking advice from our HR provider.
- If a low-level concern relates to a supply agency or contractor, the concern will be raised with their employers who will respond to the concern according to their own procedures.
- Some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures which should then be followed where appropriate. (please see individual policies)

Storage of low-level concerns

Lealands High School will retain records of low-level concerns in a central low-levels concerns file in the Headteacher's PA Office. This file will be kept confidential and held securely and comply with the DPA 2018 and UK GDPR. Access will be given only to the Headteacher and the Deputy Headteacher. If multiple low-level concerns are shared about an individual, they will be kept in chronological order as a running record.

Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the Headteacher will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a low level concern to meeting the harm threshold. Records will be retained, at least until the individual leaves employment at the school.

Low-level concerns will not be kept in personnel files.

However, records relating to behaviour that was referred to the LADO will be placed on the staff member's personnel file. These files will be kept in accordance with Part 4 of KCSIE which requires schools to produce a clear and comprehensive summary of all allegations, details of how the allegations were followed up and resolved, a note of action taken and how the situation was resolved and decisions that were reached. A copy is also provided for the staff member.

The Headteacher reviews the Central low-level concerns file periodically to ensure that all concerns are being dealt with promptly and appropriately.

When a member of staff leaves, the relevant content of the low-level concerns file may be reviewed to ensure that it still has value and to assess whether it is necessary to keep or not. This is subject to the rights of an individual to object to or seek to erase or correct records about them under data protection law.

Low-level Concerns and references

Only safeguarding allegations that have been substantiated should be included in references. KCSIE states 'Where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.' Low-level concerns which have not met the threshold for a referral to the LADO should not be included in references unless they relate to issues that would normally be included in references such as misconduct or poor performance.