

# Temple Meadow Primary School



Temple Meadow  
Primary School

Growing together, learning together

## Low level concern policy

### *Safeguarding Policy Statement*

*This policy is part of the wider umbrella of Keeping Children Safe in Education - and Temple Meadow's Safeguarding and Child Protection Policy.*

**Policy Ownership: Headteacher / DSL**

<b>To SLT:</b>	May 2023
<b>To Staff:</b>	May 2023
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## **Introduction**

This policy should be read in conjunction with the Safeguarding and Child Protection Policy. The low-level concerns policy is based upon the statutory guidance 'Keeping Children Safe in Education 2022', the expectations within 'Guidance for Safer Working Practice 2022' and the principles within Farrer & Co's 'Developing and Implementing a Low-Level Concerns Policy 2021'. These documents are referenced throughout the policy.

The aim of this policy is to create a culture in which all concerns about adults (including allegations that do not meet the harm threshold) are shared responsibly and with the right person, and recorded and dealt with appropriately, creating this culture is crucial to effective safeguarding practice. When implemented well this encourages an open and transparent culture, and supports identification of concerning, problematic or inappropriate behaviour early; minimises the risk of abuse and ensures that adults working at Temple Meadow are clear about professional boundaries and act within them, in accordance with the ethos and values of Temple Meadow Primary School.

Behaviour which is not consistent with the standards and values of Temple Meadow Primary School, and which does not meet the expectations specified in our staff code of conduct (staff handbook); needs to be addressed. Such behaviour can exist on a wide spectrum – from the inadvertent or thoughtless; through to that which is ultimately intended to enable abuse. Where a concern about an individual's behaviour meets the threshold of an allegation, clear guidance exists to support the member of staff in responding to these concerns.

## **Purpose of a low-Level Concerns Policy**

This policy enables all staff to share any concerns – no matter how small; about their own or another member of staff's behaviour with the Headteacher or Deputy in their absence.

Safeguarding and promoting the welfare of children is everyone's responsibility. The purpose of the policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in the staff code of conduct (staff handbook), are constantly lived, monitored and reinforced by all staff.

To achieve this purpose, Temple Meadow Primary School will:

- Ensure that 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.
- Recognise the importance of professional boundaries and when to report.
- Empower staff to share any low-level concerns with the person in school (Headteacher) and to help all staff to interpret the sharing of such concerns as a neutral act.
- Address unprofessional behaviour and support the individual to correct it at an early stage.
- Identify concerning, problematic, or inappropriate behaviour – including any patterns – that may need to be consulted upon with, or referred to, the LADO.
- Ensure all concerns that are raised are handled sensitively and proportionately.
- Help identify any areas for development in Temple Meadow Primary School safeguarding system as well as any training needs.

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

The term 'allegation of harm' means that it is alleged that a person who works with children meets the harm threshold as specified below:

- 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.

### **Concerns that do not meet the harm threshold: Low Level Concerns**

The term 'low level' concern does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the harm threshold. 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 Temple Meadow Primary School Code of Conduct (staff handbook), including inappropriate conduct outside of work, and does not meet the allegation threshold or is otherwise not serious enough to consider a referral to the LADO – but may merit consulting with and seeking advice from the LADO.
- Staff do not need to be able to determine in each case whether their concern is a low-level concern, or if it is not serious enough to consider a referral to the LADO, or whether it meets the threshold of an allegation. Once staff have shared what they believe to be a low-level concern, that determination should be made by the Headteacher and responded in line with this policy.

### **A culture of vigilance and staff training on Low Level Concerns**

Temple Meadow Primary School has a culture of openness and trust is fostered within the organisation so that staff can share any concerns about the conduct of colleagues and be assured that these will be received and handled in a sensitive manner.

If we educate adults to be informed about, and to identify concerning, problematic or inappropriate behaviour, rather than think they can recognise dangerous people, they can be prepared to act when they observe behaviour which violates our Code of Conduct.

All new staff will receive training on this policy on induction.

### **Sharing Low Level Concerns**

It is critical that all low-level concerns are ultimately received by the Headteacher. Having one recipient of all such concerns should allow any potential patterns of concerning, problematic or inappropriate behaviour to be identified, and ensure that no information is potentially lost.

It is important that low-level concerns are shared with the Headteacher as soon as reasonably possible and, in any event, within 24 hours of becoming aware of the concern where it relates to a specific incident.

Whilst staff should share information with the Headteacher as soon as reasonably possible, it should also be emphasised that it is never too late to share a low-level concern and a delay should never be seen as a barrier to sharing. In the event of concerns about the Headteacher, these should be referred to the Chair or Governor and / or Deputy Head.

### **Anonymity**

If the staff member who raises the concern does not wish to be named, then the Headteacher will respect that person's wishes as far as possible.

There may be circumstances where the staff member will need to be named (for example, where it is necessary in order to carry out a fair disciplinary process) and, for this reason, anonymity will never be promised to colleague

who share low level concerns. Where possible, we will try to encourage staff to consent to be named, as this will help to create a culture of openness and transparency.

### **Self-Reporting**

Occasionally a member of staff may find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, a member of staff 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.

Self-reporting in these circumstances can be positive for a number of reasons: it is self-protective, in that 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, crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

In line with KCSIE, Temple Meadow Primary School will ensure that there is an environment where staff are encouraged and feel confident to self-refer.

### **Sharing and Recording of low-Level Concerns**

Where the low-level concern is provided verbally, an appropriate record of the conversation will be made on the low-level concerns which is effectively our pink safeguarding form. You can email the Headteacher a concern too.

