MOULTON SCHOOL

Low-Level Concerns Policy 2023

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1. Policy Statement

1.1 The policy outlines Moulton School's approach to managing concerns about adults, which do not meet the allegation threshold of harm nor are considered serious enough to consider a referral to LADO.
1.2 For the purpose of this policy, the term 'staff' will refer to any adult associated with the school, i.e. whether working for or with the school, engaged as a paid employee, worker or self-employed contractor, volunteer, agency staff or governor.
1.3 This policy does not form part of any member of staff's contract of employment, and it may be amended at any time.

2. Roles, Responsibilities, and Implementation

2.1 The Governing Board has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Headteacher, with formal adoption agreed by the Governing Body.
2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all staff are responsible for supporting colleagues and ensuring its success. The school is committed to safeguarding and promoting the welfare of children and young people and expects all to share this.

3. Aims

3.1 To ensure that all concerns about adults can be identified and spoken about openly with the appropriate safeguarding team.
3.2 To ensure that all concerns about adults are recorded and dealt with appropriately.
3.3 To create an open and transparent culture which enable settings to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working for or with the school are clear about professional boundaries and act within them, in accordance with the ethos and values of the school.
3.4 To help ensure that adults consistently model the school's values and helps keep children safe.
3.5 To also protect adults working in school from potential false allegations or misunderstandings.

4. Definition

4.1 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:

a) is not consistent with the school's Code of Conduct; and/or

b) relates to their conduct either inside or 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.

c) doesn't meet the threshold of harm or is not considered serious enough for the school/academy to refer to the local authority designated officer

4.2 Low-level concerns are differentiated from allegations which should be escalated through the appropriate procedure ie Disciplinary or LADO Review. An allegation is where 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.

4.3 While low-level concerns are, by their nature, less serious than allegations, the school understands that many serious safeguarding concerns, e.g. child sexual abuse, often begin with low-level concerns, e.g. subtle grooming by an offender. The school will ensure that all staff are aware of the importance of recognising concerns before they escalate from low-level to serious, wherever possible.

4.4 Staff do not need to be able to determine in each case whether their concern is a low-level concern, or if it is in fact serious enough to consider a referral to the LADO or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern that determination should be made by the Headteacher, etc.

4.5 The school will ensure that all staff members are aware of the standards of appropriate behaviour expected towards pupils. Staff will 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.

4.6 Staff will remain aware of the fact that all pupils under the age of 19, regardless of the phase and year group they are at within the school, are children by law – resultantly, staff will 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.

4.7 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 Headteacher and/or DSL immediately.

5. Appropriate and Inappropriate Behaviour

5.1 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 Headteacher and/or DSL include:

- 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, that contravene professional boundaries.

- 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 (unless using phone as outlined in school policy eg for Class Dojo etc)
- 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.

This list is not exhaustive or designed to be exclusive.

5.2 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 child behind a closed door between the child and a school counsellor who has received all appropriate safety checks.

5.3 Staff will also be made 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 Codes of Conduct. The headteacher and/or DSL will also evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff cohort as a whole where low-level concerning behaviour is seen more widely.

6. The Importance of Sharing Low-Level Concerns

6.1 Information sharing is essential for effective safeguarding and promoting the welfare of children and young people. It is a key factor identified in many serious case reviews (SCRs), where poor information sharing has resulted in missed opportunities to take action that keeps children and young people safe *(Information sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers)*. All concerns, no matter how small, must be reported.

6.2 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 anywhere, in any setting, and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc.

6.3 The school will ensure that all staff members have received training as part of their induction that outlines appropriate behaviour towards pupils for staff members. All staff will read, understand and adhere to the Code of Conduct and will address any questions they have regarding safeguarding to the Headteacher and/or DSL.

6.4 The school will work to foster an environment and culture 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.

6.5 The school will ensure that all staff understand how to recognise and report safeguarding concerns. Staff will be trained to identify concerning or problematic behaviour towards pupils that may indicate a safeguarding concern, and how to identify signs of abuse or harm in pupils.

