



Low-Level Concerns Policy and Procedure Version 2.3

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<p>Name of Responsible Committee/Individual:</p>	<p>Education Committee</p>
<p>Implementation Date:</p>	<p>Summer Term 2024</p>
<p>Review Date:</p>	<p>Autumn Term 2025</p>
<p>Target Audience:</p>	<p>All employees and adults working on behalf of the Trust (including agency workers, self-employed workers and professional visitors).</p>
<p>Related Documents: All Trust policies and procedures referred to are located on the trust website, www.theeducationalliance.org.uk.</p> <p>If English is not your first language, and you require assistance/translation, please contact the HR Department.</p> <p>This policy has been equality impact assessed.</p>	<p>Child Protection and Safeguarding Policy Disciplinary Policy and Procedure Whistleblowing Policy Expectations and Code of Conduct Ethical Leadership Qualities KCSIE 2023 Local Authority Low-Level Concerns Policy NSPCC website</p>

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POLICY STATEMENT

We are here to make great schools and happier, stronger communities so that people have better lives. We do this by:

- Always doing what is right
- Trusting in each other and standing shoulder to shoulder
- Doing what we know makes the difference

Doing what is right means always acting with integrity, in the interests of others and being honest, open and transparent.

Safeguarding and promoting the welfare of children is everyone's responsibility. We are fully committed to satisfying all the requirements and expectations for safeguarding children in education. TEAL has a culture of openness and trust and staff are encouraged to share any concerns about their own and other people's conduct and be assured that these will be received and handled in a sensitive manner. This policy explains what a low-level concern is, how to report it and how TEAL responds to low-level concerns.

All safeguarding concerns about adults (including allegations that do not meet the harm threshold) will be shared responsibly, with the right person and recorded and managed appropriately.

1. SCOPE

This policy applies to all staff employed by the TEAL and adults working on behalf of TEAL (e.g. agency workers, self-employed workers, professional visitors, and volunteers).

2. ROLES AND RESPONSIBILITIES

The **Education Committee** is responsible for approving this policy and procedure, ensuring there is a consistent, fair and transparent approach to managing low level concerns across TEAL.

Headteachers are responsible for ensuring that staff and managers are aware of this procedure, ensuring that staff and managers uphold the principle that safeguarding is everybody's responsibility.

The **HR Department** is responsible for ensuring that employees have access to this policy and procedure and that managers and employees apply it sensitively and consistently.

Managers and staff with supervisory or leadership responsibilities must ensure they implement this policy and procedure fairly and equitably, seeking guidance, clarification and support as and when required.

Employees and adults working on behalf of or with the trust should read this policy and procedure, adhere to the processes detailed and seek clarity from either their manager, their Designated Safeguarding Lead (DSL) or the HR Department if they have any queries.

3. EQUALITY AND DIVERSITY

The Education Alliance is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines
- Delivering high quality teaching and services that meet the diverse needs of its pupil population and its workforce, ensuring that no individual or group is disadvantaged

As part of this policy's review, equality information will be shared with the executive team, trade unions (via the joint consultation and negotiation committee) and headteachers.

4. PRINCIPLES

The NSPCC captures the scope of low-level concerns as follows:

A low-level concern is any concern that an adult has acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- doesn't meet the threshold of harm or is not considered serious enough for it to be referred to the local authority.

Low-level concerns are part of a spectrum of behaviour. This includes:

- inadvertent or thoughtless behaviour
- behaviour that might be considered inappropriate depending on the circumstances
- behaviour which is intended to enable abuse.

Examples of such behaviour could include:

- being over friendly with children
- having favourites
- adults 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
- using inappropriate sexualised, intimidating or offensive language.

5. ALLEGATIONS CONSIDERED 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 does not meet the harm threshold as 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 TEAL's Expectations and 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.

Staff do not have 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 LADO, or whether it meets the threshold of an allegation. Once staff have shared what they believe to be a low-level concern, that decision should be made by the Headteacher and responded to in line with this policy.

6. REPORTING LOW-LEVEL CONCERNS

While low-level concerns are, by their nature, less serious than concerns which meet the harms threshold, many serious safeguarding behaviours often begin with low-level concerns. Therefore, it is crucial that all concerns are reported no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt'.

Not all concerns will result in a formal investigation, but it is important to raise any potential worries to ensure children are safeguarded. Reporting concerns also protects those working in schools from potential false allegations or misunderstandings.

All low-level concerns must be raised with the Headteacher to maintain confidentiality and allow any potential patterns of behaviour to be identified. The low-level concern can be shared verbally in the first instance, or by completing a simple low level concerns form (Appendix 3).

