



St George's Primary School

Low- level Concerns about Staff (including Supply Staff, Contractors and Volunteers) Policy

Reviewed by: The Governing Body

Review period: Annual

Updated: March 2022

Next review date: September 2023

Guidance: *Working Together to Safeguard Children* (2018); *KCSIE* (2022)

Linked Policies: Staff Code of Conduct; Child Protection Policy & Procedures; Dignity at Work Policy; Whistleblowing Policy, Volunteer Policy

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Rationale

This policy should be read in conjunction with St George Primary School's Child Protection Policy, the Appendix to the Child Protection Policy, Staff Code of Conduct, Policy for Safer Working Practice, Dignity at Work Policy, and Whistleblowing Policy, to enable staff to share their concerns, no matter how small, about their own or another member of staff's behaviour and those of supply staff, contractors, and volunteers. KCSIE 2022 includes the requirement for schools to create a low-level concerns policy.

Keeping Children Safe in Education September 2022

The following is taken from Keeping Children Safe in Education September 2022

*Para 424. 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.*

*Para 425. Creating a culture in which **all** concerns about) 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.*

The purpose of the policy is to create and embed a culture of openness, trust, and transparency in which the clear values and expected behaviour which are set out in the school's Code of Conduct and Policy for Safer Working Practice are constantly lived, monitored, and reinforced by all staff. The school deals with all concerns about adults working in or on behalf of the school appropriately and promptly.

The school seeks to create an environment where staff are 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 expected professional standards.

This policy seeks to

- ensure that staff are clear about, and confident to distinguish between, expected and appropriate behaviour from concerning, problematic or inappropriate behaviour – in themselves and others, and the delineation of professional boundaries and reporting lines
- empower staff to share any low-level concerns with the Headteacher
- help staff address unprofessional behaviour and help the individual to correct such behaviour at an early stage
- identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the LADO (Local Authority Designated Officer, Pamela Cope)
- provide for responsive, sensitive, and proportionate handling of such concerns when they are raised
- help identify any weaknesses in the organisation's safeguarding system.

This policy applies to **all** staff at St George Primary School, and supply staff, contractors and volunteers who work within the school.

Clarity around Allegation vs Low-level Concern vs Appropriate Conduct

What is a low-level concern?

A low-level concern is one that **does not** meet the **harm threshold** as stated in the school's Child Protection Policy. That is, when anyone working in a school (including volunteers, supply staff and contractors) 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 he or she 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 (which includes behaviour that may have happened **outside** school posing a transferable risk to children).

Responses and actions to behaviours that may meet the harm threshold are contained specifically within section 10 of the School's Child Protection Policy, and 'Allegations Regarding Staff (Supply Staff, Contractors and Volunteers) Policy'. These should be reported to the Headteacher without delay.

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' (i.e. they *believe* it could be a concern) – 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 LADO.

Examples of such behaviour could 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 ultimately intended to enable abuse.

The table below explains the classifications Allegations 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.

Responsibilities of Staff

- It is important that **all** staff are clear of the expectations the school stipulates from them as contained in the Staff Code of Conduct. This is covered annually by the Designated Safeguarding Lead, and as part of the school's induction for new staff.
- It is crucial that **any** concerns in relation to a staff member's behaviour, including those which do not meet the harm threshold, are shared responsibly and with the Headteacher. This should be done without delay.
- Where there are concerns/allegations about the Headteacher, this should be referred to the Chair of Governors (whose contact details can be found in the School's Child Protection Policy document).
- Staff members who are concerned about how their behaviour may have been interpreted, or, on reflection, re-evaluate their behaviour as one that may have been in contrary to the school's code of conduct and expectations, they self-refer to the Headteacher.

Reporting of Low-Level Concerns

All low-level concerns may be shared verbally with the Headteacher in the first instance, but must then be recorded in writing, using the Low-level Concerns Report Form stored on the school shared drive. If the concern is about the Headteacher, the report should be submitted to the Chair of Governors.

