



Low Level Concerns Policy

1. Statement of intent

St Edward's School understands the importance of acknowledging, recording and reporting all safeguarding concerns, regardless of their perceived severity. We understand that, while a concern may be low-level, that concern can escalate over time to become much more serious.

Our school prides itself on creating a safe and prosperous environment for pupils, and our staff are expected to adhere to high standards of behaviour when it comes to professional conduct. The school has clear professional boundaries which all staff are made aware of and are expected to demonstrate. We are committed to ensuring that any safeguarding concerns are dealt with as soon as they arise and before they have had a chance to become more severe, to minimise the risk of harm posed to our pupils and other children.

This policy enables all staff to share any concerns – **no matter how small** – about their own or another member of staff's behaviour. The sharing of concerns should be interpreted by all staff as a neutral act. The purpose of this policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviours outlined in policies including Staff Behaviour, are constantly lived, monitored and reinforced by all staff.

2. Definitions

Low-level concerns refer to behaviour on the part of a staff member;

- towards, or concerning, a pupil that is considered inappropriate in line with statutory safeguarding advice but does not meet the harm threshold (see below) and/or;
- is in breach of school policy including safeguarding/child protection and staff behaviour, including inappropriate conduct outside of work and/or;
- is otherwise not serious enough to consider a referral to Local Authority Designated Officer (LADO) at the time of its reporting.

Low-level concerns are differentiated from concerns that can cause harm. The harms threshold is the point at which a concern is no longer low-level and constitutes a threat of harm to a child. This threshold is defined as accusations that an adult has:

- Behaved in a way that has harmed a child or may have harmed a child.
- Possibly committed a criminal offence against, or related to, a child.
- Behaved towards a child in a way that indicates they may pose a risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children, including behaviour that has happened outside of school (known as 'transferable risk').

While low-level concerns are, by their nature, less serious than concerns which meet the harms threshold, the school understands that many serious safeguarding concerns often begin with low-level concerns, e.g. being overly friendly with children. The school will ensure that all staff are aware of the importance of recognising concerns before they have an opportunity to escalate from low-level to serious.

3. Roles and responsibilities

The Headmaster is responsible for:

- Being a point of contact for all staff when they have safeguarding concerns regarding staff members, whether serious or low-level.
- Assessing whether safeguarding concerns about staff members meet the threshold for being termed an allegation, or whether they are low-level concerns.
- Implementing this policy, and all related policies, throughout the school, and ensuring that staff adhere to it at all times.
- Safeguarding pupils' wellbeing and maintaining public trust in the teaching profession.
- Ensuring that a suitably trained Designated Safeguarding Lead (DSL) has been appointed, alongside Deputy Designated Safeguarding Leads (DDSLs) where appropriate.

The Senior Leadership Team is responsible for:

- Ensuring that the school complies with its duties under child protection and safeguarding legislation.
- Ensuring that policies, procedures, and training opportunities with regard to reporting safeguarding concerns are compliant and effective.
- Ensuring that there is an effective Staff Behaviour Policy that outlines behavioural expectations.
- Ensuring that there are robust reporting arrangements, including inter-agency collaboration.
- Ensuring that there are appropriate procedures in place to handle allegations and low-level concerns reported against members of staff.
- Ensuring that all staff have undertaken safeguarding training.
- Ensuring that all staff have an ongoing awareness of low-level concerns and reporting procedures.

HR is responsible for:

- Receiving low-level concerns regarding staff members up to but not including SLT members and concerns regarding volunteers, visiting professionals, contractors and agency staff.
- Keeping detailed, accurate and secure records of all low-level concerns and any actions taken.
- Reporting low-level concerns to the Board of Governors.

All staff members are responsible for:

- Adhering to all relevant policies and procedures, including acting within the Staff Behaviour Policy, at all times.
- Interacting with pupils in a way that is respectful and appropriate for their level of authority and has due regard to the power imbalance between pupils and staff members.
- Understanding the importance of reporting low-level safeguarding concerns.
- Reporting any and all safeguarding concerns they may have about the behaviour of a member of staff immediately.

