



# Low Level Concerns Policy

Embrace Multi Academy Trust strives to maintain and improve good provision and outcomes at each of its member schools. Based upon our shared ethos and our values of wisdom, collaboration, respect, integrity, inclusivity, and compassion, we aim to support the learning and development of every person within the trust and our policies are written from this perspective.

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## **1. Purpose**

- 1.1 This policy sets out a framework whereby staff and volunteers 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 the "Guidance for safer working practice for those working with children and young people in education settings" (February 2022) (sometimes called the safeguarding code of conduct) are lived, monitored, and reinforced.
- 1.2 The policy should be read in conjunction with the current statutory guidance – "Keeping Children Safe in Education (KCSIE)" Part four, Section two.

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

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

## **3. Definition of a low-level concern**

- 3.1 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 "Guidance for safer working practice" (February 2022), including inappropriate conduct outside of work, or
  - 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.
- 3.2 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,
  - humiliating pupils, or
  - using inappropriate sexualised, intimidating or offensive language.
- 3.3 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.
- 3.4 It is crucial that any such concerns, including those which do not meet the harm threshold (see Part Four - Section one of KCSIE), 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.

## **4. Sharing low-level concerns**

- 4.1 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.
- 4.2 Creating a culture of openness. Creating a culture where staff feel confident and empowered to raise low-level concerns is crucial for maintaining a safe and supportive environment. Some key considerations to ensure this will be:
- Clarity in procedures - Ensure that the procedures for handling concerns are transparent and that staff know what to expect when they report a concern,
  - regular training to reinforce the importance of reporting concerns and to familiarise staff with the procedures,
  - visible support from HTs and senior leaders who themselves model the importance of raising concerns,
  - an open door policy where staff feel they can approach leaders without fear of reprisal,
  - confidential reporting that ensures concerns are handled confidentially and sensitively,
  - acknowledge and appreciate staff who raise concerns, reinforcing that their actions contribute to a safer environment.

In turn this will contribute in:

- 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.

## **5. Reporting low-level concerns**

- 5.1 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.
- 5.2 Where the headteacher is not available, the information will be reported to the designated safeguarding lead (DSL) (or deputy (DDSL)), i.e. the most senior member of SLT acting in this role.
- 5.3 Low-level concerns about the DSL will be reported to the headteacher and those about the headteacher will be reported to the trust leader and/or Trust Safeguarding Lead person.
- 5.4 A low level concern about a supply teacher or contractor will be reported in accordance with para 5.1 who in turn and in due course will notify their employer.

5.5 Where the low-level concern has been reported to the DSL, they will inform the headteacher of the details as soon as possible.

## **6. Responding to low-level concerns**

6.1 Where a low-level concern has been raised this will be taken seriously and dealt with promptly. The headteacher 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 (advice may need to be sought from the Trust's safeguarding lead and/or HR),
- 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 "Guidance for safer working practice for those working with children and young people in education settings" (February 2022); no further action will be required,
  - does not breach the current version of KCSIE; no further action will be required,
  - is compliant with the Trust'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 correct 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. either via Performance Management or Disciplinary,
  - is serious enough to consult with or refer to the LADO: a referral should be made to the LADO and advice taken from the Trust's safeguarding lead and/or HR. In this case the school's Managing 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 advice taken from HR. In this case the school's Managing Allegations procedure within the Safeguarding Policy and Disciplinary Policy will be followed.

The headteacher will be the ultimate decision-maker in respect of low-level concerns, though they may wish to collaborate with their DSL and the Trust's safeguarding lead and/or HR.

- Records will be made of:
  - All internal conversations including any relevant witnesses,
  - all external conversations, e.g. with the LADO,
  - the decision and the rationale for it,
  - any action taken.

## **7. Recording concerns**

- 7.1 If there is a concern about a member of staff—whether it is a low-level concern or a more serious allegation - this must be recorded on CPOMs Staff Safe. All staff should ensure they have access to this system. If the concern is serious, it should be reported immediately to the Headteacher or Principal.
- 7.2 Where concerns are reported verbally to the headteacher a record of the conversation should be made afterwards on CPOMs Staff Safe with the correct date and time included in the entry.
- 7.3 It will be necessary when recording a concern on CPOMs Staff Safe to also alert an appropriate manager, i.e. for primary schools this will be the School Improvement Lead (Felicity Clarke) and for secondary schools the Trust HR Manager (Craig Clasper).

## **8. Can the reporting person remain anonymous?**

- 8.1 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.

## **9. Should staff report concerns about themselves (i.e. self-report)?**

- 9.1 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 “Guidance for safer working practice” (February 2022). In these circumstances they should self-report. This will enable a potentially difficult situation to be addressed at an early opportunity if necessary.

## **10. Where behaviour is inconsistent with the “Guidance for safer working practice” (February 2022)**

- 10.1 Feedback will be given to both parties to explain why the behaviour was consistent with the “Guidance for safer working practice” (February 2022).

## **11. Should the low-level concerns file be reviewed?**

- 11.1 The records are to be reviewed periodically by the Headteacher, 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.

