




**MOUNT HOUSE  
SCHOOL**

**INSPIRING EVERY INDIVIDUAL**

## **SCHOOL POLICIES**

# **LOW-LEVEL CONCERNS**

| <b>Review</b>  | <b>Date</b>    | <b>By</b>   |
|----------------|----------------|---|
| Current Review | September 2024 |  |
| Next Review    | September 2025 |   |

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## **Rationale**

This policy should be read in conjunction with Mount House School's Safeguarding Policy, Staff Code of Conduct and Whistleblowing Policy, to enable staff to share their concerns, no matter how small, about their own or another member of staff's behaviour. 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 which are set out in the School's Code of Conduct are constantly lived, monitored and reinforced by all staff. The School deals with all concerns about adults working in or behalf of the school appropriately and promptly. It is never too late to report a concern. The School seeks to create an environment where staff are encouraged and feel confident 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 expected professional standards.

This policy seeks to:

- ensure that staff are clear about, and confident to distinguish between, expected and appropriate behaviour from concerning, problematic or inappropriate behaviour – in themselves and others, and the delineation of professional boundaries and reporting lines;
- empower staff to share any low-level concerns with the Head or Deputy Head/DSL;
- help staff address unprofessional behaviour and help the individual to correct such behaviour at an early stage;
- identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the Local Authority Designated Officer (LADO);
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and
- help identify any weaknesses in the organisation's safeguarding system. This policy applies to all staff at the School – including members of the Board.

## **Defining a Low-Level Concern**

The term 'low-level' concern does not mean that it is insignificant. 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 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 students;
- having favourites;
- taking photographs of students on their mobile phone, contrary to school policy;
- engaging with a student on a one-to-one basis in a secluded area or behind a closed door
- humiliating students.

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.

Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

As a reminder, the harm threshold is when anyone working in a school (including volunteers, supply staff and contractors) 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 (which includes behaviour that may have happened outside school posing a transferable risk to children).

Responses and actions to behaviours that may meet the harm threshold are contained specifically within the School's Safeguarding Policy and Procedures, 'Safeguarding Concerns and Allegations Against Staff'. These should be reported to the Head or DSL without delay.

### **Responsibility of staff**

It is important that all staff are clear of the expectations the School stipulates from them as contained in the staff Code of Conduct. This is covered annually by the DSL, and as part of the School's induction for new staff.

It is crucial that any concerns in relation to a staff member's behaviour, including those which do not meet the harm threshold, are shared responsibly and with the Head. This should be done without delay and certainly within 24 hours.

Where there are concerns/allegations about the Head, this should be referred to the Chairman of the Board.

### **Dealing with Low-Level Concerns**

It is crucial that all low-level concerns are shared responsibly with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also

protect those working in the School from becoming the subject of potential false low-level concerns or misunderstandings.

### **Reporting a Low-Level Concern**

Low-level concerns will be shared with the Head in the first instance (or the DSL in the Head's absence). This can be done online, via a hardcopy form or in person/verbally. If verbally, it must then be recorded in writing.

The record should include:

- details of the concern;
- the context in which the concern arose; and
- action taken.

A Form is available on SharePoint, but can be emailed upon request.

The name of the individual sharing their concerns should also be noted, but if the individual wishes to remain anonymous then that should be respected as far as reasonably possible. For those who wish to report anonymously, forms are available from the top shelf of the pigeon holes in the staff room. Where the low-level concern is provided verbally, the Head should make an appropriate record of the conversation, either at the time or immediately following the discussion, paying heed to the details above. Records will be signed, timed and dated.

A low-level concerns log will be kept by the School (see below), and held securely in a restricted file.

### **How to Self-Refer**

Staff members who are concerned about how their behaviour may have been interpreted, or, on reflection, re-evaluate their behaviour as one that may have been in contrary to the staff Code of Conduct and expectations, should self-refer to the DSL. This is often best done verbally. The DSL will record and log all cases of self-referrals from staff.

### **Reviewing of Records**

Whenever a low-level concern is recorded, records are reviewed so that potential patterns of concerning, inappropriate, problematic or concerning behaviour can be identified.

Where a pattern of such behaviour is identified, the School will decide on a course of action, either through disciplinary procedures or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, in which case it should be referred to the LADO.