Ideally individuals should share information with the Headteacher as soon as reasonably possible and, where it relates to a specific incident, within 24 hours of becoming aware of the concern. However, it is never too late to share a low-level concern and a delay should never be seen as a barrier to sharing.

If the Headteacher is absent for any reason, low-level concerns should be shared with the Designated Safeguarding Lead (DSL) or Deputy Headteacher/Assistant Headteacher, who will inform the Headteacher immediately on their return.

In the event of concerns about the Headteacher, these should be referred to the CEO or the Executive Principal. If the concerns relate to the CEO or Executive Principal, they should be referred to the Chair of the Trust Board.

If the individual who raises the concern does not wish to be named, this request will be respected as far as possible. However, there may be circumstances where they will need to be named (e.g., if it is necessary to carry out a fair disciplinary process) and, for this reason, anonymity can never be promised to anyone sharing a low-level concern. Where possible, we encourage employees to consent to be named, as this promotes a culture of openness and transparency.

7. SELF REPORTING

Occasionally an individual may find themselves in a situation which could be misinterpreted, or they may have acted in a way which, on reflection, they feel falls below the standard set out in TEAL's Expectations and Code of Conduct and/or the expected professional standards. Self-reporting in these circumstances is encouraged as a positive action for a number of reasons:

- It is self-protective as it allows a potentially difficult issue to be addressed at the earliest opportunity.
- It demonstrates the individual's awareness of the expected behavioural standards and self-awareness of their actions and how they could be perceived.
- It is an important way to maintain a culture where everyone aspires to the highest standards of conduct and behaviour.

8. RESPONDING TO A LOW-LEVEL CONCERN

Once the Headteacher has received the low-level concern, they will respond according to the nature and detail of the particular concern shared with them. The Headteacher may delegate actions to a Designated Safeguarding Lead or Deputy Headteacher. Any investigation of low-level concerns will be done discreetly and, on a need-to-know basis.

The Headteacher will always seek advice from the LADO where they are in any doubt.

While responding to any incident, the Headteacher will ensure appropriate notes are taken of:

- all internal conversations – including with the person who initially shared the low-level concern (where this has been possible), the adult about whom the concern has been shared (subject to the above), and any relevant witnesses (subject to the above)
- all external conversations – for example, with the LADO or Safeguarding Officer (where they have been contacted)
- the action taken and the rationale for the decision taken

9. POSSIBLE OUTCOMES FROM A LOW-LEVEL CONCERN

If it is determined that the behaviour is entirely consistent with TEAL's Expectations and Code of Conduct, professional standards, statutory requirements and the law, the Headteacher 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 TEAL's Expectations and Code of Conduct and the law.
- consider if the situation may indicate that the Expectations and Code of Conduct or Low-Level Concerns Policy are not clear enough, or if further training is required.

If it is determined that the behaviour constitutes a low-level concern, it will be responded to in a sensitive and proportionate way, maintaining confidence that such concerns when raised will be handled promptly and effectively, and protecting staff 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. Others may be most appropriately dealt with by means of management guidance and/or training.

In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised. Any such conversation will include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, an explanation of the change that is required in their behaviour, enquiring what, if any, support they might need, in order to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question.

Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate.

Where a low-level concern relates to a person employed by a supply agency or a contractor, that concern will be raised with their employer, so that any potential patterns of inappropriate behaviour can be identified.

If, when considered with any other low-level concerns that have previously been shared about the same individual, the behaviour could now meet the threshold of an allegation, then it should be referred to the LADO in accordance with Part 4 of KCSiE, 2023.

10. RECORDING, RETENTION AND REVIEW

All low-level concerns should be recorded in writing and include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted. If the individual wishes to remain anonymous, then that should be respected as far as reasonably possible.

The Headteacher will ensure that all records of low-level concerns are retained in line with TEAL's Data Protection Policy and Records Management Procedure.

The Headteacher will monitor and review the low-level concerns file 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. A record of these reviews will be made and stored alongside the file, along with any subsequent actions taken.

Governors will receive relevant data relating to low-level concerns and review anonymised samples of low-level concerns at regular intervals, to ensure that these concerns have been responded to promptly and appropriately.

11. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY

Effectiveness of and compliance with this procedure will be monitored on an annual basis by the Education Committee.

12. REVIEW

This policy will be reviewed annually with TEAL's Designated Safeguarding Lead.

Appendix 1 - Reporting Low-level Concerns Form

This form can be used to share 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 the Expectations and Code of Conduct, the Child Protection and Safeguarding policies, and teacher standards.

The information should include brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible, of any such concern and relevant incident(s). Please use a separate sheet if necessary.

