

# Avenue Pre-Preparatory School and Nursery

## Policy for Low Level Concern

Date of policy: July 2022

Date of policy review: August 2023

Authorised by Mary Fysh, Principal and Martin Ayres, Chair of Advisory Board

### Contents

- Purpose
- Definition of a low-level concern
- Allegation that may meet the harm threshold
- Reporting low-level concerns
- Recording concerns
- Responding to low level concerns
- Where behaviour is consistent with the Staff Behaviour and Code of Conduct
- References

## Purpose

This policy sets out a framework where staff are expected to report concerns, no matter how small, about their own behaviour or that of another member of staff, volunteer, supply teacher, contractor or other person working at, or visiting, The Avenue Pre-Preparatory School and Nursery.

The purpose is to help create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour, as set out in our Child Protection and Safeguarding policy are lived, continuously reinforced and monitored.

The policy should be read in conjunction with the current statutory guidance – ‘Keeping Children Safe in Education (KCSiE 2022)’ Part 4, Section 2 and Staff Handbook (Code of Conduct).

## Who does the policy apply to?

This policy applies to all staff and other individuals who work or volunteer in school and visitors.

## Definition of a low-level concern

A low-level concern is any concern (no matter how small) even if no more than causing a sense of unease or a ‘nagging doubt’, that a person working in, visiting or on behalf of the school may have acted in a way that:

- is inconsistent with The Avenue’s Staff Code of Conduct, and
- does not meet the allegations threshold or is otherwise not considered serious enough to make a direct referral to the LADO

## Allegation that may meet the harm threshold *(KCSiE, 2022)*

The term ‘allegation’ means that it is alleged that a person 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.

In all situations of such 'allegations' staff must report immediately to the Principal who will proceed to undertake necessary enquiries, including discussions with the LADO.

Where it is felt there are concerns but these are at a lower level than the allegations set out above this policy/procedure should be followed. Examples of behaviour that could require such reporting of a low-level concern, that don't meet the allegation threshold 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 (please refer to the Staff Code of Conduct and Safeguarding Policy), 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.

### **Reporting low-level concerns**

Where a low-level concern has been identified, this should be reported as soon as possible to the Principal and Head. However, it is never too late to share a low-level concern if this has not already happened.

Where the Principal or Head is not available, the information can be reported to the Designated Safeguarding Lead.

Low-level concerns about the Designated Safeguarding Lead will be reported to the Principal and Head and those about the Principal and Head will be reported to the Advisory Body Chairperson.

Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Principal and Head of the details as soon as possible.

### **Recording concerns**

A summary of the low-level concern should be written down, signed, timed, dated and shared by the person bringing the information forward.

Where concerns are reported verbally to the Principal and Head a record of the conversation will be made by the Principal and Head which will be signed, timed, and dated.

## Responding to low-level concerns

Where a low-level concern has been raised this will be taken seriously and dealt with promptly.

The principal will:

- Speak to the person reporting the concern to gather all the relevant information
- Speak to the individual about the concern raised to ascertain their response
- Where, following initial enquiries it is felt that the allegations are no longer low level – usual procedures should prevail, including liaison with the LADO and Police (where it is felt a criminal offence has been committed).

### In summary:

Where necessary further investigation will be carried out to gather all relevant information. This may involve speaking to any potential witnesses. The information reported and gathered will then be reviewed to determine whether the behaviour:

- **is consistent with the school's Staff Code of Conduct:** no further action will be required
- **constitutes a low-level concern:** no further action is required, or additional training/guidance/support may be required to rectify the behaviour via normal day to day management processes. The employee should understand that failure to improve or a repeat of the behaviour may lead to further action being taken, e.g. via the school disciplinary procedures.
- **is serious enough to consult with or refer to the LADO:** a referral should be made to the LADO and advice taken.

Allegations procedure within the Safeguarding Policy will be followed:

- 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 or Police: a referral should be made to the LADO and HR advice taken as necessary. In this case the school's Safeguarding Policy and Disciplinary Policy will be followed.

When considered with any other low-level concerns that have previously be made, records will be made of:

- all internal conversations including any relevant witnesses;
- all external conversations, e.g. with the LADO;
- the decision and the rationale for it and any action taken;

### **Can the reporting person remain anonymous?**

The person bringing forward the concern will be named in the written record. Where they request to remain anonymous, this will be respected as far as possible. However, there may be circumstances where this is not possible, e.g. where a fair disciplinary investigation is needed or where a later criminal investigation is required.

### **Should staff report concerns about themselves (i.e. self-report)?**

It may be the case that a person finds themselves in a situation which could be misinterpreted or might appear compromising to others; or they may have behaved in a manner which on reflection they consider falls below the standard set out in the Staff Code of Conduct. In these circumstances they should self-report. This will enable a potentially difficult situation to be addressed at an early opportunity if necessary. Self reporting will not be seen as a prejudicial act and is aimed at maintaining transparency and openness alongside the reinforcement of the school's safeguarding culture for children and staff.

### **Where behaviour is consistent with the Staff Code of Conduct**

Feedback will be given to both parties to explain why the behaviour was consistent with the Staff Code of Conduct.

### **Should the low-level concerns file be reviewed?**

The records will be reviewed periodically, and whenever a new low-level concern is added, so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. The school will liaise with the LADO in line with the main Child Protection and Safeguarding Policy.

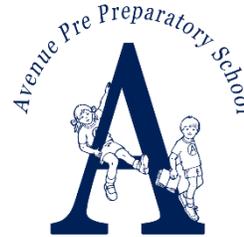
### **References**

Low-level concerns will not be included in references unless a low-level concern, or group of concerns, has met the threshold for referral to the LADO and found to be substantiated.

### **What is the role of the Governors?**

The Principal and Head will regularly inform the Advisory Board about the implementation of the low-level concerns policy including any evidence of its effectiveness, e.g. with relevant data. The Advisory Body chairperson will also review an anonymised sample to ensure that these concerns have been handled appropriately.

**Appendix 1**



**LOW-LEVEL CONCERN FORM**

Please use this form to share 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:

- is not consistent with [Insert name of the organisation] 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.

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) (and please use a separate sheet if necessary). The record should be signed, timed and dated.

**Details of concern**

<u>Name of staff member:</u>	<u>Date and Time:</u>
Signed:	Date:

**Received by:**

**Date and Time:**

**Action taken:**

**Signed:**

**Date:**

This record will be held securely in accordance with The Avenue Pre-Preparatory School's low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but The Avenue Pre-Preparatory School and Nursery may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.