Low-level concerns are reviewed periodically by the Head and DSL so that consideration is given to whether there are wider cultural issues within the School that enabled any such

behaviour to occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.

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

The Head is the ultimate decision maker in respect of all low-level concerns. In certain circumstances, the Head will consult with the Senior Deputy Head or DSL, particularly if the report of a low-level concern was made to the Senior Deputy Head or DSL in the first instance.

When responding to a low-level concern, the Head will, in the first instance, decide that it is a low-level concern and should not be reclassified as a higher-level concern/allegation and dealt with under the appropriate procedure.

The circumstances in which a low-level concern might be reclassified are where:

- the threshold is met for a higher-level concern/allegation;
- there is a pattern of low-level concerns which collectively amount to a higher-level concern/allegation; or
- there is other information which when taken into account leads to a higher-level concern/allegation.

Where the Head is in any doubt whatsoever, advice will be sought from the LADO.

Having established that the concern is low-level, the Head will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. If the concern has been raised via a third party, the Head should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously; and
- to the individual involved and any witnesses.

The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. All of this needs to be recorded along with the rationale for their decisions and action taken. Reports about supply staff and contractors will be notified to their employers, so any potential patterns of inappropriate behaviour can be identified.

Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training, etc. In dealing with a low-level concern with a member of staff, this will be approached in a sensitive and proportionate way. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

Details of the concern will be recorded along with the rationale for decisions and action taken. Any conversation with a member of staff following a concern 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 in order 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 may be required. Some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures, which will be followed where appropriate. Some concerns may be related to performance management and advice may be sought from HR.

### **Monitoring of Low-Level Concerns**

The primary purpose of sharing low-level concerns is to support colleagues in correcting inappropriate behaviour. In most cases, a constructive conversation with the subject of the concern will be all that is required. Consideration will be given as to who is best placed to have the conversation, but in most cases, this will be the Head of Faculty. It is important that the conversation is conducted in a supportive manner, rather than as a disciplinary intervention.

Repetition of such behaviour, leading to further concern(s) being raised, will mean the Senior Deputy Head and Head will become part of the conversation and advise on changes that need to be made.

The record of a low-level concerns will be retained for three years after the individual departs employment with the School. Low-level concerns will not form part of a reference, unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance, or a pattern of behaviour has been identified that meets the harm threshold and will therefore have been brought to the attention of the LADO, and substantiated.

Records will remain confidential in accordance with the School's Data Protection policies and GDPR.

No record will be made of the concern on the individual's personnel file unless either:

- the concern (or group of concerns) has been reclassified as a higher-level concern, or
- the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.

## **Appendix 1: Recording Form for Low-Level Concerns**

Please use this form 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 our 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.

### **Process**

1. Remember to download and save a copy of this form first.
2. 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).
3. The record should be signed, timed and dated. You may submit this concern anonymously, but it is helpful if you consent to giving your name. If you wish to remain anonymous, then that will be respected as far as reasonably possible.
4. Then, please email to the Head, copying in the DSL or print and fill in by hand.
5. Please do not delay reporting a concern – certainly this should be done as soon as practicable and within 24 hours.



**LOW-LEVEL CONCERNS FORM**

|   |  |
|---|--|
| <b>DATE</b>                                     |  |
| <b>TIME</b>                                     |  |
| <b>PLACE</b>                                    |  |
| <b>MEMBER OF STAFF<br/>POSITION HELD</b>        |  |
| <b>FULL NAME OF<br/>STUDENT(S)<br/>INVOLVED</b> |  |
| <b>DETAILS OF CONCERN</b>                       |  |
| <b>SIGNED</b>                                   |  |
| <b>PRINT NAME</b>                               |  |
| <b>DATE OF COMPLETION</b>                       |  |

This record will be held securely in accordance with Mount House School's low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but the School 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.

## **Appendix 2: Further references**

Farrar & Co – Developing and implementing a low-level concerns policy: a guide for organizations which work with children – Adele Eastman, Jane Foster, Owen O'Rorke and David Smellie. 2020

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concernsguidance-2020.pdf>

Department for Education, Keeping Children Safe in Education 2023

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1080047/KCSIE\\_2022\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1080047/KCSIE_2022_revised.pdf)

Working together to Safeguard Children. Statutory guidance on inter-agency working to safeguard and promote the welfare of children.

<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>