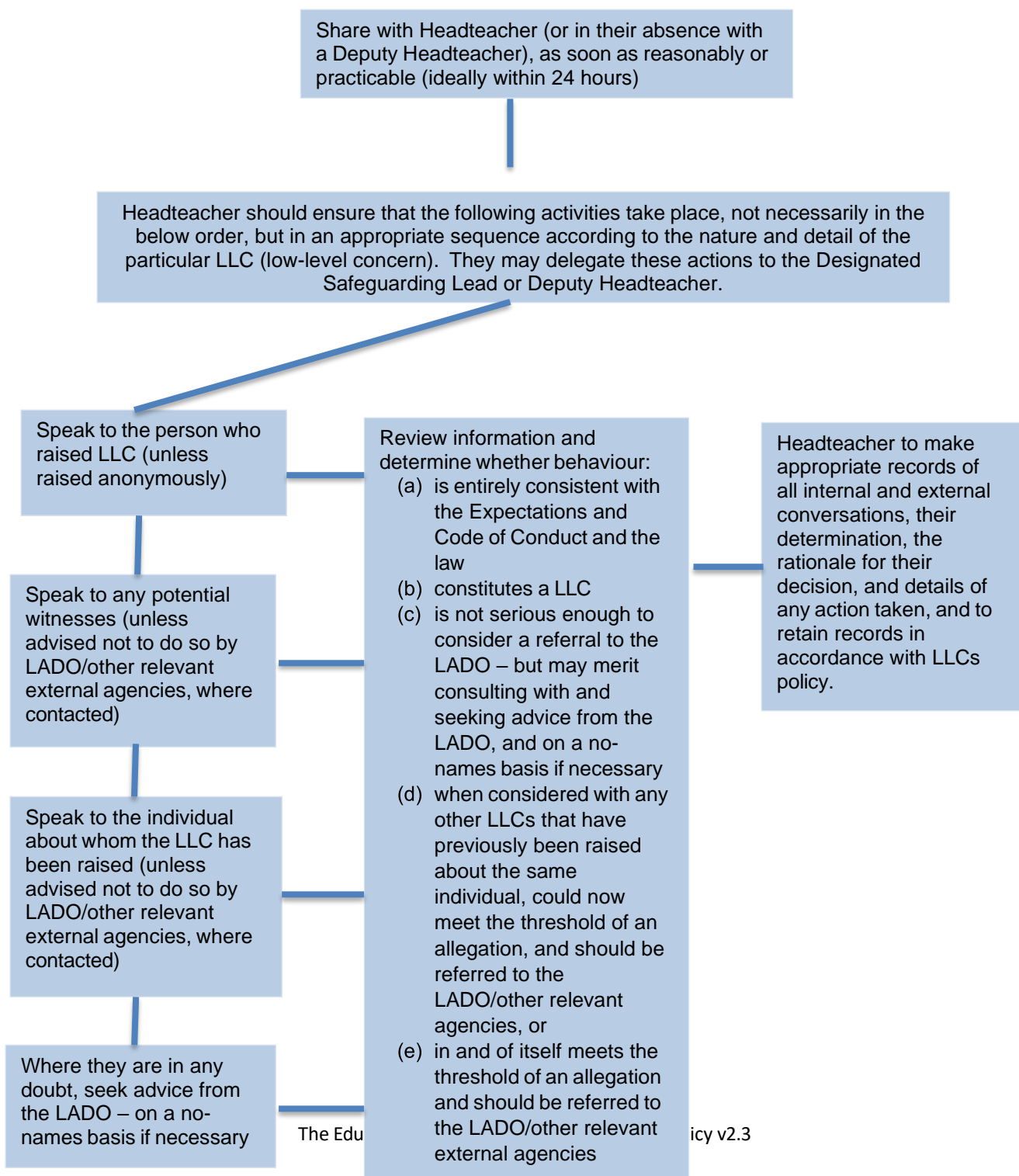
Concern reported by:	
Subject of the concern (name):	
Details of the concern:	
Signed:	Date:

WHEN COMPLETED THIS FORM IS CONFIDENTIAL AND MUST BE SENT TO THE HEADTEACHER

Appendix 2 – Reporting and Responding to a Low-Level Concern – Flowchart

KCSiE, 2023 requires low-level concerns to be shared with the Headteacher– unless they relate to the Headteacher– as per paragraph 74 of KCSiE 2023

Action Required



Appendix of policy updates following each review

June 2024

The following updates have been implemented into the Policy:

Page 3, Policy Statement:

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The **Education Committee** is responsible for approving this policy and procedure, ensuring there is a consistent, fair and transparent approach to managing low level concerns across TEAL.

Page 4, Equality and Diversity

As part of this policy's review, equality information will be shared with the executive team, trade unions (via the joint consultation and negotiation committee) and headteachers.

Page 4, Principles

Examples of such behaviour could include:

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