



Low-Level Concerns Policy

Frequency of Review	Annual
Person responsible	DSL & Safeguarding Governor
Last update	September 2023
Date of last review by Governors	November 2023
Date of next review by Governors	November 2024

This Policy relates to the whole school including the Early Years Foundation Stage and is reviewed annually to ensure compliance with current regulations and law. It must be read alongside our Safeguarding (Child Protection) Policy, Safer Recruitment Policy, our Staff Code of Conduct Policy, Keeping Children Safe in Education (KCSIE) 2023, Part 4 and Working Together to Safeguard Children (2018, updated 2022)

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 school.

At Bute House Preparatory School we want to encourage a culture of openness, trust and transparency, in which our key values and expectations, as set out in our Safeguarding Policy are embedded, monitored and reinforced.

Who does the policy apply to?

This policy applies to all staff; those who work for, or on behalf of the School, regardless of their employment status, including contractors, supply staff, volunteers and Governors.

Keeping Children Safe in Education 2023

The following is taken from Keeping Children Safe in Education September 2023:

425. As part of their whole school approach to safeguarding, schools and colleges should ensure that 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.

426. Creating a culture in which all concerns about adults (including allegations that do not meet the harm threshold (see Part Four - Section one) are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should encourage an open and transparent culture; enable schools and colleges to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

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 Policy, and
- does not meet the allegations threshold for our Local Safeguarding Children's Partnership or is otherwise not considered serious enough to make a referral to the Local Authority Designated Officer

Examples of low-level concerns may include:

- 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
- 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 Staff Code of Conduct Policy) 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.

Please refer to the 'Spectrum of Behaviour' in Appendix 2

Reporting low-level concerns

Where a low-level concern has been identified, this will be reported as soon as possible to the Head, who will inform the DSL, as necessary. It is never too late to share a low-level concern.

Low-level concerns about the Designated Safeguarding Lead will be reported to the Head and those about the Head will be reported to the Chair of Governors.

Where the low-level concern has been reported to the Designated Safeguarding Lead, he/she will inform the Head 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. (see Appendix 1)

Where concerns are reported verbally to the Head, this will be recorded in writing and 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 Head 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 (advice from the DSL & DFO 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 the next steps. If they:

- are consistent with the school's Staff Code of Conduct Policy: no further action will be required
- constitute a low-level concern: 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.
- are serious enough to consult with or refer to the LADO: a referral should be made to the LADO and HR advice will be taken from the Bursar.

When allegations raise a safeguarding concern, procedures within the school's Safeguarding Policy and Disciplinary Policy will be followed:

Allegations will be considered alongside any other low-level concerns that have previously been raised about the same individual. They will then be referred to the LADO or Police if deemed necessary by the Head and DSL. If the concern is referred to the LADO or Police, the school's safeguarding procedures will be followed.

When considered with any other low-level concerns that have previously been 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 used to make that decision
- 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 (i.e. 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 Staff Code of Conduct Policy. 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 Staff Code of Conduct Policy

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

Should the low-level concerns file be reviewed?

The records will be reviewed periodically by the Head, as well as when 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 Head 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. The safeguarding governor may also review an anonymised sample to ensure that these concerns have been handled appropriately.

Policy created by: Giles Puckle (Designated Safeguarding Lead)

September 2023

Review date: November 2024

Key Reference Document

Read this document for further information about Low-Level Concerns, which is referenced in KCSIE 2023.

APPENDIX 1: Low-Level Concern Form

Please use this form to share any concern, no matter how small, and even if no more than a 'nagging doubt' that an adult may have acted in a manner which:

- is not consistent with Bute House Preparatory School's Staff Code of Conduct Policy 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.

You should provide a concise record – including a brief context in which the low-level concern arose, and details which are chronological, and be as precise and accurate as possible – of any such concern and relevant incident(s). Please use a separate sheet if necessary.

The record will ideally be signed and should be timed and dated.

Details of concern	Name of staff member - Department & Role
Name of Child(ren) involved (if any):	

Received by: _____ (Time) On: _____ (Date)

Action Taken: (Specify)

Signed (optional):

Time & Date:

APPENDIX 2: Spectrum of Behaviour Overview

Concern or allegation that may meet harm threshold

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; and/or
- possibly committed a criminal offence against or related to a child; and/or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

Low-level concern

Does not mean that it is insignificant. 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 with children may have acted in a way that:

- is inconsistent with an organisation’s staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the harm threshold, or is otherwise not serious enough to merit a referral to the LADO.

Appropriate conduct

Behaviour which is entirely consistent with the organisation’s staff code of conduct, and the law.