7. Reporting a Low-Level Concern

7.1 In line with the school's whistleblowing/Allegations of Abuse Against an Adult Policy any concerns should be raised first with the Headteacher. In the absence of the Headteacher the concern should be raised with the Designated Safeguarding Lead (DSL). The Headteacher will inform the DSL and if required their Human Resources Provider.
7.2 Concerns about the Headteacher must be reported to the Chair of Governors who will inform the DSL (if assessed to be a low-level concern and not meeting LADO threshold).
7.3 Concerns about a governor must be reported first with the Headteacher. In the absence of the Headteacher the concern should be raised with the DSL.

7.4 If a concern is reported to the DSL, as opposed to the Headteacher, the DSL must inform the Headteacher at the earliest opportunity.

8. Self-Reporting

7.1 Occasionally, an individual might find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, an individual may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the Code of Conduct. In these instances, an individual may wish to self-report and this is encouraged. This can be positive for a number of reasons:

- it enables a potentially difficult issue to be addressed at the earliest opportunity.
- it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived; and
- it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

Any individual who wishes to self-report should speak with their Headteacher.

9. Response to a Low-Level Concern

8.1 In the event that a low-level concern is raised, the DSL will discuss the concern with the Headteacher and the Human Resources provider if required. The information will be reviewed to determine whether the behaviour:

i. is entirely consistent with the school's Code of Conduct and the law;
ii. constitutes a low-level concern;
iii. is serious enough to consider a referral to the LADO; or
iv. when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO/other relevant external agencies.

8.2 Where necessary, the school will initially seek the advice of the SCiE team (maintaining the anonymity of the individual where possible).
8.3 Where appropriate, either the headteacher or DSL will speak with the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).

10. Outcomes

i. The behaviour is entirely consistent with the school's Code of Conduct

The individual in question will be informed by the appropriate DSL what was shared about their behaviour so that they have an opportunity to respond. The individual in question will be informed that their behaviour is entirely consistent with the school's Code of Conduct.
The DSL will also speak to the person who shared the low-level concern to provide them with feedback about how and why the behaviour is consistent with the Code of Conduct and the law.

ii. The current concern is low-level

The individual in question will be informed by either the DSL or Headteacher what was shared about their behaviour so that they have an opportunity to respond.
The DSL or Headteacher, (with advice from their HR Provider if necessary) will determine the most suitable response. This may include:

- A conversation with the individual about their behaviour and why it was deemed to be a low-level concern
- Training
- Mentoring from an appropriate individual, e.g. a line manager
- Any support as identified by the individual themselves

In the event that the concern becomes a disciplinary matter, the school's Staff Disciplinary Policy will be followed.

iii. The current concern is sufficiently serious enough to warrant a referral to the LADO or when considered with any other low-level concerns that have been shared about the same individual, should be reclassified as an allegation

In the event that the current concern should be referred to the LADO or reclassified as an allegation, the school's whistleblowing/Allegations of Abuse Against Adults Policy will be followed.

11. Recording

10.1 A low-level concerns record will be kept in the Headteacher's office. This record will be accessible to the Headteacher and DSL (**NB – it should NOT be kept in the staff member's personnel file.)**
10.2 The concerns record will be kept in a chronological order as a running record. Each entry will have the time and date recorded, along with the name of the individual who has made the record and the outcome of the concern. The records will be kept confidential and will be held securely.
10.3 The records will be held centrally so that they can be easily reviewed by the Headteacher, DSL and Deputy DSL and any potential patterns of concerning, problematic or inappropriate behaviour spotted.
10.4 If a low-level concern in and of itself is deemed to be serious enough to consider a referral to the LADO, the records relating to the low-level concern will be placed on the individual's personnel file.
10.5 If a low-level concern (or group of concerns) is re-classified as an allegation, all previous records of low-level concerns relating to the same individual should be moved from the central low-level concerns file to the individual's personnel file.
10.6 If the low-level concern is raised about an individual who works with the school, but is not a member of staff, e.g. Agency Staff/Contractor, then any records relating to the concern will be shared with the individual's employer. If necessary, advice will be sought from the LADO on what can be shared and with whom.
10.7 The Headteacher and DSL will be responsible for recording any concerns.

12. Review period

11.1 This policy will be reviewed on an annual basis.