4. Prevention

All staff have a responsibility to report low-level concerns and must ensure that they pay due regard to the fact that:

- They are in a unique position of trust, care, responsibility, authority, and influence in relation to pupils.
- There is a significant power imbalance in the pupil-staff dynamic.
- There are more stringent expectations on their behaviour with regard to pupils due to their position as a public professional.

Staff will remain aware of the fact that all pupils under the age of 18, regardless of the phase and year group, are children by law. Staff will, therefore, ensure that they do not assume maturity on behalf of a pupil and do not engage with pupils as they would with their own peers. Staff will be aware that where there is any doubt regarding whether the behaviour of another adult is appropriate, this should be reported to the designated person immediately.

Inappropriate behaviour can exist on a wide spectrum, from inadvertent or thoughtless behaviour to behaviour which is ultimately intended to enable abuse. Examples of inappropriate behaviour that would constitute a low-level concern that should be reported to the Headmaster include, but are not limited to:

- Being overly friendly with children – this could include, but is not limited to, communicating with a child through personal social media or allowing inappropriate conversations or enquiries to occur with pupils, e.g. conversations that are about a staff member's personal life or are of a sexual nature.
- Having favourites – this could include, but is not limited to, calling pupils by pet names or terms of endearment or buying pupils gifts.
- Taking photographs of children on their personal mobile phones or devices.
- Engaging with a pupil on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating children.

Staff will be aware that some of the above low-level concerns may meet the harms threshold depending on certain factors, e.g. the age or needs of the child or the content of exchanged messages, and that some of the above incidents may not be concerns in context, e.g. a pre-

approved, one-to-one meeting with a pupil, as detailed in their behaviour support plan or pupil passport.

Staff should be aware that behaviour which raises concerns may not be intentionally inappropriate, and that this does not negate the need to report the behaviour. Staff members who engage in low-level inappropriate behaviour in relation to pupils inadvertently, will be made aware and supported to correct this behaviour in line with school policies. The Headmaster will also evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff team as a whole where low-level concerning behaviour is seen more widely.

School culture

The school understands that spotting the early signs of harmful behaviour towards children can be difficult, and that many will be hesitant to report concerns they have about their colleagues' behaviour, particularly the behaviour of their superiors. Staff are encouraged to maintain an attitude that recognises that abuse can happen here and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc.

Staff should understand that a report of a low-level concern about a member of staff might also be for the benefit of that member. It might provide an opportunity for guidance which might serve to protect himself or herself from the consequences of inappropriate behaviour in the future.

Staff will address any questions they have regarding safeguarding to the DSL or DDSs, however, low-level concerns must be reported following the appropriate channels set out below. The school will work to foster an environment where personal and professional boundaries are clearly set and respected for all individuals in the school community, e.g. pupils are not treated as friends and an appropriate professional distance is maintained by staff.

The school will ensure that all staff are sufficiently trained surrounding the reporting of safeguarding concerns as part of their induction, and that refresher training is conducted as necessary. The school will ensure that all staff understand how to recognise and report safeguarding concerns. Staff will be trained to identify inappropriate, concerning, or problematic behaviour towards pupils that may indicate a safeguarding concern, and how to identify signs of abuse or harm in pupils.

Evaluating school culture following concerns

The school will ensure that appropriate consideration is given to the school's culture and whether or not it has enabled the inappropriate behaviour to occur. The Headmaster will review whether any changes need to be made to relevant policies or training programmes in light of any evaluations, in order to achieve an open and transparent culture that deals with all concerns promptly and appropriately.

5. Reporting low-level concerns

The school promotes a culture in which safeguarding pupils is the upmost priority, beyond any perceived professional loyalties to colleagues, ensuring that staff are actively encouraged to report concerns, regardless of their relationship with the staff member.

Who to report to?

