



Low Level Concerns Policy

Status	New Policy
Agreed by the Governing Board	March 2024
Review Cycle	Annual
Next Review	March 2025
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Mission Statement

We accept all students **as they are** and believe that every one of them is **entitled** to the very **best education**, delivered in an **environment** that is **supportive, caring and safe**.

Our goal is to develop our students to become:

- **Successful** Learners.
- As **independent** as possible.
- **Confident** individuals and self-advocates.
- **Effective** communicators and **contributors**.
- **Responsible** citizens.

We will do this by working to **ensure we get every aspect of their provision just right**, helping them to achieve academically, personally, socially and morally.

Stone Bay School: ***“getting it right for every student”***.

Rights Respecting Schools

The Unicef UK Rights Respecting School Award (RRSA) is based on principles of equality, dignity, respect, non-discrimination and participation. The RRSA seeks to put the UN Convention on the Rights of the Child at the heart of a school's ethos and culture to improve well-being and develop every child's talents and abilities to their full potential. A Rights Respecting School is a community where children's rights are learned, taught, practised, respected, protected and promoted.

Policy Aims:

This policy is part of Stone Bay School's Safeguarding framework to help us safeguard our students. Stone Bay School recognises that it may receive information which amounts to low-level concerns about individuals either from our staff and from parents, visitors or other professionals. As part of our commitment to safeguarding, we welcome this information and we will act on it, as referenced in this policy.

Purpose

Stone Bay School is committed to promoting an open and transparent culture where safeguarding concerns are taken seriously and addressed quickly. By working together to identify concerning, problematic or inappropriate behaviour early, we aim to minimise the risk of abuse. The School sets out its expectations of all its staff and visitors in the Code of Conduct. This is how we aim to live out and reinforce our values every day. When a member of staff or a volunteer's behaviour falls short, it is important that this is addressed without delay in a proportionate and appropriate way. Such instances are known in this policy as either a 'low-level concern' or 'allegation'. An allegation, where there is a risk of harm, is more serious. In such cases, the School's Managing Allegations Against Adults Procedures must be followed. The reporting of low-level concerns should be seen as a neutral act. The School recognises that low-level concerns cover a broad spectrum of actions and can include both intentional and unintentional or inadvertent behaviour or consequences. It is therefore important the response is proportionate and appropriate. The purpose of this policy is to ensure that everyone at DofE knows and understands the importance of reporting any concern about themselves or colleagues, no matter how small, and how to report them.

By doing so, we can

- better safeguard children and adults at risk
- support staff and volunteers regarding the expectations of the DofE charity
- avoid unnecessary escalations and reduce risks

What we mean by Low-Level Concern

A low-level concern is any concern that an adult has behaved in a way that is inconsistent with the School code of conduct. This includes inappropriate conduct both inside and outside of work

- does not meet the threshold of harm or is not considered serious enough for the School to refer to the local authority Low-level concerns include a spectrum of behaviours which may be
- intentionally designed to facilitate abuse
- unintentional, inadvertent or thoughtless The key is that the behaviour is inappropriate and not what the School expects, as set out in our Code of Conduct and our Safeguarding Standards. It may take place face-to-face, in writing or digitally such as in online meetings, or via social media or email.

Examples include

- showing favouritism
- being over-friendly

- using inappropriate language that is sexual, profane, intimidating or offensive » inappropriate touching or initiating hugging
- intimidation, punishment or degrading treatment

To support the implementation of this policy, School will provide support, information and training so that staff

- are clear about what is meant by appropriate behaviour and can distinguish this from concerning, problematic or inappropriate behaviour in themselves and others
- can recognise the importance of professional boundaries and when to report concerns
- feel empowered to share any low-level concerns with the DSL and through the reporting system
- know that the response will be measured and proportionate

When receiving low-level concerns, Stone Bay will

- ensure all concerns that are raised are handled sensitively and proportionately
- undertake to weigh up information in order to distinguish between unprofessional behaviour and intentional harm or abuse
- identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with, or referred to, the local authority dedicated officer (LADO) or equivalent officer
- focus on the behaviour, not the language used to describe or report it
- address unprofessional behaviour and support the individual to correct it at an early stage
- identify any areas for development in the organisation's safeguarding system as well as any training needs

Thresholds and when this Policy applies

An 'allegation of harm' is where it is alleged that a person who works with children or adults at risk has or may have behaved in a way that meets the harm threshold as specified below:

- behaved in a way that has harmed or may have harmed a child or adult at risk;
- possibly committed a criminal offence against or related to a child or adult at risk;
- behaved towards a child or children or adult/s at risk in a way that indicates they may pose a risk of harm to children or adults at risk;
- behaved or may have behaved in a way that indicates they may not be suitable to work with children or adults at risk (this behaviour includes inside and outside of the workplace)

In this case, staff and volunteers should follow the Managing Allegations Against Adults Procedures and report the matter to the Headteacher and record it on Iris Adapt under Concerns about an adult.

