



# **BRETHERTON ENDOWED CE PRIMARY SCHOOL**

## **Low Level Concern Policy**

*Walking in the footsteps of Jesus with our Christian family, we learn, grow, achieve and flourish together in God's love.*

**This policy is for Bretherton Endowed CE Primary School and The Hub, Bretherton Endowed Out of School Provision.**

### **Introduction**

At Bretherton Endowed CE 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 Staff Code of Conduct. Our school works to ensure that we promote an open and transparent culture in which all concerns about adults working in or on behalf of the school are dealt with promptly and appropriately. This policy sets out the detail and processes for staff regarding low-level concerns they may have.

All employees employed at this school including:

- Teachers
- Support staff
- Supply teachers
- Volunteers
- Local Authority visiting staff
- Contractors

The term 'staff' throughout this policy refers to all of the above.

### **Aims**

- To help create a culture in which all concerns about adults are shared responsibly and with the right person and are recorded and dealt with appropriately.
- To enable schools to identify concerning, problematic or inappropriate behaviour early.
- To minimise the risk of abuse occurring.
- To ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries and in accordance with the ethos and values of the school.
- To help create an environment where staff are comfortable to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

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. This concern will be recorded as a Low-Level Record of Concern Form. If the Head Teacher cannot be contacted, the Chair of Governors should be contacted instead.

## **Keeping Children Safe in Education**

The following is taken from Keeping Children Safe in Education

*“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. 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?**

The term ‘low level’ concern does not mean that it is insignificant. It means that the behaviour towards a child does not meet the harm threshold for an allegation. ‘Keeping Children Safe in Education’ defines a low level concern as: “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”

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

- being over 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; or,
- using inappropriate sexualised, intimidating or offensive language.

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. 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 misunderstandings.

Our school ensures that staff are clear about what appropriate behaviour is through their induction and regularly reinforcement of documents such as:

- Staff Code of Conduct
- Safeguarding and Child Protection policies and regular training
- Teachers' Standards (for teaching staff)

### **Reporting a low level concern**

Low level concerns about a member of staff should be reported to the DSL and/or Headteacher as per the school's Child Protection procedures. If the concern is about the Headteacher 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.

### **Dealing with a low level concern**

Where a concern is raised about the practice or behaviour of a member of staff, this information must be recorded and passed to the Headteacher. The Headteacher must then make an assessment to determine if the matter is a 'low level concern' or an 'allegation' and follow one of the following routes.

- 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.

### **Clarity around Allegation vs Low-Level Concern vs Appropriate Conduct**

#### **Allegation:**

**Any adult linked to our school who 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 he or she 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:**

**Any adult linked to our school who has behaved 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.**

### **Appropriate:**

- **Behaviour which is entirely consistent with our school's Code of Conduct, and the Law.**

### **Recording a low level concern**

All low level concerns should be formally recorded by a member of staff when they are made aware of them. This record should then be passed to the Headteacher (or Chair of Governors if the concern is about the Headteacher).

The record should include:

- Details of the concern,
- The context in which the concern arose,
- The outcome of the investigation and any action taken, and
- The name of the individual sharing their concerns (if known) (unless the individual wishes to remain anonymous which must be respected as far as possible)

Relevant records will be retained confidentially on the personnel file. A separate record will also be kept of low level concerns to more easily identify patterns that may involve more than one member of staff. All records must be kept in line with data protection principles.

### **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 Headteacher 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).

The school will take advice, where appropriate, from their HR provider in respect of low level concerns.

The school will also review appropriate policies and training, or other wider cultural issues in the school, to see whether anything needs to be done to minimise the risk of similar behaviour happening again.

### **Storing and use of Low-Level Concerns and follow-up information**

LLC forms and follow-up information will be stored securely within the schools safeguarding systems, with access only by the leadership team. This will be stored in accordance with the school's GDPR and data protection policies. The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Head Teacher or those aware in the senior leadership team.

Low-Level Concerns will not be referred to in references unless they have been formalised into more significant concerns resulting in disciplinary or misconduct procedures. Whenever staff leave Bretherton Endowed CE Primary School, any record of low-level concerns which are stored about them will be reviewed as to whether or not that information needs to be kept.