- a) All low-level concerns regarding staff members up to but **not** including SLT members, and concerns regarding volunteers, visiting professionals, contractors and agency staff, are to be reported direct to Sarah Hillon (HR & Compliance Officer).
- b) Low-level concerns regarding the HR & Compliance Officer and Senior Leaders (as named below), up to but **not** including the Headmaster, are to be reported to the Headmaster.

For clarity, Senior Leaders are: Andy Bazen, Jim Fenemore, Sally Webb, Karen Donlon, Matthew Harris, Karen Thorne, Amrit Siran and Nancy Stanton.

- c) Concerns relating to the Headmaster are to be reported to the Chairman of the Board.

If the school receives an allegation of a low-level safeguarding concern regarding an organisation that has hired the school premises, the school will follow its usual safeguarding procedures and process for managing allegations.

Staff may share their low-level concern verbally in the first instance, to be followed up with a low-level concerns form (Appendix A). Staff members must report their concerns without undue delay. Where the report concerns a specific incident, staff members will report their concerns no later than 24 hours after the incident (where possible). Staff members should be aware that concerns are still worth reporting even if they do not seem serious.

Staff members may request anonymity when reporting a concern, and the school will endeavour to respect this as far as possible. The school will not, however, promise anonymity to staff members who report concerns in case the situation arises where they must be named, e.g. where it is necessary for a fair disciplinary hearing. Staff will be protected from potential repercussions caused by reporting a genuine concern.

If the DSL is informed of a low-level concern, they will advise the member of staff to report to the designated person, as set out above, in a timely fashion according to the nature of the concerns. The Headmaster will be the ultimate decision maker in respect of all low-level concerns; however, they may take a more collaborative approach with the DSL to make a decision.

All concerns reported will be handled in line with Data Protection regulations.

6. Self-Reporting

On occasion, a member of staff may feel as though they have acted in a way that:

- Could be misinterpreted.

- Could appear compromising to others.
- They realise, upon reflection, falls below or violates the standards set out in school policies including Safeguarding/Child Protection and Staff Behaviour.

The school will ensure that an environment is maintained that encourages staff members to self-report if they feel as though they have acted inappropriately or in a way that could be construed as inappropriate upon reflection. Staff involved in the management of concerns will seek to maintain a culture of approachability for staff members, and will be understanding and sensitive towards those who self-report.

Staff members who self-report will not be treated more favourably during any resulting investigations than staff members who were reported by someone else; however, their self-awareness and intentions will be taken into consideration.

7. Evaluating reported concerns

The Headmaster will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated, e.g. where a child is at immediate risk of harm. When deciding if a concern is low-level, the Headmaster may discuss the concern with the Deputy Heads, DSL or HR, and will seek advice from the LADO where there is any doubt about whether the concern in fact meets the harm threshold.

To evaluate a concern, the Headmaster (or a member of SLT as directed by the Headmaster) will:

- Speak to the individual who raised the concern to determine the facts and obtain any relevant additional information if required.
- Speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).
- Consult with, and seek advice from, external agencies when in doubt over the course of action to follow.
- Consider any trends or patterns in concerns raised.
- Speak to the individual about whom the concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).
- Review the information and determine whether:
 - a) the behaviour is in fact appropriate – i.e. entirely consistent with the Staff Behaviour Policy and the law
 - b) the behaviour constitutes a low-level concern
 - c) there is any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact may meet the harm threshold, in which case they should consult with their LADO
 - d) in and of itself the behaviour may meet the harm threshold, and should be referred to the LADO/other relevant external agencies
 - e) when considered alongside any other low-level concerns previously made about the same individual, the behaviour may meet the harm threshold, and should be referred

to the LADO/other relevant external agencies and/or should be reclassified as an allegation and dealt with under the Safeguarding and Child Protection Policy.

- Ensure that accurate and detailed records are kept of all internal and external conversations regarding evaluating the concern, and any actions or decisions taken.

