

Moss Park Primary School



Low Level Concerns Policy

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| Author | Sally Nunwick/Wellbeing Working Group |
| Date adopted | January 2022 |
| Next Review | January 2025 or when subject to changes in legislation |
| Responsible Committee | Resources and Premises |
| Signature of Chair of Governors | <i>Allan Humphris</i> |

1. Introduction

At Moss Park Primary School we take safeguarding very seriously. This includes ensuring that adults who work with children do so in a way that is in accordance with the ethos and policies set out by the school including the school Code of Conduct. The policy sets out the details and processes for staff regarding low level concerns they may have.

2. Summary

It may be possible that a member of staff acts in a way that does not cause risk to children, but is however inappropriate. A member of staff who has a concern about another member of staff should inform the Head Teacher about their concern using a Low-Level Record of Concern Form. If the Head Teacher cannot be contacted, the Chair of Governors should be contacted instead.

3. Keeping Children Safe in Education September 2021

The section is based on 'Section 2: Concerns that do not meet the harm threshold' in part 4 of Keeping Children Safe in Education September 2021:

407. As part of their whole school approach to safeguarding, schools and colleges should ensure that they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

408. Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold (see Part Four - Section one)) are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should encourage an open and transparent culture; enable schools and colleges to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

What is a low level concern?

409. The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out at paragraph 338. 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 in or on behalf of the school or college 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 LADO.*

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

- *Being over friendly with children and/or 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, derogative or offensive language*

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

412. It is crucial that any such concerns, including those which do not meet the harm threshold (see Part Four - Section one), are shared responsibly and with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from potential false allegations or misunderstanding

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.

4. Clarity around Allegation v Low level Concern v Appropriate Conduct

Allegation

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;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Low-Level Concern

Any concern – no matter how small, even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with an organisation’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.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation’s Code of Conduct, and the law.

5. 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. Low level concerns may be made verbally – in which case the Headteacher will make a record of the conversation, or by using the concerns form (Appendix A).

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
- Empowering staff to share any low-level concerns
- 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

6. Responding to low-level concerns

If the concern is raised via a third party, the Headteacher 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
- If appropriate to seek advice from the LADO (Anita Hopkins 0161 912 5024)

The Headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school’s Disciplinary Policy. If the low level concern is about the Headteacher, the concern is investigated by the Safeguarding Governor, Allan Humphris.

7. Record keeping

All low-level concerns will be recorded in writing. 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
- 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.

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

9. Key Reference Document

Read this document for further information about low level concerns, which is referenced in Keeping Children Safe in Education 2021

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concerns-guidance-2021.pdf>

MPJS Low-Level Concern Form

Please use this form to share any concern – no matter how small, and even if no more than ‘nagging doubt’ – that an adult might have acted in a manner which:

- Is not consistent with Moss Park Primary’s Code of Conduct Staff Values
- Is not consistent with the guidance given in “Safer Working Practices...”
- 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 the child’s suitability to work with children or young people

You should provide a concise record – 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 incidents. Please use an extra sheet if necessary. The record should be signed, timed and dated. Please email to the Headteacher or place on her desk in a sealed envelope. If the low level concern is about the Headteacher, please email him on ahumphris@askait.com or address to him in a sealed envelope – put on Sara Moroney’s desk and she will contact him.

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| Date of incident: | |
| Name, role and details of the person(s) the report is being made about: | |
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| Account of incident or concern: (give clear details relating to what happened, where, when, who was involved, what was said, nature of injury or behaviour, any witnesses etc. Why do you believe this constituted a breach of our code of conduct? Keep it factual). | |
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| Details of any children involved | |
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| Name of person making the report/role: | |
| Signed: | |
| Date: | |
| ADMIN USE ONLY | |
| Designated Safeguarding Officer: | |
| Signed: | |
| Date: | |
| Further action taken: | |

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