

includEd Learning

Independent Specialist Education Provider



LOW LEVEL CONCERNS POLICY

Under the public sector equality duty, all schools/academies must have due regard to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010; to advance equality of opportunity between those who share a relevant protected characteristic and those who do not share it and to foster good relations across all protected characteristics. This means schools/academies must take into account equality considerations when policies are being developed, adopted and implemented.

Date of Adoption: September 2024

Date of Review: September 2026

This policy will be reviewed annually unless an incident, or new legislation guidance, suggests the need for an interim review.

Essential Safeguarding Contacts

The Head of Centre who has the ultimate responsibility for safeguarding is Noreen Khan. In their absence, the Deputy Designated Safeguarding Lead (DDSL) Paul Dearden has ultimate responsibility.

KEY SCHOOL STAFF & ROLES

| Name | Role | Location/Contact Number |
|----------------------------|---|--|
| Noreen Khan | Head of Centre DSL | IncludEd Learning Centre 07380 292211 |
| Paul Dearden Adeel Kean | Deputy Head of Centre DDSL Pastoral Lead DDSL | IncludEd Learning Centre 07380 484818 07473 397346 |

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→ 1. Policy Statement

This section is based on concerns that do not meet the harm threshold in part 4 of Keeping Children Safe in Education.

This applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold set out in section 1 above.

Concerns may arise through, for example:

- Suspicion
- Complaint
- Disclosure made by a child, parent or other adult within or outside the school
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

→ 2. Definition of Low Level Concerns

The term 'Low-Level' concern is any concern – no matter how small – that an adult working in or on behalf of the school may have acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, **and**
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

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

- Being overly friendly with children;
- Having favourites;
- 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.

→ 3. Sharing Low-Level Concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others.
- Have clear policies and procedures.
- Empowering staff to share any low-level concerns as per section 7.7 of this policy.
- Empowering staff to self-refer.
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage.
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised.
- Helping to identify any weakness in the school's safeguarding system.

→ 4. Reporting a Low-Level Concerns

- Low level concerns about a member of staff should be reported to the Headteacher as per the school's Child Protection procedures.
- If the concern is about the Head of Centre this should be reported to the Chair of Governors.
- Low level concerns about supply staff, contractors and local authority visiting staff will also be reported to their employers.

Staff should use the school's Low-Level Concerns Reporting Form (Appendix 1).

→ 5. Responding to Low-Level Concerns

If the concern is raised via a third party, the Head of Centre will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses

The Head of Centre will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's staff Code of Conduct.

- Allegations that meet the harm threshold will be referred to the LADO for advice.
- Low level concerns that the school feel may need further guidance on will be referred to the LADO for advice.
- Low level concerns that the school feel they can deal with internally will be dealt with via the school's usual child protection investigation process.
- The school will engage with its HR provider where it is necessary to undertake further investigation and/or deal with the concern under relevant processes.

→ 6. Recording

All low-level concerns will be recorded in writing (Appendix 1) . In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority.
- Retained at least until the individual leaves employment at the school.

→ 7. Reviewing a Low-Level Concern

Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

Where a pattern of such behaviour is identified, the Head of Centre will decide on a course of action, which may include:

- Disciplinary investigation and/or proceedings
- Management Advice, including recommendations for training
- Referral to the LADO (where a pattern of behaviour moves from a concern to meeting the harm threshold).

If the concern relates to volunteers, or any other concerns arise, school can contact the LADO for further advice.

→ 8. References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

REVIEWED: Senior Leadership Team

This document is reviewed annually to ensure compliance with current regulations.

APPENDIX A: Low Level Concerns Recording Form



APPENDIX B: Low Level Concerns Recording Form

This document should be used when 'low level' concerns as defined in Section 2 of Part 4 of Keeping Children Safe in Education 2021 are reported. This document does not to replace suspension/formal disciplinary investigations in the event that concerns are either categorised as more serious than low level or when formal disciplinary procedures are required in relation to the low-level concern.

| | |
|---|--|
| 1. Name of individual raising the concern <i>Leave blank if concern was raised anonymously or the individual wishes to remain anonymous</i> | |
| 2. Date the concern was raised | |
| 3. Name and role of individual about whom concern has been raised | |
| 4. Details of the concern(s) reported (give description and context) <i>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 the staff code of conduct but does not meet the allegations threshold set out in Section 1 of Part 4.</i> | |
| 5. Details of steps have been taken to investigate this concern <i>Steps should include speaking to the individual who raised the concern, the individual about whom the concern is raised and any witnesses. You will need to review your Code of Conduct and Safeguarding Policies to determine if there has been a breach.</i> | |
| 6. Set out the Individual's response to the concern | |

| | |
|--|-----------------------|
| <p>7. Is this concern ‘low level’ or should it be treated as an allegation against staff and managed in accordance with Section 1 of Part 4?</p> <p><i>To reach this decision, consider the information set out in 5 and 6 above. If you are unsure, seek advice from your HR and/or safeguarding advisors and/or discuss the matter with your LADO. Set out your reasons for reaching your conclusion, including the advice provided by your advisors and any discussions with your LADO</i></p> | |
| <p>8. Have ‘low level’ or other concerns been raised about this individual previously?</p> <p><i>If so, please provide dates, brief details and relevant file/document reference for the concern(s). Also consider whether previous concern(s) raised coupled with this new concern meet the threshold set out in Section 1 of Part 4.</i></p> | <p>Yes [] No []</p> |
| <p>Details of further action required</p> <p><i>Action could range from no action or a conversation to discuss the concern, to being clear why the behaviour is concerning and formal disciplinary action.</i></p> | |

| | | |
|-----------------------------|-----------------|--|
| <p>Completed by:</p> | <p>Name</p> | |
| | <p>Position</p> | |
| <p>Date:</p> | | |
| <p>Signature:</p> | | |