



Devonshire House Preparatory School

## Low Level Concerns Policy

*This policy is for the Whole School, including the EYFS*

Written by: Mrs Louise Reen	
This Policy is the responsibility of the DSL and the Head and is annually reviewed.	
Reviewed:	July 2024
Next review:	July 2025

### Purpose

Safeguarding and promoting the welfare of children is everyone's responsibility.

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 our Staff Code of Conduct are lived, monitored, and reinforced by all staff.

Staff know that they can share any concerns about the conduct of colleagues and are assured that these will be received in a sensitive manner.

The policy should be read in conjunction with the current statutory guidance – "Keeping Children Safe in Education" 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

The term 'low-level' concern does not mean that it is insignificant.

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 may have acted in a way that is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work, and does not appear to meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

A member of staff may have doubts about the behaviour of another adult towards a pupil, or another child, or concerns about how their own behaviour might be interpreted.

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/other device
- engaging with a child on a 1:1 basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating, or offensive language,
- Email, messaging, use of social media sites or other communication between adults and pupils outside agreed protocols
- Any incident where he/she feels that his/her actions or behaviour towards a pupil or that of another adult, may have been misinterpreted or may have given rise to a risk or misinterpretation.

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.

It is crucial that any such concerns, including those which do not meet the harm threshold (please refer to the school's Staff Code of Conduct), 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.

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

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

Where the Head is not available, the information will be reported to the designated safeguarding lead (or deputy), or the most senior member of SLT acting in this role.

Low-level concerns about the Designated Safeguarding Lead will be reported to the Head and those about the Head will be reported to the governor responsible for Safeguarding.

Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Head of the details as soon as possible.

Low-level concerns relating to supply staff and staff employed by a third party will be reported to the agency/employer in order that any patterns of behaviour may be identified.

## **Recording concerns**

All low-level concerns will be recorded in writing. The record will include:

- details of the concern.
- the context in which it arose.
- evidence collected by the Head where the concern has been raised via a third party.
- the decision categorising the type of behaviour.
- action taken.
- the rationale for decisions and action taken.
- the name of the individual sharing the concerns (respecting any wish to remain anonymous as far as possible)

Where concerns are reported verbally to the Head, a record of the conversation will be made by the Head, 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 in a sensitive and proportionate way. The Head 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.

The Head will be the ultimate decision maker in respect of low level concerns, although it is recognised that depending on the nature of the concern, the Head may wish to consult with the DSL and take a more collaborative decision making approach.

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 school'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 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. via the Capability and Disciplinary Procedures.
- is serious enough to consult with or refer to the LADO: a referral should be made to the LADO.

Allegations procedure within the Safeguarding Policy will be followed when, considered with any other low-level concerns that have previously been raised about the same individual, the behaviour may meet the harm threshold and should be referred to the LADO.

When considered with any other low-level concerns that have previously be made, 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.

If it is determined that the behaviour constitutes a low-level concern:

- Investigations should be done discreetly and on a need-to-know basis
- In many cases, a low-level concern may simply require a conversation with the individual about whom the concern has been raised. Any conversation should be clear as to why the behaviour is inappropriate, problematic or concerning and what change or support is required.

### **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, therefore anonymity can never be promised.

### **Should staff report concerns about themselves (ie self-report)?**

Staff are also encouraged, and to feel confident if the need arises, for them 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 the expected professional standards set out in the Staff Code of Conduct. This may enable a potentially difficult situation to be addressed at an early opportunity if necessary.

### **Where behaviour is consistent with the Staff Behaviour and Code of Conduct**

Feedback will be given to both parties to explain why the behaviour was

consistent with the Staff Code of Conduct.

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

The records will be reviewed periodically, 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.

### **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.

### **What is the role of the Governors?**

The Head will regularly inform Governance about the implementation of the low-level concerns policy including any evidence of its effectiveness, e.g. with relevant data. The safeguarding governor may also review an anonymised sample to ensure that these concerns have been handled appropriately.