

Low-Level Concerns Policy

1.Introduction

At Fox Wood School we take safeguarding very seriously. This includes ensuring that adults who work with children do so in a way that is in accordance with the ethos and policies set out by the school, including the Staff Code of Conduct. This policy sets out the detail and processes for staff regarding low-level concerns they may have.

2. Summary

It may be possible that a member of staff acts in a way that does not cause risk to children but is inappropriate. A member of staff who has a concern about another member of staff should inform the Headteacher about their concern using a Low-Level Record of Concern form (Appendix 1). If the Headteacher cannot be contacted, the Deputy Headteacher should be informed.

A low-level concern form should be completed in all cases. The form is available on the school system "Library" – "Safeguarding" or directly from:

- Headteacher
- Deputy Headteacher

It can also be requested via email from the above people

3.Low Level Concerns

The Headteacher or the Deputy Headteacher may contact the LADO for advice regarding whether a concern meets the harm threshold. A low level concern is not insignificant, but is one that does not meet the threshold for harm and a referral through to the LADO. If a referral to LADO needs to be made, the school will follow the Whistleblowing Policy (see separate policy)

It includes behaviour such as:

- Being overfamiliar with children
- Having favourites
- Shouting at a child
- Acting inconsistently with the school code of conduct
- 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
- Inappropriate behaviour out of work such as use of drugs, inebriation or acting in a way that brings disrepute on the school or teaching profession.

These concerns would commonly not have any direct harm to children but may be the result of carelessness or thoughtlessness.

4. Investigation of Low Level Concerns

The Headteacher or Deputy Headteacher will follow up on all low-level investigations. They should talk to the person reporting the concern (unless this is

anonymous) and follow up with the person who the concern is raised about and any witnesses.

The Headteacher will consider the full details of concerns, if they are unsure if the allegation meets the harm criteria or not then they will consult the LADO for advice and guidance.

If the concern is deemed low level, they will gather information and take any appropriate action, this may involve necessary actions such as a disciplinary, retraining or rewriting policies. The record will be kept on the person's personnel file.

Low level concerns which are shared about supply staff and contractors will be notified to their employers.

In the event of other allegations being made which meet the Harm criteria for a referral to the LADO, the Headteacher will share this information fully with the LADO as this will identify any patterns or escalation in behaviour.

5. Clarity around Allegation vs Low-Level Concerns vs Appropriate Conduct

Keeping Children Safe in Education gives clear guidance around these concerns:

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; 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, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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 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 allegation threshold, or is otherwise not serious enough to consider a referral to the LADO - but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

Appropriate Conduct

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

6. Storage and use of Low-Level Concerns and Follow-up Information

Low-Level Concern forms (Appendix 1) and follow up information will be stored securely on an individual's personnel file, with access only by the Senior Leadership Team. This will be stored in accordance with the school's GDPR and data protection

policies. The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Headteacher or in their absence the Deputy Headteacher.

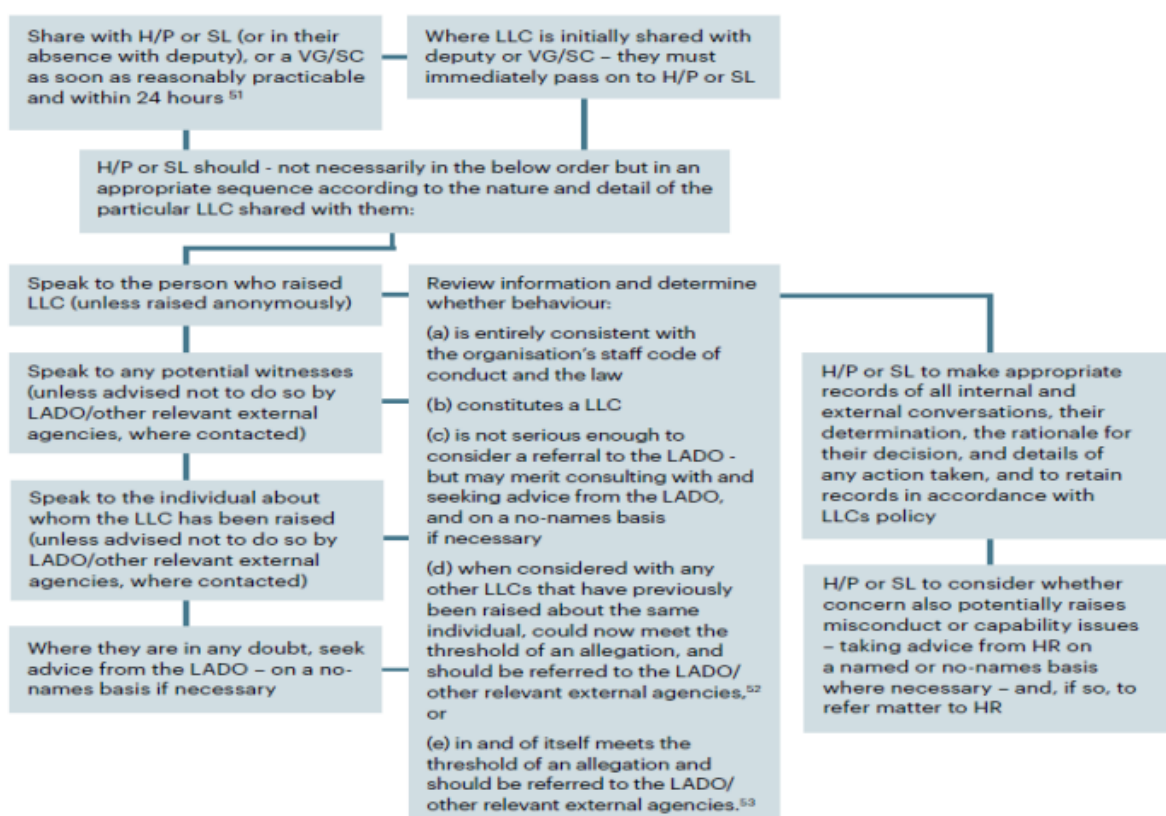
Low Level Concerns will not be referred to in references unless they have been formalised into more significant concerns resulting in disciplinary or misconduct procedures. Whenever staff leave Fox Wood School any record of low-level concerns which are stored about them will be reviewed as to whether or not that information needs to be kept.

Consideration will be given to:

- a) Whether some or all of the information contained within any record may have any reasonably likely value in terms of any potential historic employment or abuse claim so as to justify keeping it, in line with normal safeguarding records practice;
- b) or, b) If, on balance, any record is not considered to have any reasonably likely value, still less actionable concern, and ought to be deleted accordingly.

KCSIE now requires low-level concerns to be shared with the Headteacher/Principal – unless they relate to the Headteacher/Principal – as per paragraph 74 of KCSIE (set out in our main guidance).⁵⁰

ACTION REQUIRED



Appendix 1 – Low Level Concerns Form

Staff should use this form to share any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ – that an adult may have acted in a way that:

- is inconsistent with Fox Wood School'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 consider a referral to the LADO.

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

The record should be signed, timed and dated.

Appendix 1

[illegible]