EATON HOUSE SCHOOLS

LOW LEVEL CONCERNS POLICY

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Contents

Introduction 3
Summary 3
Low-level concerns and procedure 4
Clarity around Allegation vs Low-Level Concern vs Appropriate Conduct 5
Process to follow when a Low-Level Concern is raised 6
Record Keeping 7
Low-Level Concern Form 8
Appendix A – Low-Level Concern Form 9

Introduction

At Eaton House Schools, we are committed to creating a secure environment for everyone in the School community and a culture of openness, trust and transparency. 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. This policy sets out the detail and processes for staff regarding low-level concerns they may have.

Summary

The School understands that low level concerns must be looked at as a whole School approach and facilitate an open and transparent culture within the school.

It may be possible that a member of staff acts in a way that does not cause risk to children, but is however inappropriate. How an adult behaves can influence those around them. A staff member may be going through bereavement, a relationship break-up, stress, anxiety, depression or struggling with their general wellbeing. This can cause extreme pressure for the staff member and affect their behaviour and how they interact with others and in turn impact pupils and colleagues. Therefore, it is important for us all to look out for one another and if a staff member has a concern for their work colleague or feels they themselves requires support they should refer to their Head Teacher. The Wellbeing Hub is available for further support as appropriate.

A low-level concern also includes an adult working in or on behalf of the school who 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 or engaging with a child on a one-to-one basis in a secluded area or behind a closed door.

Low-level concerns and procedure

What is a low-level concern?

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 a staff member, or anyone working 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 harm threshold or is otherwise not 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, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

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.

Self-referral

It is crucial that any such concerns are shared responsibly and with the right person, and recorded and dealt with appropriately, and early. It is important that staff feel confident to self-refer when they feel a situation may be misconstrued or if they have behaved in a way that falls below professional standards.

Acting early

Raising concerns early ensures that they can be dealt with effectively in order to reduce the possibility of harm, reinforce expected appropriate behaviour, as well as to protect staff from potential false allegations or misunderstandings.

Recognising inappropriate behaviour

All staff should be familiar with the Eaton House Schools Staff Code of Conduct, which sets out clear values and expected professional behaviour, so they can feel confident in distinguishing between appropriate and inappropriate or problematic behaviour and take action to help safeguard children.

It is important that staff feel comfortable with, and are clear about the concept of low-level concerns, and know what to do if they have a concern. Staff do not, however, need to be able to determine whether their concern is low-level, serious enough to consider referral to the LADO or whether it meets the threshold of an allegation. All concerns will be assessed by the DSL and the Principal

Clarity around Allegation vs Low-Level Concern vs 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; 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

It may be possible that a member of staff acts in a way that does not cause risk to children, but is however inappropriate.

How an adult behaves can influence those around them. A staff member may be going through

- Bereavement
- a relationship break-up
- stress
- anxiety
- depression
- struggling with their general wellbeing

This can cause extreme pressure for the staff member and affect their behaviour and how they interact with others and in turn impact pupils and colleagues. If you have a concern for a work colleague or feel you yourself may require support you should refer to your Head Teacher.

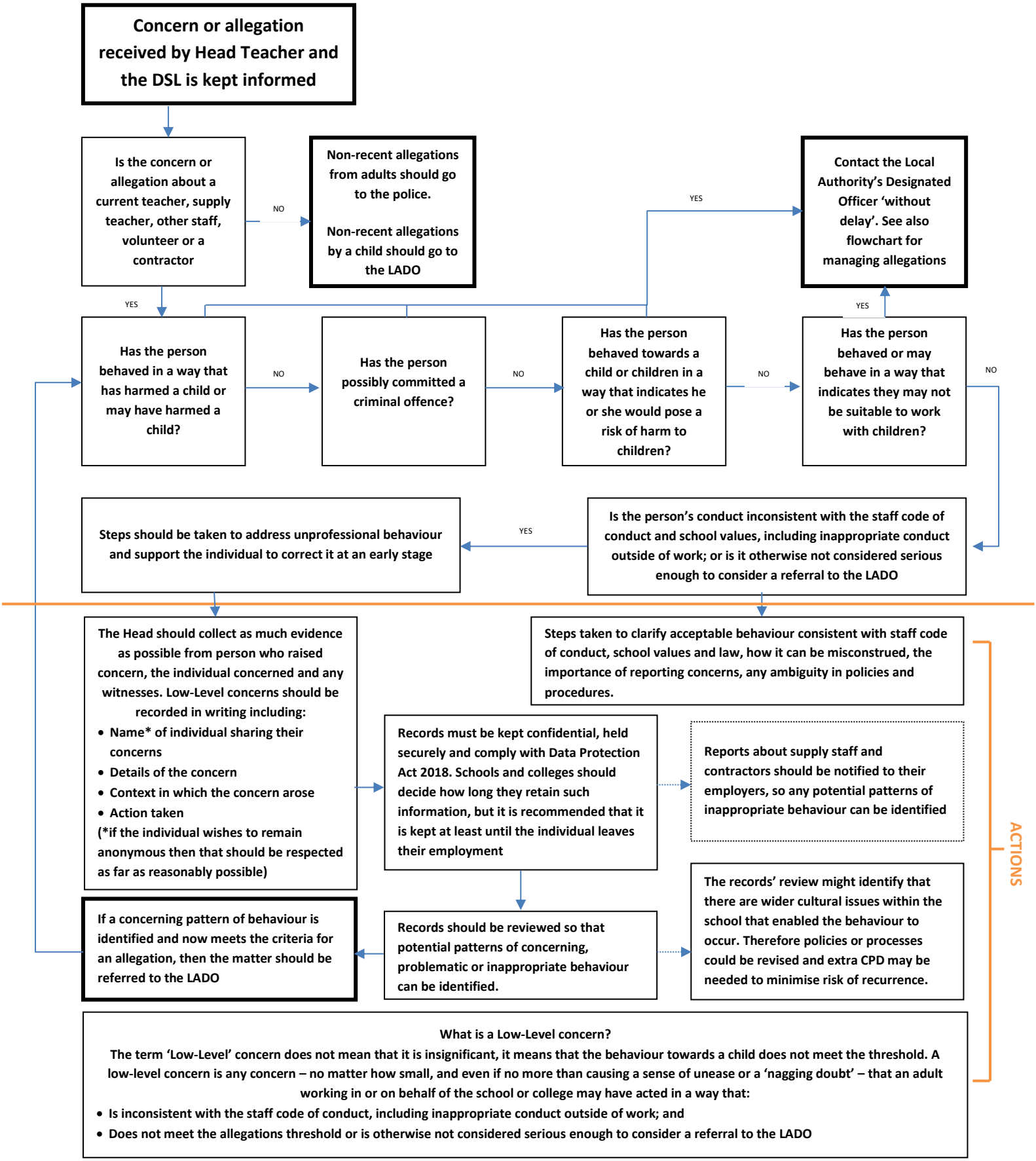
A low-Level Concern also includes an adult working in or on behalf of the school who may have acted in a way that:

