



Prior Weston Primary School and Children's Centre

Low Level Staff Concerns Policy

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	Name	Date
Head Teacher	Fiona MacCorquodale	Sept 2021
Governing Body		Sept 2021
Next review date	Sept 2022	
Reviewed by	Bernadette Frain-Atallah	

Low Level Concerns

The safety and wellbeing of children in our school is dependent on the vigilance of all our staff and their prompt communication to the Headteacher of any concerns, no matter how small, about any conduct by an adult which causes you to doubt that adult's suitability to work with or have access to children. All references in this section to "adult" should be interpreted as meaning any adult (defined above) and any visitor, unless otherwise stated.

The school is conscious of its duty of care to pupils and will always act, including if alerted to the possibility of abuse arising from situations or persons outside the school setting. The notification and prompt handling of all concerns about adults is fundamental to safeguarding children. It helps to identify and prevent abuse and to protect adults against misunderstandings or misinterpretations. It also encourages openness, trust and transparency and it clarifies expected behaviours. Those raising concerns or reporting allegations in good faith will always be supported, and adults in respect of whom concerns or allegations have been raised will not suffer any detriment unless the concern or allegation is found to be substantiated.

We are a 'telling' organisation If you are concerned about the behaviour or actions of any adult... speak to the Headteacher

The overarching aim of the school's Low-Level Concern Policy is to facilitate a culture in which the clear values and expected behaviours which are set out in our Code of Conduct are lived, constantly monitored, and reinforced by all staff. In particular, the intention of this policy is to:

- maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines;
- ensure staff feel empowered to raise any low-level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct; and Safeguarding and Child Protection

- provide for responsive, sensitive and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from false allegations or misunderstandings.

Scope and References

This Policy sets out good practice and provides guidance on how to deal with situations and put in safeguards where a low-level concern may be encountered to ensure promoting of a safe culture and preventing possible harm. It will work in conjunction with all Prior Weston policies and procedures, including, but not exclusive to, Safeguarding Policy, Code of Practice, Inclusion Policy, GDPR, Health and Safety, Prevent Strategy, Safer Recruitment Policy, Teachers Standards and EYFS Welfare Requirements.

This policy has been written with reference to KCSIE 2021, *Farrer & Co Developing and implementing a low-level concerns policy: A guide for organisations which work with children 2020* and *Farrer & Co Safeguarding Children: dealing with low-level concerns about adults May 2017*.

Implementing this written Low Level policy

Initial points to consider are firstly that a written policy is a recommendation under KCSIE 2021. It can be incorporated within an existing policy, or be written as a stand-alone, as this is. Implementation is key and for this to be effective, the policy must have a 'buy in' from all staff and leaders across the organisation must be seen to adhere to and model the expected values and behaviour of the organisation as written in the policy.

For staff to understand and engage with the policy, it will be necessary to provide training. This will be incorporated in both the Safeguarding Induction Training for new staff and the Annual Safeguarding Training for all staff.

Difference between an Allegation and a Low Level Concern.

A culture encouraging reporting of Low-Level Concerns enables to staff to share any concerns they may have, no matter how small, about their own or their colleagues' behaviour.

Concerns should not be limited to Safeguarding but could relate to behaviour which does not meet the professional standards expected within Prior Weston School and Children's Centre

The term '**allegation**' means that it is alleged that a person 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;
- or behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

An **allegation** can also relate to an adult's behaviour outside of work, and their relationships with others, if they:

- have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include an arrest for the possession of a weapon;
- have, as a parent or carer, become subject to child protection procedures;
- are closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/volunteering.

A low-level concern for this purpose is any concern, no matter how small and even if no more than a 'nagging doubt', that an adult may have acted in a manner inconsistent with the school's Code of Conduct or simply – even if not linked to a particular act or omission – a sense of unease as to the adult's behaviour particularly towards or around children.

Low-Level Concerns about self (self-reporting) Low-Level Concerns about an adult From time to time an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct. Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the school sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

From time to time an individual may notice behaviour or actions in others which leave them concerned. These are behaviour or actions which fall short of a formal allegation of abuse. These tend to be behaviours which indicate that our Code of Conduct has not been met.

Any such concerns can be dealt with as a Low-Level Concern.