Concerns that do not meet the harm threshold are treated as low-level concerns.

The term 'low level' concern does not mean that it is insignificant, it means that the adult's behaviour towards a child or adult at risk does not meet the harm threshold.

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 may have acted in a way that

- is inconsistent with an organisation’s staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO or equivalent local authority professional – but may merit consulting with and seeking advice from them.

Staff and volunteers do not need to be able to determine in each case whether their concern is a low-level concern, or if it is not serious enough to consider a referral to the local authority, or whether it meets the threshold of an allegation.

Once the concern has been shared, the determination about thresholds and appropriate action should be made by the DSL who will follow the appropriate procedures in line with that decision. The DSL may seek advice from the local authority LADO or local authority equivalent in order to make the determination and decide next steps.

Procedures

Sharing a Low-Level Concern

Any low-level concern must be shared with the Head Teacher, without delay and recorded on Iris Adapt.

Where the concern relates to the DSL, it must be raised with the Head Teacher or Chair of Governors. If the concern is about the Head Teacher the Chair of Governors must be informed.

If for any reason, a Low-Level Concern is not shared within the 12 hours, delay should never be seen as a barrier to raising it with the Head Teacher.

In such circumstances, the School may speak to the appropriate LADO or other relevant professionals in order to seek advice and ensure that appropriate action is taken to safeguard our pupils.

Recording the Concern

The concern may be shared verbally initially but will then need to be recorded on Iris adapt. Where raised verbally, the Head Teacher will make a written record at the time or immediately after.

The Head Teacher will use professional judgement to decide the detail to be recorded but it will include

- name and role of the person sharing the concern
- name and role of the person about whom the concern is raised (including their role at the time of the concern, if different)
- brief context in which the concern arose

- details of the concern including dates, ensuring information is accurate as possible and chronological
- the record must be signed and dated. The time the record was made should also be included

Anonymity

Where the person raising the concern wishes to remain anonymous, this will be respected as far as possible. However, in order to conduct a fair and thorough investigation it may be necessary to use names and so anonymity cannot be promised. In the spirit of an open and transparent culture, staff and volunteers are encouraged to give their consent to be named, wherever possible.

Self reporting

Stone Bay School recognises that staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others, or, on reflection, feel they behaved in a manner which they consider falls below the standard set out in the code of conduct.

Stone Bay School encourages self-reporting in these circumstances, and it is seen as a positive action.

Self-reporting promotes safeguarding and safer practice by

- enabling staff to get support with a potentially difficult issue and/or addressing it at the earliest opportunity;
- demonstrating awareness of the expected behavioural standards and self-awareness as to the person's own actions or how they could be perceived; and,
- contributing to maintaining a culture where everyone aspires to the highest standards of conduct and behaviour

Self-reporting can be done in the first instance by speaking to the Head Teacher as soon as possible.

- for support and advice;
- to identify actions or wider implications for the organisation such as policy or training The Head Teacher will follow the Recording the Concern procedure above.

Responding to the Concern

Investigation into a low-level concern will be done discreetly and on a need-to-know basis.

On receipt of the concern, the Head Teacher will take the following actions (not necessarily in the order set out)

- speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary, or completed low-level concerns form has been provided;
- speak to any potential witnesses (unless advised not to do so by the LADO or equivalent professional and/or other relevant external agencies, where they have been contacted);

- speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO or equivalent professional and/or other relevant external agencies, where they have been contacted);
- where the concern relates to the individual's behaviour or relationships outside the workplace, the DSL must conduct a risk assessment concerning transferrable risk into the workplace and the safety of children or adults at risk they work with

- review the information and determine whether the behaviour:

i. is entirely consistent with the School's code of conduct and the law

ii. constitutes a low-level concern

iii. is not serious enough to consider a referral to the local authority – but may merit consulting with and seeking advice from them

iv. when considered with any other low-level concerns that have previously been raised about the same individual, could now meet the threshold of an allegation and should be referred to the LADO or equivalent local authority professional

v. in and of itself meets the threshold of an allegation and should be referred to the LADO or equivalent local authority professional.

