



# PINEWOOD

*Est. 1875*

## **LOW LEVEL CONCERNS POLICY**

### Purpose of Low Level Concerns Policy

To create and embed a culture of openness, trust and transparency in which the School's values and expected behaviours as set out in the Safeguarding (Child Protection) Policy and the Staff Code of Conduct are constantly lived, monitored and reinforced by all staff. To also ensure that all staff are able to share any concerns - no matter how small - about their own or another member of staff's behaviour.

### Definition of a Low Level Concern

The term "Low Level Concerns" is used to identify concerns which do not meet the harm threshold or which are otherwise not considered serious enough to consider a referral to the LADO. Staff may refer to Annex A for examples of the spectrum of behaviours and whether these would be classed as meeting the harm threshold, as low level concerns or as appropriate behaviour.

These behaviours can exist on a wide spectrum, from inadvertent to that which is ultimately intended to enable abuse. They include, for example:

- being over friendly with children including having favourites;
- taking photographs of children on their own personal phones;
- engaging with children on a 1:1 basis including in secluded or closed areas;
- using inappropriate sexualised, intimidating or offensive language.

Low Level Concerns do not mean these concerns are insignificant or should be ignored. Any concern is still a concern – no matter how small and even if causing no more than a sense of unease or nagging doubt. Low Level Concerns could include:

- a sense of unease or nagging doubt about the behaviour of a member of staff / adult on site;
- behaviour which is inconsistent with the Staff Code of Conduct and this Policy including inappropriate conduct outside of work;

## Open & Transparent Culture

Low level concerns can arise in several ways and from a number of sources. For example, suspicion, complaint or disclosure made by a child, parent or any other adult, or as a result of vetting checks. Staff should also feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others or in which they feel they have behaved in a way which falls below professional standards including this Code of Conduct.

Self-reporting of low level concerns can be positive for a number of reasons, and staff are encouraged to self-report on the basis that:

- It is self-protective, in that it allows potentially difficult issues to be addressed at the earliest opportunity;
- It demonstrates awareness of the expected behavioural standards and self-awareness as to the member of staff's own actions or how these could be perceived;
- Crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

The School's aim is to create an environment where staff are encouraged and feel confident to self-refer.

As part of the whole School approach to safeguarding the School promotes an open and transparent culture in which all concerns about all adults working on site (including temporary and contract staff) are dealt with promptly and appropriately. This allows early identification of any concerning or inappropriate behaviour and aims to minimise the risk of abuse. The School aims to ensure that all adults working in our School are clear about and act within professional boundaries.

## How to report a Low Level Concern & how such concerns will be responded to

Low level concerns about a member of staff should be reported to the Headmaster as soon as reasonably possible and staff should also feel confident to self-refer. Low level concerns about someone employed by a supply agency or contractor should be shared with the Headmaster, the concern will then be recorded and their employer notified to allow patterns of behaviour to be identified.

If the Headmaster is absent then low level concerns should be shared with the Deputy Head who will ensure then inform the Headmaster immediately on their return. If any low level concern relates to the Headmaster it should be referred to the Chair of Governors. If there is a conflict of interest in sharing a low level concern with the Headmaster then it should be shared with the Chair of Governors, unless there is also a conflict of interest in doing so. In which case it should be reported directly to the LADO.

The concern can be shared verbally or in a written summary or by completing the form at Annex B.

Staff are encouraged to consent to be named when sharing low level concerns, as this will help create a culture of openness and transparency. If however the person raising the concern does not wish to be named then the School will respect this as far as possible. However, there may be circumstances where the staff member who raised the concern will need to be named (for example where disclosure is required by a court or under a fair disciplinary process), and for this reason the School is unable to promise anonymity to staff who share low level concerns.