The record should include:

- details of the concern
- the context in which the concern arose
- action taken
- The name of the individual sharing their concerns should also be noted, but if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Where the low-level concern is provided verbally, the Headteacher should make an appropriate record of the conversation, either at the time or immediately following the discussion, paying heed to the details above. Records will be signed, timed, and dated.

Storage of Records

Records will remain confidential in accordance with the school's Data Protection policies and Data Protection and GDPR 2018. These will be stored in colleague's EVERY file. Only accessed by SLT and Hr manager.

Responding to a Low-Level Concern

The Headteacher will in the first instance satisfy himself that it is a low-level concern and should not be reclassified as a higher-level concern/allegation and dealt with under the appropriate procedure below.

The circumstances in which a low-level concern might be reclassified are where:

- (a) the threshold is met for a higher-level concern/allegation
- (b) there is a pattern of low-level concerns which collectively amount to a higher-level concern/allegation or
- (c) there is other information which, when taken into account, leads to a higher-level concern/allegation.

Where the Headteacher is in any doubt whatsoever, advice will be sought from the LADO, if necessary, on a 'no-names' basis.

Having established that the concern is low-level, the Headteacher will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. If the concern has been raised via a third party, the Headteacher should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously.
- 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. All information needs to be recorded along with the rationale for their decisions and

action taken. Reports about supply staff and contractors will be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training etc. In dealing with a low-level concern with a member of staff, this will be approached in a sensitive and proportionate way. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

Details of the concern will be recorded along with the rationale for decisions and action taken.

Any conversation with a member of staff following a concern will include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question. Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment may be required. Some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures, which will be followed where appropriate. Some concerns may be related to performance management and advice may be sought from the school's HR manager.

Record Keeping and Monitoring of Low-Level Concerns

The Headteacher will securely retain confidential files on low-level concerns. These will be securely stored in a colleague's EVERY HR file. A central log will be shared and monitored by the school's Senior Leadership Team monthly to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record will be kept of this review within SLT Minutes.

No record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- (a) the concern (or group of concerns) has been reclassified as a higher-level concern, or
- (b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability, or disciplinary procedure.

Further References

Farrer & Co – Developing and implementing a low-level concerns policy: a guide for organizations which work with children – Adele Eastman, Jane Foster, Owen O'Rorke and David Smellie. 2020