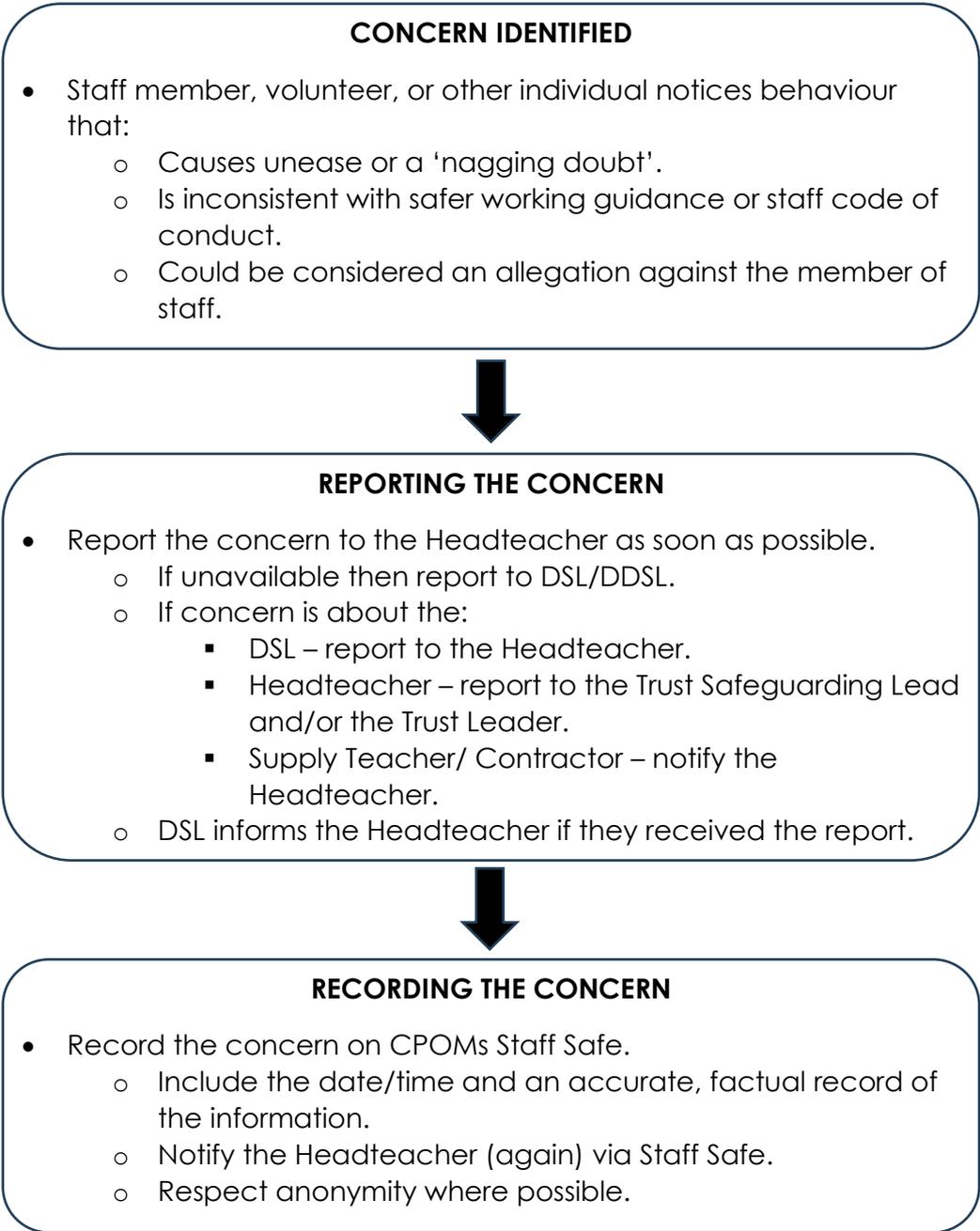
## **12. References**

- 12.1 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.

Appendices:

- A. Reporting and recording Flowchart for staff
- B. Reporting and recording flowchart for School Leaders and DSLs

**APPENDIX A – REPORTING AND RECORDING FLOWCHART FOR STAFF**



## APPENDIX B – REPORTING AND RECORDING FLOWCHART FOR SCHOOL LEADERS AND DSLs

### CONCERN IDENTIFIED

- Staff member, volunteer, or other individual notices behaviour that:
  - Causes unease or a 'nagging doubt'.
  - Is inconsistent with safer working guidance or staff code of conduct.
  - Could be considered an allegation against the member of staff.



### REPORTING THE CONCERN

- Concern reported to the Headteacher as soon as possible.
  - If unavailable then report to DSL/DDSL.
  - If concern is about the:
    - DSL – report to the Headteacher.
    - Headteacher – report to the Trust Safeguarding Lead and/or the Trust Leader.
    - Supply Teacher/ Contractor – notify the Headteacher.
  - DSL informs the Headteacher if they received the report.



### RECORDING THE CONCERN

- Staff members records the concern on CPOMs Staff Safe.
  - Includes the date/time and an accurate, factual record of the information.
  - Notifies the Headteacher (again) via Staff Safe.
  - Respect anonymity where possible.



### INITIAL RESPONSE BY THE HEADTEACHER

- Gather information: *(Is it a low-level concern, see section 3. Above)*
  - Speak to the reporting staff member.
  - Alert the appropriate manager in Staff Safe.
    - Primary: School Improvement Lead (Felicity Clarke).
    - Secondary: Trust HR Manager (Craig Clasper).
  - Speak to the individual concerned (subject to discussions with above and possibly LADO/Police).
  - Further investigation may be needed (e.g. witnesses).
  - Review behaviour against guidance.



### DECISION MAKING

- Behaviour is:
  - Consistent with safer working practices – **no further action**.
  - Low-level concern – **record and manage via support/training**.
  - Serious or repeated – **discussions with appropriate trust manager. Refer to LADO/Police.**
    - Follow appropriate policy in regard to investigation and furtherance.
  - Collaborate with DSL, Trust Safeguarding Lead and/or HR as required.
  - Review behaviour against guidance.



### ONGOING MONITORING

- Headteacher reviews low-level concerns on Staff Safe:
  - **Periodically** and **when a new concern is added**. It is essential to review historic concerns in regard to a staff member to identify patterns, repeated or escalating behaviour.
  - Alert appropriate trust manager for further discussion.

*Low-level concerns are only included in references if substantiated and meet LADO threshold.*