8. Acting on concerns

If it is determined that the behaviour is entirely consistent with the organisation's policies including Staff Behaviour and the law or the concern is unfounded

If it is discovered upon evaluation that the low-level concern refers to behaviour that was not considered to be in breach of school policy (including Staff Behaviour and Safeguarding and Child Protection) and/or the law, the Headmaster will speak to the individual about whom the concern was made to discuss their behaviour, why and how the behaviour may have been misconstrued, and what they can do to avoid such misunderstandings in the future.

In addition, the Headmaster will also speak to the individual who shared the concern, outlining why the behaviour reported is consistent with school standards and the law. The Headmaster will take care to ensure that conversations with individuals who reported concerns that transpired to be unfounded do not deter that individual from reporting concerns in the future.

The Headmaster will discuss the concern with the Deputy Heads or DSL (and if they have been involved, the LADO) to discern whether the behaviour, and the reporting of this behaviour, is indicative of ambiguity in the school's policies or procedures, or the training it offers to staff. Where such ambiguity is found, the Deputy Heads or DSL and Headmaster will work together to resolve this with input from other staff members, as necessary.

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

- A member of the Senior Leadership Team, as nominated by the Headmaster, will meet with the individual about whom the concern was reported, during which they will:
 - Talk to the individual in a non-accusatory and sympathetic manner.
 - Inform them of how their behaviour was perceived by the individual who reported the concern (without naming them, where possible).
 - Clearly state what about their behaviour was inappropriate and problematic.
 - Discuss the reasons for the behaviour with the individual.
 - Allow the individual the opportunity to respond to the concern in their own words.
 - Inform the individual clearly what about their behaviour needs to change.
 - Discuss any support that the individual may require in order to achieve the proper standards of behaviour.
 - Explain potential consequences if the individual fails to reach the required standard or repeat the behaviour in question.
- The individual may be required to re-read school policies, depending on the nature of the concern.
- Guidance, supervision, mentoring or any further training will be considered.

- If considered appropriate, objectives that outline ongoing and transparent monitoring of the individual's behaviour will be agreed, along with any other support measures implemented to ensure the staff member's behaviour improves.
- Where it is necessary to undergo an investigation into the behaviour, this will be done discreetly, and information will only be disclosed to individuals on a need-to-know basis.
- Where any pupil or other individual has been made to feel uncomfortable by the individual's behaviour, they will be offered pastoral support, where appropriate.

The Headmaster will ensure that all details of the low-level concern, including any resultant actions taken, are recorded and securely stored. The Board of Governors will review anonymised low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

The specific approach to handling low-level concerns will be adapted on a case-by-case basis.

Where the concern is serious

The Headmaster may decide upon evaluation that a concern is more serious than the reporter originally thought, e.g. when viewed in conjunction with other evidence or other concerns made about the same individual. Where this decision is made, the concern will be escalated, and dealt with as an allegation. The Headmaster will then follow the procedures set out in the Safeguarding and Child Protection Policy.

9. Disciplinary Policy and Procedure

Some low-level concerns may trigger procedures including disciplinary, capability and grievance. While some low-level concerns may also raise issues of misconduct or poor performance which are unrelated to safeguarding and may be dealt with under the school's disciplinary process.

10. Record keeping

The school will retain all records of low-level concerns, including those that were found to be unfounded. The Headmaster and HR & Compliance Officer will ensure that all records include the most accurate and up-to-date information and can be easily reviewed and analysed where necessary.

Records will include:

- The original report form submitted detailing the low-level concern.
- Details of how the concern was followed up and resolved.
- A note of any action taken, decisions reached, and the outcome.
- The name of the individual sharing concerns – if the individual wishes to remain anonymous, this will be respected as far as reasonably possible.
- The rationale for decisions made regarding concerns.

The Headmaster and HR & Compliance Officer will periodically review low-level concerns made to ensure that they are being appropriately dealt with and to check for any concerning behaviour patterns amongst the staff cohort as a whole.

