



Withycombe Raleigh C of E Primary School

Low-Level Concern Policy



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1. Introduction

At Withycombe Raleigh C of E Primary 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 however concerning or inappropriate. Any member of staff who has a concern about another member of staff should inform the Head Teacher (or Deputy Head Teacher in their absence) about their concern using a Low-Level Record of Concern Form. If the Head Teacher or Deputy Head Teacher cannot be contacted or if the concern is regarding the Headteacher the Chair of Governors should be contacted instead.

3. Keeping Children Safe in Education

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

Low-level concerns

425. As part of their whole school or college 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 101 supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

426. Creating a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should:

- enable schools and colleges to identify inappropriate, problematic or concerning 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.

What is a low-level concern?

427. The term '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 in or on behalf of the school or college 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 harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to (see WRPS Code of Conduct):

- being over-friendly with children or having favourites
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- humiliating children
- being overly aggressive, offensive or intimidating towards other adults

428. 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.

429. Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

430. It is crucial that all low-level concerns are shared responsibly 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 becoming the subject of potential false low-level concerns or misunderstandings.

Staff code of conduct and safeguarding policies

431. They (schools) should make it clear what a low-level concern is and the importance of sharing low-level concerns, and an explanation of what the purpose of the policy is – i.e., to create and embed a culture of openness, trust and transparency in which the school's values and expected behaviour set out in the staff code of conduct are lived, monitored and reinforced constantly by all staff.

433. Schools and colleges can achieve the purpose of their low-level concerns policy by:

- ensuring their staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others
- empowering staff to share any low-level safeguarding concerns
- addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- handling and responding to such concerns sensitively and proportionately when they are raised, and
- helping identify any weakness in the school or colleges safeguarding system. Sharing low-level concerns

435. Low-level concerns which are shared about supply staff and contractors should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

4. Clarity around Allegation vs Low Level Concern Vs Appropriate Conduct

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;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Low-Level Concern

Any concern – no matter how small, even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with an organisation’s Code of Conduct, 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.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation’s Code of Conduct, and the law.

5. Reporting and Recording Low-Level Concerns

Low-level concerns at Withycombe Raleigh can be shared confidentially.

All low-level concerns relating to safeguarding are shared initially with the Headteacher or the Deputy Headteacher. The Deputy should inform the Headteacher about all the low-level concerns in a timely fashion according to the nature of each particular low-level concern. If the concern is regarding the Headteacher, the Chair of Governors should be contacted.

The Headteacher (Chair of Governors in cases of concerns raised about the Headteacher) should be the ultimate decision maker in respect of all low-level concerns, although it is recognised that a more collaborative decision-making approach between Headteacher and Deputy is normal.

If any doubt exists as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, the Headteacher / Deputy/Chair of Governors will consult with their LADO.

Staff are also 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 the expected professional standards.

Low-level concerns should be recorded on the school 'Low-Level Concern Form' in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible. The 'Low-Level Concern Form' can be found in the Behaviour Folder, within the Teachers' Drive.

The Headteacher and Deputy Headteacher (Chair of Governors) will assess each form received to establish the nature of the concern and whether it meets the definition of a low-level concern. This will determine if a record will be kept.

Records are kept, confidentially and held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). They will be added to an individual's personal file. Records will be retained at least until the individual leaves their employment at Witherby Primary.

Records will be reviewed by the Headteacher (Chair of Governors) so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the school will decide on an appropriate course of action.

Consideration will be given to whether there are wider cultural issues within the school that enable the behaviour to occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.

Low-level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference.

6. Responding to Low-Level Concerns

If the concern has been raised via a third party, the Headteacher (or Deputy/Chair of Governors) should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously, and
- to the individual involved and any witnesses.

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. This information needs to be recorded in writing along with the rationale for their decisions and action taken.

7. Low-Level Concern Form

Low-Level Concern Form

This form can be used to share any concern with the Headteacher or Deputy Headteacher, no matter how small or seemingly insignificant, 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 the Schools' Code of Conduct [including inappropriate conduct outside of work] and/or in a way that on first glance does not appear to meet the allegation, 'harm' threshold. If the concern is related to the Headteacher, the form should be shared with the Chair of Governors.

A concise record is required, including brief context in which the low-level concern arose, plus details which are chronological, precise and as accurate as possible, of any such concern and /or relevant incident[s]. [Continue on separate sheets as necessary]. The form should be signed, timed and dated.

Details of CONCERN:

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Name of Staff member:

Department and Role:

Signed:

Time and Date:

Received by:

At [time]:

Date:

WAS THE STAFF MEMBER SPOKEN TO? [Good practice will require a response].

NO - Give a brief but valid reason/explanation for not;

YES - Please complete detail below - STAFF MEMBER'S RESPONSE TO CONCERN:

ACTION TAKEN:

Was advice/guidance sought from the LADO and or Human Resources? Yes: No:

Signed:

Dated:

This record form will be held securely, either digitally or in paper form, in one central file in accordance with the School's Code of Conduct and any associated guidance regarding the management of concerns and or allegations and in accordance with School's Data Management practices/policies.

Low-Level Concern reporting will be treated as confidential as far as possible, however in certain circumstances it may be necessary to share and or disclose the information with third parties for relevant and necessary reasons. This includes where a reporter has indicated they wish to remain anonymous.