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# OVERSTONE PARK SCHOOL

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## Low Level Concerns Policy



## Low Level Concerns Policy

Date	Review Date	Coordinator
September 2024	August 2025	Mrs M Brown Mrs D York Miss A West Ms V Brown Ms K Gorton

### Purpose

This policy sets out a framework whereby staff 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 and Keeping Children Safe in Education September 2023 are lived, monitored and reinforced.

The policy should be read in conjunction with the current statutory guidance – “Keeping Children Safe in Education” 2023 Part 4, Section 2.

### Who does the policy apply to?

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

### Definition of a low-level concern

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 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:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to school policy

- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or humiliating pupils

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

Where a low-level concern has been identified this will be reported as soon as possible to the **Designated Safeguarding Lead**. However, it is never too late to share a low-level concern if this has not already happened.

Where the Designated Safeguarding Lead is not available, the information will be reported to the Safeguarding Co-Ordinator i.e. the Senior Deputy Designated Safeguarding Lead.

Low-level concerns about the Designated Safeguarding Lead will be reported to the Principal and those about the Principal will be reported to the Chair of the governing body.

Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Principal of the details in a timely fashion according to the nature of each particular low-level concern.

The Principal should be the ultimate decision maker in respect of all low-level concerns. In the majority of cases the Head will consult with the DSL and take a collaborative decision making approach.

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

### **Recording concerns**

A summary of the low-level concern should be written down, signed, timed, dated and shared by the person bringing the information forward. The record should include details of the concern, the context in which the concern arose, and action taken.

If the individual wishes to remain anonymous then that will be respected as far as reasonably possible

Where concerns are reported verbally to the DSL a record of the conversation will be made by the DSL which will be signed, timed, and dated.

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

Where a low-level concern has been raised this will be taken seriously and dealt with promptly.

The DSL 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 (HR advice may also need to be taken).

Where necessary further investigation will be carried out to gather all relevant information. This may involve speaking to any potential witnesses.

If the concern has been raised via a third party, the DSL will collect as much evidence as possible by speaking directly to the person who raised the concern, unless it has been raised anonymously. The DSL will speak to the individual involved and any witnesses.

The information reported and gathered will then be reviewed to determine whether the behaviour.

If the behaviour is consistent with the “Guidance for safer working practice for those working with children and young people in education settings” (Feb 2022): no further action will be required.

If it constitutes a low-level concern: no further action is required, or additional training/guidance/support may be required to rectify 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 the Capability Policy or Disciplinary Policy.

If it is serious enough to consult with or refer to the LADO: 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.

When considered with any other low-level concerns that have previously been raised about the same individual, could be reclassified as an allegation and referred to the LADO or Police: a referral may 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 in line with KCSIE part 4.

Records will be made of, i) all internal conversations including any relevant witnesses, ii) all external conversations e.g., with the LADO iii) the decision and the rationale for it, iv) any action taken.

### **The following guidance will be used to support the decision making:**

**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; 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 they 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.

**Low level Concern** Does not mean that it is insignificant, it means that the adult’s behaviour towards a child does not meet the threshold set out above. 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 -but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

**Appropriate Conduct** Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

*Farrer& Co Sept 2021 Developing and implementing a low-level concerns policy: a guide for organisations which work with children. Appendix C Diag 1 spectrum of behaviour.*

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

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.

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

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".

In these circumstances they should self-report. This will enable a potentially difficult situation to be addressed at an early opportunity if necessary.

### **Where behaviour is consistent with the "Guidance for safer working practice"**

Feedback will be given to both parties to explain why the behaviour was consistent with the "Guidance for safer working practice"

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

The records will be reviewed by the Designated Safeguarding Lead and a Deputy Designated Safeguarding Lead, the Principal 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. A record of these reviews will be retained. Consideration will also be given to whether there are wider cultural issues within the school or college that enabled the behaviour to occur and where appropriate, policies could be revised, or extra training delivered to minimise the risk of it happening again.

### **References**

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.

Principal	Mrs M F Brown	Date:	September 2024
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