

# Low Level Concerns Policy

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<b>Reviewed By</b>	JE
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This policy should be read in conjunction with the School's

- *Safeguarding and Child Protection Policy,*
- *Management of Allegations Against Staff Policy*
- *e-Safety Policy*
- *Staff Code of Conduct and Disciplinary Policy*
- *Behaviour and Discipline Policy,*
- *Whistleblowing Policy,*
- *Data Protection Policy.*

## Principles

This policy will act 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 Staff 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.

## Aims

- 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
- 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.

## Definitions

*Low Level Concern* is any concern that an adult has acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work.
- doesn't meet the threshold of harm or is not considered serious enough for the school or college to refer to the local authority.

*The Harm Threshold* 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
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates he or she 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 (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 the School's Safeguarding Policy. These should be reported to the Head without delay.

Low-level concerns are part of a spectrum of behaviour which cause a sense of unease or a 'nagging doubt' This includes:

- inadvertent or thoughtless behaviour
- behaviour that might be considered inappropriate depending on the circumstances
- behaviour which is intended to enable abuse.

Examples of such behaviour could include:

- being over friendly with children
- having favourites
- adults 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
- using inappropriate sexualised, intimidating or offensive language.

## Responsibilities

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 read annually by all staff and is 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, without gossip and with the Head. This should be done without delay.

Where there are concerns/allegations about the Head, this should be referred to the

**Chair of the Board of Directors:**

Mr Simon Tyrrell

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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 should self-refer to the Head.

**Disclosing and Recording Low-Level Concerns**

All low-level concerns may be shared verbally with the Head in the first instance but must then be recorded in writing.

The record should include:

- details of the concern
- the context in which the concern arose
- action taken

The name of the individual sharing their concerns should also be noted, but if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Where the low-level concern is provided verbally, the Head should make an appropriate record of the conversation, either at the time or immediately following the discussion, paying heed to the details above. Records will be signed, timed and dated. Details of the concern will be recorded along with the rationale for decisions and action taken. The Head will hold a record of all low-level concerns.

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,
- being clear about the consequences if they fail to reach the standard required and maintain that, 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 individual's appraiser or the Head.

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

**Responding to a Low-Level Concern**

The Head will in the first instance satisfy themselves 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.

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 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 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 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 be considered as a whole and this may lead to re-classification as a higher level concern/allegation. The type of behaviour will then 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, coaching, mentoring, monitoring or other appropriate means. 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.

### **Monitoring of Low-Level Concerns**

The Head will securely retain confidential files on low-level concerns. A central log will be taken from the Board files by the Head and shared and monitored by the school's Senior Leadership Team on a monthly basis 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 nor any 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.

In monitoring low level concerns the school must always consider if any wider cultural issues in school enabled the behaviour to occur and if appropriate policies could be revised or extra training delivered to minimise the risk of recurrence.