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concerns-guidance-2020.pdf>

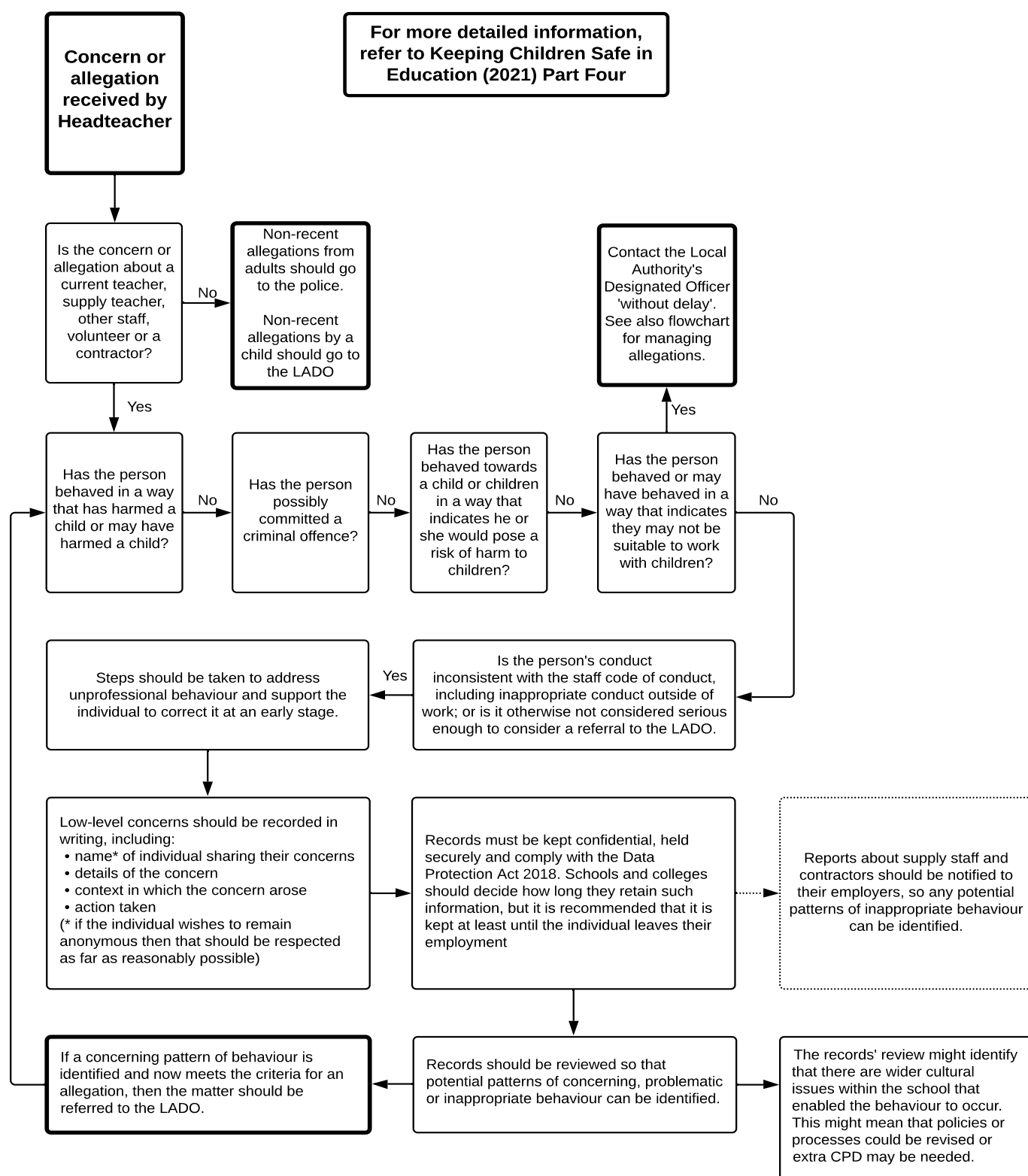
Department for Education, Keeping Children Safe in Education 2022

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007260/Keeping_children_safe_in_education_2021.pdf

Working together to Safeguard Children. Statutory guidance on inter-agency working to safeguard and promote the welfare of children.

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

Managing low level concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors



What is a low level concern?

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out at KCSIE (2021) paragraph 338. 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 allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.



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Low Level Concern Reporting Form

Name of adult sharing the concern:	
Name of adult concern is about:	
Date of concern being shared:	
Time of concern being shared:	
Referrer signature (not required if e-mailed)	

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 St George Primary School 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.

Share your concerns with the headteacher as soon as possible having recorded them on this form. If the concern is about the Headteacher, please pass it onto the Chair of Governors in a sealed envelope via the school office or by emailing him using frpauelliott@liscard.wirral.sch.uk

See the table below for a definition:

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.

Details of concern (please be specific using guidance above)	
Headteacher/Chair of Governors signature:	
Date received by CoG/Headteacher:	

Actions and Decisions (include rationale)				

Was advice sought from LADO	Yes	No	Date (if applicable)	
Was advice sought from HR advisors	Yes	No	Date (if applicable)	
Did a meeting take place with the member of staff subject to the allegation?	Yes	No	Date (if applicable)	
Was this record uploaded to EVERY?	Yes	No	Date (if applicable)	
Headteacher/Chair of Governor Signature:	Date:		Date:	