The name of the individual sharing the low-level concern and their role should be stated, as should the name of the individual about whom the concern is being raised, and their role within the organisation at the time the concern is raised.

The record will include brief context in which the low-level concern arose, and concise details (which are chronological and as precise and accurate as possible) of any such concern and relevant incident(s).

The record must be signed, timed, and dated.

### **Responding to a Low-Level Concern**

Once the Headteacher has received the low-level concern, they will:

- speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary, or completed low-level concerns form has been provided.
- speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).
- speak to 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);
- review the information and determine whether the behaviour:
  - is entirely consistent with the Code of Conduct and the law;
  - constitutes a low-level concern;
  - is not serious enough to consider a referral to the LADO – but may merit consulting with and seeking advice from the LADO;
- when considered with any other low-level concerns that have previously been raised about the same individual, could now meet the threshold of an allegation, and should be referred to the LADO; and/or
- in and of itself meets the threshold of an allegation and should be referred to the LADO.

### **Possible Outcomes from a Low-Level Concern**

If it is determined that the behaviour is entirely consistent with the Code of Conduct and the law, we will:

update the individual in question and inform them of the action taken as above.

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 organisation's staff code of conduct and the law; consider if the situation may indicate that the staff code of conduct or low-level concerns policy are not clear enough, or if further training is required.

If the same or a similar low-level concern is subsequently shared about the same individual, and the behaviour in question is also consistent with the Code of Conduct, then an issue may need to be addressed about how the subject of the concern's behaviour is being perceived by others.

If it is determined that the behaviour constitutes a low-level concern, it will be responded to in a sensitive and proportionate way – on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from any potential false allegations or misunderstandings.

Any investigation of low-level concerns will be done discreetly and, on a need-to-know basis.

Most low-level concerns by their very nature are 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 by means of management guidance and/or training.

In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised. It has long been understood that lasting change in behaviour is least likely to be achieved by an approach experienced as critical or threatening.

Any such conversation will include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question. Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate.

Where a low-level concern relates to a person employed by a supply agency or a contractor, that concern will be raised with their employers, so that any potential patterns of inappropriate behaviour can be identified.

Some concerns may trigger the disciplinary, grievance or whistleblowing procedures, which should be followed where appropriate. Where low level concerns are raised which in fact require other internal processes to be followed, it is sometimes difficult to determine how best to investigate the concern and which procedure to follow. The Headteacher will exercise their professional judgement and, if in any doubt, they will seek advice from other external agencies including the LADO.

If the disciplinary procedure is triggered, Temple Meadow Primary School will ensure that the individual has a full opportunity to respond to any factual allegations which form the basis of a disciplinary case against them.

If it is determined that the behaviour, whilst not sufficiently serious to consider a referral to the LADO nonetheless merits consulting with and seeking advice from the LADO, then action (if/as necessary) will be taken in accordance with the LADO's advice.

If, when considered with any other low-level concerns that have previously been shared about the same individual, could now meet the threshold of an allegation, then it should be referred to the LADO in accordance with Part 4 of KCSIE.

### **Storage of Low-Level Concerns**

Temple Meadow Primary School will retain all records of low-level concerns (including those which are subsequently deemed by the Headteacher to relate to behaviour which is entirely consistent with the Code of Conduct) in

Headteacher confidential filing (electronically this is a folder of Practice Reminders). Where multiple low-level concerns have been shared regarding the same individual, these will be kept in chronological order as a running record. Low level concerns will not be stored on personnel files. Saving low level concerns separately will allow Temple Meadow Primary School to spot any potential patterns of behaviour whilst reassuring staff to share low level concerns.

Referrals made to the LADO where the behaviour in question:

- had not originally been considered serious enough to consider a referral to the LADO but merited consulting with and seeking advice from them.
- is determined to meet the threshold of an allegation when considered with any other low level concerns that have previously been raised about the same individual; or in and of itself meets the threshold of an allegation.

Material on the personnel file will be retained in accordance with Part 4 of KCSIE which requires us to produce a clear and comprehensive summary of all allegations (except those which are found to have been malicious), details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, to be kept on the confidential personnel file of the staff member, and a copy provided to them.

### **Reviewing the Low-Level Concerns File**

The Headteacher will review the central low level concerns file periodically to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of these reviews will be made and stored alongside the file, along with any subsequent actions taken.

The Governing Board will receive relevant data relating to Low Level Concerns and review anonymised samples of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

### **Retaining Low Level Concerns**

Any low-level safeguarding concerns will be recorded in writing including the details of the concern, the context in which the concern arose, and action taken. These records will be kept securely in a restricted access folder in line with GDPR. 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, Temple Meadow Primary School will decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it will be referred to the LADO.

This information will be retained until the individual leaves their employment with Temple Meadow Primary School.

### **Low Level Concerns and References**

Low-level concerns which relate exclusively to safeguarding will not be included in references unless they relate to issues which would normally be included in a reference, for example, a live warning for misconduct or live concerns about poor performance.

However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it will be referred to in a reference.

## Appendices

### Appendix A: Spectrum of Behaviour

#### **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; 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, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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 an organisation's staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO - but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

#### **Appropriate Conduct**

Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

### Appendix B: Low Level Concerns Form

We use our pink form and or email the Headteacher.

Please do so 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 Temple Meadow Primary School Code of Conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold or is otherwise not serious enough to consider a referral to the LADO.

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 incident(s). Please use a separate sheet if necessary.

The record should be signed, timed and dated.