Consideration will be given to: (a) whether some or all of the information contained within any record may have any reasonably likely value in terms of any potential historic employment or abuse claim so as to justify keeping it, in line with normal safeguarding records practice; or (b) if, on balance, any record is not considered to have any reasonably likely value, still less actionable concern, and ought to be deleted accordingly

The policy links to the following guidance documents:

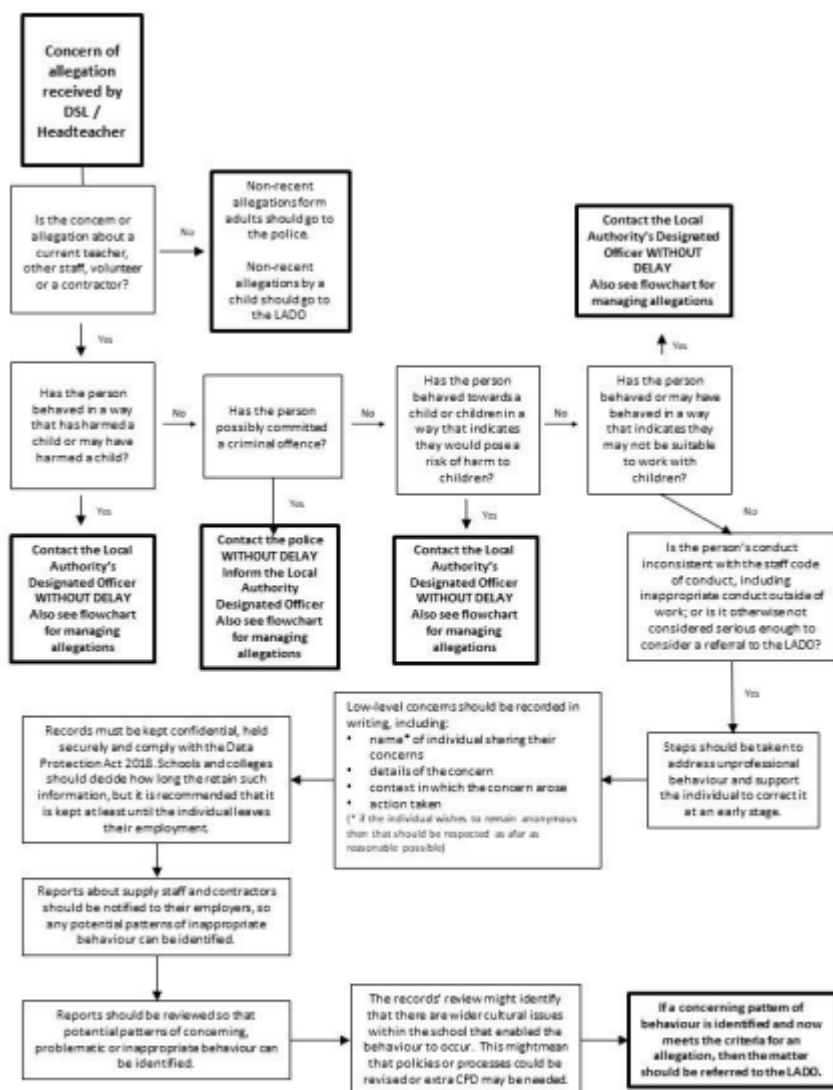
Keeping Children Safe in Education (DfE)  
Model Code of Conduct (Manual of Personnel Practice)  
Avoiding Allegation guidance (Manual of Personnel Practice)  
Safeguarding & Child Protection Policy

Policy updated 1 9 25

To be reviewed with safeguarding policy annually.

## Appendix 1

### 6. Process to follow when a Low-Level Concern is raised



**\*NB – if the concern is about the Headteacher, then the Chair of Governors should be informed.**

## Appendix 2

Your details	
Name (optional)	
Role	
Date and time of completing this form	
Details of individual (including yourself for self-reporting) whom the concern is about	
Name	
Role	
Relationship to the individual reporting eg manager, colleague	
Details of concern	
<p><b>Please include as much detail as possible. Think about the following:</b> 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 Code of Conduct?</p>	

Details of any children or young people involved		
Name(s)		
Next Steps		
Are you willing to meet with the headteacher and DSL to discuss your concern? Please circle as appropriate.	Yes	No
Please state any other information that you feel is relevant to the processing of this concern.		
Signature		

For use by HT/safeguarding team upon receipt of the concern	
Date and time concern received	
Signature	
Role	
Actions to be taken and follow-up.	



Headteacher : Mrs Alison Moxham

Chair of Governors : Mrs P Aspden

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