Once the Headmaster has received what is believed to be a low level concern he will take the following actions:

- Speak to the person who raised the concern;
- Speak to any witnesses (unless advised not to do so by the LADO if they have been contacted);
- Speak to the individual about whom the concern has been raised (unless advised not to do so by the LADO);
- Review the information and determine whether:
  - (a) The behaviour is in fact appropriate and entirely consistent with this Code of Conduct;
  - (b) The behaviour constitutes a low level concern;
  - (c) If there is any doubt as to whether the information may in fact meet the harm threshold then the Headmaster will consult the LADO.
  - (d) When considered with other low level concerns previously received about the same individual whether the behaviour may meet the harm threshold and so should be referred to the LADO or other external agencies.
- Consider whether the allegation also potentially raises misconduct or capability issues and discuss this as appropriate with the Director of HR.

If the behaviour is deemed to be entirely consistent with the Code of Conduct the Headmaster will update the individual in question and inform them of any action taken. The Headmaster will also speak to the individual who shared the concern to provide them with feedback about how and why it was determined the behaviour was consistent with the Code of Conduct.

If the behaviour is deemed to be a low level concern then the Headmaster will determine the response required. Most low level concerns are by their very nature 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 via management guidance and/or training. In many cases a low level concern will simply require a conversation with the individual about whom the concern was raised.

Any such conversation would include being clear as to why the behaviour was inappropriate, problematic or concerning, what change is required in their behaviour and identifying what help or support they might need in order to achieve and maintain the required standards of

behaviour. Ongoing and transparent monitoring of the individual's behaviour may be appropriate and actions plans and risk assessments may also be used.

The Headmaster must record all low level concerns in writing including:

- Details of the concern
- The context in which it arose
- Evidence collected by the DSL where the concern is raised by a third party
- The decision categorising the type of behaviour
- Action taken and the rationale for the decision and action taken
- The name of the individual sharing the concern (respecting wishes for anonymity as far as possible).

Records will be kept confidential and in line with Data Protection regulations. Records will be reviewed to allow potential patterns of concerning, problematic or inappropriate behaviour to be identified. Where such a pattern is identified the School will take action through disciplinary procedures or, if it meets the harm threshold, by referral to the LADO. If the School is in any doubt as to whether a Low Level Concern meets the harm threshold the Headmaster or DSL will consult with the LADO. Low Level Concerns raised about supply staff or contractors will be notified to their employers.

The School will also consider whether there were any wider cultural issues within the School which enabled the behaviour to occur to allow policies and training to be reviewed in order to minimise the risk of such behaviour occurring again.

Low Level Concerns will not be provided in any references for staff leaving employment unless they relate to issues which would normally be included in a reference for example misconduct or poor performance. Otherwise only substantiated allegations are to be referred to in a reference. If a Low Level Concern meets the threshold for referral to the LADO and is found to be substantiated this would then be recorded on references.

The Safeguarding Governor is responsible for reviewing an anonymised sample of low level concerns received by the Headmaster on a regular basis.

Reviewed by: Jo Ranstead, Director of HR & Tim Knapp, DSL  
Review Date: October 2024  
Next Review Date: October 2025

## Annex A - Spectrum of Behaviour

### **Allegation that may meet the harm threshold**

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. 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 with children may have acted in a way that:

- is inconsistent with the School's Staff Code of Conduct, including inappropriate conduct outside of work; and
- does not meet the harm threshold or is otherwise not serious enough to merit a referral to the LADO.

### **Appropriate Conduct**

Behaviour which is entirely consistent with the School's Staff Code of Conduct, and the law.

**Low-Level Concerns Form**

Please use this form 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 School’s Staff Code of Conduct, including inappropriate conduct outside of work, and
- does not meet the harm threshold, or is otherwise not serious enough to merit a referral to the LADO.

You should provide a concise record (online/electronically or hard copy) – including 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) (and please use a separate sheet if necessary).

The record should be signed, timed and dated.

**Details of concern**

<b>Name of staff member:</b>	<b>Department &amp; Role:</b>

<b>Signed:</b>	<b>Time &amp; Date:</b>
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**Received by**

**At: (Time)**

**On: (Date)**

**Action Taken: (Specify)**

**Signed:**

**Time & Date:**

This record will be held securely in accordance with the School's Low-Level Concerns Policy. Please note that low-level concerns will be treated in confidence as far as possible, but the School may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.