Records during investigation Whilst conducting the investigation and making decisions, the DSL will make a record of

- all internal conversations
- all external conversations – for example, with the LADO or equivalent local authority professional, other professionals
- the rationale for decisions
- actions to be taken and by whom The record will include the names, roles, dates and times of conversations; emails and other relevant documentation

Possible Outcomes

If the behaviour is found to be entirely consistent with School's Code of Conduct and the law, the Head Teacher will:

- update the individual in question and inform them of the action taken as above
- speak to the person who shared the low-level concern to provide them with feedback about how and why the behaviour is consistent with the School's Code of Conduct and the law
- consider if the situation may indicate that the Code of Conduct and Professional Boundaries Policy or Low-Level Concerns Policy are not clear enough, or if further training is needed If the same or a similar low-level concern is subsequently shared about the same individual, and the behaviour in question is also consistent with the School's Code of Conduct and the law, then an issue may need to be addressed about how the subject of the concern's behaviour is being perceived by others.

ii. If the behaviour is found to constitute a low-level concern, it will be responded to in a sensitive and proportionate way – on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff and volunteers from any potential false allegations or misunderstandings. Most low-level concerns by their very nature are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action.

Other concerns may most appropriately require management guidance and/or training including a refresher about the Code of Conduct and Professional Boundaries.

Conversations will include

- being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, using examples
- explaining clearly what change is required in their behaviour
- discussing what, if any, support they might need in order to achieve and maintain the required behaviour
- being clear about the consequences if they fail to be consistent with the Code of Conduct and/or repeat the behaviour in question. The approach should be positive and avoid critical, threatening or blaming language or behaviour. Follow up actions may include » ongoing and transparent monitoring of the individual's behaviour
- an action plan or risk assessment which is agreed with the individual, and regularly reviewed with them Where the low-level concern raises issues of misconduct or poor performance.

Low-Level Concerns and other Policies and Procedures

Where the concern is found to require other internal processes to be followed, such as disciplinary, the DSL will exercise their professional judgement and, if in any doubt, they will seek advice from other external agencies including the LADO or equivalent professional. Where The School disciplinary procedure is triggered, the School will ensure that the individual has a full opportunity to respond to any factual allegations which form the basis of a disciplinary or volunteer management case against them.

iii. If the behaviour, whilst not sufficiently serious to consider a referral to the LADO or equivalent professional but nonetheless merits consulting with and seeking advice from them, then action (if/as necessary) will be taken in accordance with such advice.

iv. If, when considered with any other low-level concerns that have previously been shared about the same individual, the present concern could now meet the threshold of an allegation, then it will be referred to the LADO or equivalent professional

v. If the behaviour in and of itself meets the threshold of an allegation, it will be referred to the LADO or equivalent professional and the Managing Allegations Against Adults Procedures will apply

Storage and Retention Storage

The School will retain all records of low-level concerns (including those which are subsequently deemed by the Head Teacher to relate to behaviour which is entirely consistent with the School's Code of Conduct) in a central electronic low-level concerns file.

The records will be kept confidential and held securely with limited access.

Records will contain referrals made to the LADO or equivalent professional

Where multiple low-level concerns have been shared regarding the same individual, these will be kept in chronological order.

Low-level concerns will not be stored on personnel files. In line with best practice, keeping low-level concerns separately will allow Stone Bay to spot any potential patterns of behaviour whilst reassuring staff and volunteers to share their concerns.

Records relating to behaviour which meets (iii), (iv) or (v) above, should be placed and retained on the staff member's personnel file, whilst also being retained on the central low level concerns file.

The information on the personnel file will be retained to allow the School to hold a clear and comprehensive summary of all allegations (except those which are found to have been malicious), details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached. A copy will be provided to the individual.

Review

The Head Teacher will review the central low-level concerns folder periodically 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 and addressed.

The DSL will create a record of these reviews and it will be stored alongside the folder, along with any subsequent actions taken.

The Governing Body will receive relevant data relating to Low-Level Concerns. This will include a review of anonymised samples of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately

Retention

Low-level concerns will be retained electronically in a secure central low-level concerns folder.

When a staff member or volunteer leaves and/or takes up new employment, this should be seen as a reminder for the Head Teacher to review the content of the individual's file 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.

This is subject to the rights of individuals to object to or seek to erase or correct records about them under data protection law.

Relevant policies and further information

Code of Conduct Policy

Complaints Policy

CP & Safeguarding Policies

Managing Allegations about Staff

Whistleblowing Policy