Where any concerning patterns of behaviour have been identified with regard to a member of staff, the Headmaster (and members of the Senior Leadership Team if required) will decide on a course of action. Where a pattern of behaviour has become so concerning that it meets the harms threshold, this will be referred to the LADO as soon as practicable. It should be considered whether there are any wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies, including this one, could be revised, or extra training provided to staff to decrease the risk of it happening again.

Records of low-level concerns will not be kept in the personnel file of the individuals to whom the concerns pertain, unless there have been multiple low-level concerns made about the same individual. Where multiple low-level concerns have been made about the same individual, these will be kept together, and in chronological order. Where a concern is thought to be serious and is processed as an allegation, records of this will be kept in staff personnel files.

Where an allegation is made about an individual who has previously been subject to such allegations, or where a low-level concern is reclassified as a serious concern after meeting the harms threshold, all records of low-level concerns about that individual will be moved to the staff personnel file and kept alongside records of the allegation.

When providing employment references, the school will ensure that any information provided confirms whether they are satisfied with the applicant's suitability to work with children, and only provide the facts of any substantiated safeguarding concerns or allegations, including a group of low-level concerns about the same individual, that meet the harm threshold.

Any repeated low-level safeguarding concerns or allegations which do not meet the harm threshold which have been found to be false, unfounded, unsubstantiated, or malicious will not normally be included in any reference.

The Headmaster will decide in exceptional circumstances if a reference cannot be provided or if certain questions asked by the prospective employer cannot be answered, with HR advice sought when appropriate.

11. Monitoring and review

This policy will be reviewed annually by the Headmaster, Deputy Heads, DSL and HR, and in response to any new safeguarding requirements or concerns surrounding the wider cultural issues in the school.

Appendix A: Low-Level Concern Reporting Form

Please fill in the below 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 St Edward’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.

Include as much detail as you can, and return it directly to **the designated member of staff named below**:

- All low-level concerns regarding staff members up to but **not** including SLT members, and concerns regarding volunteers, visiting professionals, contractors and agency staff, are to be reported direct to Sarah Hillon (HR & Compliance Officer).
- Low-level concerns regarding the HR & Compliance Officer and Senior Leaders (as named below), up to but **not** including the Headmaster, are to be reported to the Headmaster.

For clarity, Senior Leaders are: Andy Bazen, Jim Fenemore, Sally Webb, Karen Donlon, Matthew Harris, Karen Thorne, Amrit Siran and Nancy Stanton.

- Concerns relating to the Headmaster are to be reported to the Chairman of the Board.

Please refrain from discussing this concern with anyone else until the matter has been dealt with. We ask that you keep all details, including the name staff member to whom the concern pertains, confidential.

<u>Your details</u>	
Name (optional)	
Role	
Date and time of completing this form	

<u>Details of individual whom the concern is about</u>	
Name	
Role	
Relationship to the individual reporting the concern, e.g. manager, colleague	

Details of concern

Please include as much detail as possible. Think about the following: What behaviour and/or incident are you reporting? What exactly happened? Why does the behaviour and/or incident worry you? Why do you believe the behaviour and/or incident is not consistent with our Staff Behaviour Policy?

Details of any children or young people involved

Name(s)	
Do you believe there is a risk of harm to the above children or young people, either now or in the future, as a result of the individual's behaviour? Explain your answer.	

Next steps

What would you like to see happen in response to your concern?		
Are you willing to meet with the Headmaster/HR & Compliance Officer (or delegated member of staff) to discuss your concern? Please circle as appropriate.	Yes	No
Please state any other information that you believe is relevant to the processing of this concern.		

Signature	
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For use by the Headmaster / HR & Compliance Officer upon receipt of concern

Date and time concern received	
Signature of recipient (Headmaster or Deputy)	
Actions to be taken	<i>(e.g. no action, investigation, reclassification as allegation meeting the harms threshold.)</i>
Rationale for decision above	
Outcome	