

Low level concern policy

September 2023



Version:	1/2023
Ratified by the Governing Body:	26th September 2023
Signed by the Governing Body:	<i>Wendy Sartain</i>
To be reviewed (annually):	September 2024

Intent

The Pines school understands the importance of acknowledging, recording and reporting all safeguarding concerns, regardless of their perceived severity. We understand that, while a concern may be low-level, that concern can escalate over time to become much more serious. Our school prides itself on creating a safe and happy environment for pupils, and our staff are expected to adhere to high standards of behaviour when it comes to professional conduct regarding pupils. The school has clear professional boundaries that all staff are made aware of through the code of conduct and will adhere to. We are committed to ensuring that any safeguarding concerns are dealt with as soon as they arise.

This policy applies to all concerns (including allegations) about members of staff, including supply teachers, therapists, volunteers and contractors, which do not meet the harm threshold, set out in Keeping Children Safe in Education, KCSiE 2023. This policy should be read in conjunction with the Safeguarding and Child Protection Policy 2023.

Concerns may arise through, for example:

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

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children. This policy will be available to all staff and will be included (appendix 8) in the Safeguarding and child protection policy. Electronic copies of the concern form will be available on the shared staff drive and paper copies available on the safeguarding boards in staff areas.

Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- DfE (2023) 'Keeping children safe in education 2023'
- DfE (2018) 'Working Together to Safeguard Children'

This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- Staff Code of Conduct
- Whistleblowing Policy

Definition of low-level concerns

For the purposes of this policy, a low-level concern is defined as any concern had about an adult's behaviour towards, or concerning, a child that does not meet the harms threshold (see section 23 in the Safeguarding and Child Protection Policy), or is otherwise not serious enough to consider a referral at the time of its reporting. Low-level concerns refer to behaviour on the part of a staff member towards pupils that is considered inappropriate in line with statutory safeguarding advice or the Staff Code of Conduct.

The term 'low-level' concern is any concern – no matter how small – 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 designated officer at the local authority

Examples of such behaviour could include, but are not limited to:

- Being overly 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
- Humiliating pupils

Roles and responsibilities

The governing board will

- Ensure the school complies with its duties under child protection and safeguarding legislation through regular reports shared at governors meetings at least termly.
- Ensure that policies, procedures, are compliant and effective.
- Approve the Staff code of conduct annually.
- Ensure that all DSLs are suitably trained DSL and appointed.
- Ensure that there are appropriate procedures in place to handle allegations and low-level concerns reported against members of staff under the different policies and guidance.

The Head Teacher is responsible for:

- Being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level.
- Assessing whether safeguarding concerns about staff members meet the threshold for being termed an allegation, or whether they are low-level concerns.
- Implementing this policy, and all related policies, throughout the school, and ensuring that staff adhere to it at all times.
- Safeguarding pupils' wellbeing and maintaining public trust in the teaching profession.
- Ensuring that all staff have undertaken safeguarding training.
- Ensuring that all staff have an ongoing awareness of low-level concerns and reporting procedures.

The DSL team are responsible (in the Headteachers absence) for:

- Being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level.
- Following all procedures outlined in this policy for acting upon low-level concerns.
- Liaising with the Head Teacher, staff members, the governing board and all relevant agencies to act upon concerns, where necessary.
- Keeping detailed, accurate and secure records of all low-level concerns and any actions taken.

All staff are responsible for:

- Adhering to all the relevant policies and procedures, including acting within the Staff Code of Conduct at all times.
- Interacting with pupils in a way that is respectful and appropriate for their level of authority and has due regard to the power imbalance between pupils and staff members.
- Understanding the importance of reporting low-level safeguarding concerns.
- Reporting any and all safeguarding concerns they may have about pupils immediately using My Concern and speaking to DSLs.
- Reporting all safeguarding concerns they may have about the behaviour of a member of staff immediately to the headteacher in the first instance.

Sharing low-level concerns

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.

At The Pines School we do this through:

- Ensuring 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 and others
- Empowering staff to share any low-level concerns
- Empowering staff to self-refer
- 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
- Helping to identify any weakness in the school's safeguarding system

If you have a low-level concern then you must fill in the low-level concern form within 24 hours and hand this to the Headteacher. In her absence another DSL. Do not discuss with another colleague. You may also want to discuss the concern in the first instance with the Headteacher without completing the form and advice will be given.

Responding to low-level concerns

If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses
- Review the information and determine whether the behaviour in question is consistent with the Staff Code of Conduct and the law or constitutes a low-level concern;
- If they are in any doubt, seek advice from the LADO – on a no-names basis if necessary;
- Consider whether the concern also potentially raises misconduct or capability issues – taking advice from HR on a named or no-names basis where necessary – and, if so, refer the matter to HR.

Usually, there will be a perfectly innocent explanation for what has occurred, and staff should not feel awkward about making a report or being the subject of a report. Reporting these types of concerns is a neutral act and the Head or DSL will, on receiving a report, decide how to best approach the concern raised.

A member of staff who shares a low-level concern, or a more serious allegation, in good faith will suffer no detriment as a result. We all have a duty to safeguard all of our pupils.

The headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

Record keeping

All low-level concerns will be recorded in writing. 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.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR. Paper copies will be locked in the Headteachers office.
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.
- Retained at least until the individual leaves employment at the school

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified

References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

Review

This Policy is reviewed and updated at least annually, by the Governors in conjunction with the annual Child protection and safeguarding policy.

Received by:	
Time and date:	
Action taken:	
Signed	

This record will be held securely in accordance with The Pines School low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but The Pines School, may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.

