



Merchant Taylors' School

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Low Level Concerns About Adults Policy

Title: Low Level Concerns About Adults Policy
Author: Executive Team
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1. Principles

- 1.1 The school is committed to the welfare, protection and safekeeping of all its pupils. If school staff have any concerns about a child's welfare, both physical and mental, they must act on them immediately.
- 1.2 All children have a fundamental right to be protected from harm and from all forms of neglect, abuse and exploitation and should feel safe and secure at school.
- 1.3 Parents should be reassured that it is the aim of the school to always act in the best interests of their child and to encourage the fullest possible involvement and consultation with parents.
- 1.4 Pupils should know that they have a means of raising issues of personal concern. They should feel that their concerns are taken seriously, that they are encouraged to talk and that they are listened to.

2. Purpose of Policy

- 2.1 The Policy focuses on low level concerns regarding adults' behaviour towards children:
 - To treat and embed a culture of openness and transparency;
 - Ensure staff are clear about professional boundaries and act within these boundaries, in accordance with the ethos and values of the School;
 - Empower staff to share any low level concern with the Head;
 - Address unprofessional behaviour at an early stage;
 - Identify concerning, problematic or inappropriate behaviour;
 - Provide for responsive, sensitive and proportionate handling of such concerns;
 - Help identify weaknesses in the organisation's safeguarding systems.

3. Concerns that are NOT covered by this Policy

3.1 Allegations

An 'allegation' means that it is alleged that a person who works with children has:

- Behaved in a way that has harmed a child or may have harmed a child;
- Possibly committed a criminal offence against a child;
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children;
- Behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include an arrest for possession of a weapon;
- Have, as a parent or carer, become subject to child protection procedures.

3.2 Safeguarding concerns

- Concerns about a child's safety or welfare;
- Concerns regarding peer-on-peer abuse.

4. Concerns that ARE covered within this Policy

4.1 Low level concern

4.1.1 The term "low level" concern does not mean that it is insignificant. A low level concern about an adult's behaviour towards a child is one that does not meet the allegation threshold set out above, or is not otherwise serious enough to consider a referral to the LADO. A low level concern is any concern - no matter how small, and even if no more than a 'nagging doubt' - that an adult may have acted in a manner which:

- Is not consistent with the School's Code of Conduct, and/or
- Relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

4.1.2 Examples of such behaviour could include, but are not limited to:

- Being over-friendly with children;
- Having favourites;
- Taking photographs of children that they work with on a personal 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.

4.1.3 Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour which may look inappropriate but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

5. What to do if you have a low level concern

All low level concerns should ultimately be received by the Head.

- Share concerns with your Head within 24 hours of becoming aware of it;
- If behaviour is from the Head, then share concern with the Chair of Governors;
- In the absence of your Head inform the Designated Safeguarding Lead (DSL);
- If behaviour is from the DSL, then share concern with the Head.

6. Procedure for managing a low level concern

6.1 Step 1 - Initial Concern Raised

6.1.1 In the first instance, staff can report verbally to the Head or provide a written summary of their concern.

- A verbal account will be subject to contemporaneous recording by the Head, ensuring that a written record is taken as information is shared;
- Sound professional judgment will be used in determining what information is necessary to record for Safeguarding purposes;
- Record should include brief context, concise details, and relevant incidents;
- Record to be signed, dated and timed in Teams with access only by the School Head, School DSL and HR Director.

6.1.2 Note that staff should feel comfortable to self-refer where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others and, on reflection, they believe that they have behaved in such a way that they consider falls below the professional standards expected by the School.

6.1.3 If the person raising a concern wishes to remain anonymous, this will be respected as far as reasonably possible.

6.2 Step 2 - Response by Head

6.2.1

- Review the information and decide whether the behaviour is:
 - (i) Entirely consistent with the School Staff Code of Conduct
 - (ii) Constitutes a low level concern
 - (iii) Is serious enough to consider a referral to the Local Authority Designated Officer (LADO)
 - (iv) When considered with any other previous low level concerns about this individual, should be reclassified as an allegation and referred to the LADO/any other statutory agencies;
- The Head should speak to the individual about whom the concern is raised (unless LADO/Police have advised otherwise).

6.2.2 If the DSL is in doubt about the outcome of Step 2, the DSL must discuss the matter with the Head Teacher before a decision is made.

6.2.3 **Head must make records of:**

- All internal conversations;
- All external conversations;

- The details of the concern;
- The context in which the concern arose;
- Their determination;
- The rationale for their decision; and
- Any action taken.

6.3 **Step 3 –Decision Making and Next steps**

6.3.1 **Information shared meets School’s expectations and is compliant with Code of Conduct**

- Head to inform the individual concerned what was shared about their behaviour and give them an opportunity to respond;
- Speak to person who shared the low level concern, providing feedback about how and why the behaviour is consistent with the Code of Conduct and the law;
- Consider if a review of the Code of Conduct is necessary - is the Code not clear? Has the training been unsatisfactory? Is the Low Level Concerns policy not clear enough?
- Consider training/support of Low Level Concern policy if the same individual reports similar low level concerns and it is found to be consistent with Code again.

6.3.2 **Information shared does not meet the School’s expectations and is in breach of the Code of Conduct - a low level concern**

- A sensitive and proportionate response is essential;
- Maintain confidence that concerns will be handled promptly and effectively, whilst protecting staff from potential false or malicious allegations;
- Any investigation is on a ‘need to know’ basis;
- Some concerns may not give rise to further action, others may be dealt with by management guidance and/or training;
- In many cases, a positive/supportive conversation with the individual will enable them to meet expectations moving forward.

6.3.3 **Information gained is above a low level concern or further evidence gained raised the level of concern**

If further evidence is gained that raises the level of concern, the Head will always access guidance from LADO.

7. **Previous low level concern**

7.1 Information available will be reviewed and a decision may be made to reclassify the concern as an allegation, and the concern will be dealt with in accordance with the School’s Safeguarding Policies and Procedures. It may be the case that repeated low level concerns are dealt with under the School’s Staff Disciplinary Procedures.

8. Recording and Retention of Information

- 8.1 All records of Low Level Concerns, (including behaviour deemed by the Head to be entirely consistent with the Code of Conduct) should be retained in a central low level concerns file;
- 8.2 These records are confidential, with a limited number of individuals having access, for example the School Head, School DSL and HR Director. The Head may store the Low Level Concern records with the other safeguarding and child protection records.
- 8.3 In the event of a decision that behaviour is a low level concern, the information should not be held on personnel files.
- 8.4 If disciplinary, grievance or whistleblowing procedures are triggered, then a copy should be held on both safeguarding and personnel files.
- 8.5 If the concern is deemed serious enough to consider referral to the LADO, then records should be retained on the personnel file.
- 8.6 If the Low Level Concern is reclassified as an allegation then files should be moved from Safeguarding to personnel files.
- 8.7 The School will retain all information regarding any level of Safeguarding concern centrally within a secure system, in compliance with the Data Protection Act 2019 and the UK General Data Protection Regulations.

9. Review

- 9.1 The Head should review the central LLC file periodically to ensure such concerns are being dealt with appropriately, and any potential problematic behaviour patterns are identified.

10. Timeframe

- 10.1 Low level concern files should be kept unless and until further Government guidance provides otherwise.
- 10.2 When a staff member leaves and/or takes up new employment, that would then create a natural point at which the content of the file may be reviewed.

11. References

- 11.1 The School will only provide substantiated safeguarding allegations in employment references. Low Level Concerns will not be included in a reference unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. Any matter which has met the threshold for referral to LADO and found to be substantiated, will be referred to in a reference.