What should I do if I have one?

It is necessary to ensure a culture of openness and trust is fostered within an organisation in which staff can share any concerns about the conduct of colleagues and be assured that these will be received in a sensitive manner. It is well documented that organisational child sexual abuse is often preceded by grooming, and that such conduct was observed and considered questionable. This could be targeted at protective adults, not just children or vulnerable adults. This behaviour was rarely reported to the relevant individual in the organisation, was not recorded, and not available later for evaluation of patterns emerging. Research has shown that it is not possible for individuals to accurately judge people, as there is no one profile to describe everyone who abuses a child, so focus should be placed upon specific behaviours.

To minimise the risk of situational offending, there needs to be a culture of allowing the confidence to speak out. This requires a robust framework, policy, training, support and

leadership to facilitate this and a willingness to accept that abuse could happen in any organisation.

Where a low-level concern exists it should be reported to the Headteacher as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident) If the concerns involves the Headteacher then it should be reported to the Chair of Governors.

How will my low-level concern be handled?

The Headteacher will, in the first instance, satisfy him/herself that it is a low-level concern and should not be reclassified as an allegation and dealt with under the appropriate procedure (outlined in the Safeguarding and Child Protection Policy). The circumstances in which a low-level concern might be reclassified as an allegation are where:

- a) the threshold is met for an allegation
- b) there is a pattern of low-level concerns which collectively amount to an allegation or
- c) there is other information which when taken into account leads to an 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 as appropriate will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. 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.

What records will be kept?

Where a low-level concern has been communicated, a confidential record will be kept in a central file which logs all low-level concerns. This is necessary to enable any patterns to be identified. However, 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 an allegation as above; or Safeguarding and Child Protection Policy and Procedure
- b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.

Data Protection

The Data Protection Act 2018 makes specific provision for the processing of personal data necessary for safeguarding children from harm. The Information Sharing Code of Practice (Information Commissioner's Office 2019) specifically cites safeguarding of children as a 'clear example of a compelling reason' to share personal data. Where a concern is low-level, rather than an allegation, the balance between safeguarding interest and personal data rights will be considered carefully to ensure it is a reasonably necessary measure that the data should be shared.

How should Low Level Concerns be held?

Records should be retained (including those subsequently deemed to relate to behaviour which is entirely consistent with the Code of Conduct) in the Safeguarding Log held by the Headteacher. Where there are multiple low-level concerns relating to the same individual these will be kept in chronological order as a running record. These records should be kept confidential and held securely with only the Headteacher or HR having access.

Where concerns also involve issues of misconduct or poor performance, or disciplinary, grievance or whistleblowing procedures are triggered, the normal records required would still be made and kept according to procedure in addition to the low-level concerns records. Where the low-level concern is serious enough to be referred to the LADO, the relating records will be placed and retained on the staff member's personnel file. Where a low-level concern is reclassified as an allegation, then the records relating to it will be treated accordingly. Refer also to the Managing Allegations Against Staff Procedure.

Review/Audit of the Central Low Level Concerns File.

The Headteacher will review the Central Low Level Concerns File (incorporated in the Safeguarding Log) periodically to ensure such concern are being dealt with promptly and appropriately and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of these reviews should be made.

How long to keep Low Level Concerns records?

There is currently no guidance on the retention of Low-Level concerns, but the point at which an employee leaves the organisation would be considered a natural point at which the content of the file may be reviewed to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims) and is therefore necessary to keep.

Should Low level Concerns be included in references?

With reference to KCSIE guidance, which is only applicable to schools and colleges, allegations which are proven to be false, unsubstantiated or malicious, should not be included in employer references. Likewise, a history of repeated concerns which have all been found to be false, unsubstantiated or malicious should also not be included in any reference. Misconduct or consistent poor performance, where relevant, may be included. This would not normally include Low-Level safeguarding concerns unless the threshold is met for referral and found to be substantiated, where it should then be referred to in a reference. Where KCSIE does not apply, consideration must be given to legal obligations and duty of care in giving accurate references.

Role of the Governing Board

The Headteacher will include in the Quarterly Reports to the Board, the information about the implementation of the Low-Level Concern Policy and any evidence as to its effectiveness, with any relevant data.