

**PENRYN COLLEGE**

**Low Level Concerns Policy**

**Approved by:** Full Governing Body July 2022

**Responsible SLT member:** Dan Mather AST Safeguarding

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## **Low Level Concerns Policy**

This Policy is reviewed annually to ensure compliance with current regulations and law and must be read in conjunction with our Child Protection and Safeguarding Policy and other relevant Penryn College policies.

### **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. Its purpose is to help create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in our Child Protection and Safeguarding policy are lived, monitored, and reinforced.

The policy should be read in conjunction with the current statutory guidance – “Keeping Children Safe in Education” Part 4, Section 2.

### **Who does the policy apply to?**

This policy applies to all staff and other individuals who work or volunteer in school.

### **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, and
- does not meet the allegations threshold or is otherwise not considered serious enough to make a referral to the LADO

Examples of behaviour that could require reporting of a low-level concern include, but are not limited to:

- 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; or,
- 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), 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.

### **Reporting low-level concerns**

Where a low-level concern has been identified, this will be reported as soon as possible to the headteacher. However, it is never too late to share a low-level concern if this has not already happened.

Where the Headteacher is not available, the information will be reported to the designated safeguarding lead (or deputy).

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

Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Headteacher 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.

Where concerns are reported verbally to the Headteacher and/or DSL a record of the conversation will be made by the Headteacher and/or DSL which 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 headteacher and/or DSL 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 (HR advice 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 whether the behaviour:

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

Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed:

- when considered with any other low-level concerns that have previously been

raised about the same individual, should be reclassified as an allegation and referred to the LADO or Police: a referral should be made to the LADO and HR advice taken from the Bursar. In this case the school's Staff Behaviour and Code of Contact within the Child Protection and Safeguarding Policy and Disciplinary Policy will be followed

When considered with any other low-level concerns that have previously be made, records will be made of:

- all internal conversations including any relevant witness
- all external conversations, e.g. with the LADO
- the decision and the rationale for it
- 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 (ie 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 Behaviour and Code of Conduct. 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 Behaviour and Code of Conduct**

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

#### **Record keeping and reviewing**

The school will retain all records of low-level concerns, including those that were found to be unfounded. The headteacher will ensure that all records include the most accurate and up-to-date information and will store them in the electronic low-level concerns file. The headteacher will ensure that all low-level concerns are stored together, in an organised and consistent manner, to ensure they can be easily reviewed and analysed where necessary.

Records will include:

- A clear and comprehensive summary of the concern.
- Details of how the concern was followed up and resolved.
- A note of any action taken, decisions reached, and the outcome.
- The name of the individual sharing concerns – if the individual wishes to remain anonymous, this will be respected as far as reasonably possible.

The DSL will periodically review the recent low-level concerns made to ensure that they are being appropriately dealt with and to check for any concerning behaviour patterns amongst the staff cohort as a whole. The DSL will keep records of these reviews.

The records will be reviewed periodically, and whenever 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.

The DSL will ensure that all records are kept in a manner that is consistent with the Data Protection Policy. Records will be confidential, kept password-protected, and securely destroyed after the staff member to whom the concerns pertain has left the school.

### **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.

### **Roles and responsibilities**

The governing board is responsible for:

- Ensuring that the school complies with its duties under child protection and safeguarding legislation.
- Ensuring that policies, procedures and training opportunities with regard to reporting safeguarding concerns are compliant and effective.
- Guaranteeing that there is an effective Staff Code of Conduct that outlines behavioural expectations.
- Ensuring that a suitably trained DSL has been appointed, alongside deputy DSLs where appropriate.
- Ensuring that there are robust reporting arrangements, including inter-agency collaboration.
- Ensuring that there are appropriate procedures in place to handle allegations and low-level concerns reported against members of staff.

The headteacher 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 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.
- Following all procedures outlined in this policy for acting upon low-level concerns.
- Liaising with the headteacher, 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.

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.
- Reporting any and all safeguarding concerns they may have about the behaviour of a member of staff immediately.