- 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.

Process to follow when a Low-Level Concern is raised



Record Keeping

The school will retain all records of low-level concerns, including those that were found to be unfounded. The Head teacher will ensure that all records include the most accurate and up to-date information and will store them in the electronic low-level concerns file. The Head teacher will ensure that all low-level concerns are stored together, in an organised and consistent manner, to ensure they can be easily reviewed and analysed where necessary. They will be stored in accordance with the Schools GDPR and data protection policies.

Records will include:

- A clear and comprehensive summary of the concern.
- Details of how the concern was followed up and resolved.
- A note of any action taken, decisions reached, rationale for all decisions and action taken and the outcome.
- The name of the individual sharing concerns – if the individual wishes to remain anonymous, this will be respected as far as reasonably possible.

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.

The DSL will periodically review the recent low-level concerns made to ensure that they are being appropriately dealt with and to check for any concerning behaviour patterns amongst the staff cohort as a whole. The DSL will keep records of these reviews.

Where any concerning patterns of behaviour have been identified with regard to a member of staff, the Head teacher will consult with the DSL to decide on a course of action. Where a pattern of behaviour has become so concerning that it meets the harms threshold, this will be referred to the LADO as soon as practicable.

Records of low-level concerns will not be kept in the personnel file of the individuals to whom the concerns pertain, unless there have been multiple low-level concerns made about the same individual. Where a concern is thought to be serious and is processed as an allegation, records of this will be kept in staff personnel files. Where multiple low-level concerns have been made about the same individual, these will be kept together, and in chronological order.

Where an allegation is made about an individual who has previously been subject to such allegations, or where a low-level concern is reclassified as a serious concern after meeting the harms threshold, all records of low-level concerns about that individual will be moved to the staff personnel file and kept alongside records of the allegation.

The DSL will ensure that all records are kept in a manner that is consistent with the Data Protection Policy. Records will be confidential, kept password-protected, and securely destroyed after the staff member to whom the concerns pertain has left the school.

The school will only refer to concerns about a staff member in employment references where they have amounted to a substantiated safeguarding allegation, i.e. it has met the harms threshold and has been found to have basis through investigation, or where it is not exclusively a safeguarding issue and forms part of an issue that would normally be included in a reference, e.g. misconduct or poor performance. Low-level safeguarding concerns will not be included in a reference, unless they have comprised a pattern of behaviour that has met the harms threshold

Whenever staff leave Eaton House 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.

Low-Level Concern Form

Please use the form in Appendix A. The form is also available from:

- Compliance Manager
- Head Teacher
- DSL

Appendix A – Low-Level Concern Form

Staff can either use this form to share any concern or meet with a senior member of staff to discuss their concerns. If you have a concern for your colleague or you feel you yourself requires support, no matter how small and, if an adult may have acted in a manner which:

- is not consistent with Eaton House Schools 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.

Where possible please speak with the Head Teacher as soon as possible and/or complete the below form and pass to the Head Teacher. The DSL will be kept informed. If the concern is about the Head Teacher, please pass it onto the DSL or Principal. If the concern is about the Principal please refer to the DSL or Governor. Remember, a low-level concern is different to an allegation (which uses a different form). See the table below for a definition:

Allegation

Behaviour which indicates that an adult who works with children has:

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- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children; and/or
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- 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.

Low-Level Concern Form	
Your details	
Name (optional)	
Role	
Date Written	
Signature (optional)	
Details of individual whom the concern is about	
Name	
Role	
Relationship to the individual reporting the concern, e.g. manager, colleague	
Details of concern	
Please include as much detail as possible. Think about the following: • 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?	

Details of any children or young people involved	
Name(s)	
Do you believe there is a risk of harm to the above children or young people, either now or in the future, as a result of the individual's behaviour? Explain your answer.	
Next steps	
What would you like to see happen in response to your concern	
Are you willing to meet with the DSL to discuss your concern?	
Please state any other information that you believe is relevant to the processing of this concern	
Signature (optional)	

For use by the Safeguarding team upon receipt of concern	
Date and time concern received	
Signature of DSL or Deputy DSL	
Actions to be taken For example: • No action • Investigation • Reclassification as allegation meeting the harms threshold	