



**“Safeguarding is everyone’s responsibility”**

## **Low-Level Concerns Policy**

<b>Audience:</b>	School and academy staff, visitors and volunteers
<b>Consulted:</b>	March 2022
<b>Adopted:</b>	March 2022
<b>Other related policies / procedures</b>	<ul style="list-style-type: none"> <li>• Visitors policy</li> <li>• Tackling extremism and Radicalisation policy</li> <li>• Online Safety</li> <li>• Attendance policy</li> <li>• Peer on Peer Abuse</li> <li>• Positive touch policy</li> <li>• Anti- bullying policy</li> <li>• Safer recruitment policy</li> <li>• Equality and diversity policy</li> <li>• Policy for the support of pupils with medical and mental health needs</li> <li>• School security to include Lockdown and Critical Incident</li> <li>• Health and Safety policy</li> <li>• Intimate Care</li> <li>• School conduct/behaviour policy</li> <li>• PREVENT Strategy - HM Gov</li> <li>• Keeping Children Safe in Education - DFE September 2023</li> <li>• Use of Mobile Phone policy</li> <li>• Staff, Visitor and Volunteer Code of Conduct</li> <li>• Whistleblowing policy</li> </ul>

## Introduction

The Trust and its schools have a range of duties in relation to safeguarding pupils and take these responsibilities very seriously through an embedded *culture of safeguarding*. The statutory guidance *Keeping Children Safe in Education 2023* provides an overview of duties with regard to the reporting of *low-level safeguarding concerns*. This Policy sets out the Trust's approach to the reporting of low-level concerns.

## Purpose of the policy

The Trust believes every child attending a Trust school should be able to learn in an enjoyable and safe environment and be protected from all forms of abuse. This is the responsibility of **everyone** involved with the Trust and its schools.

The Trust recognises that a critical step to safeguarding is to ensure that all those who work with children behave appropriately and that any concerns about an adult's behaviour are identified early and are managed promptly and appropriately.

The purpose of the Trust's *Low-Level Concerns Policy* is to:

- support the Trust's *culture of safeguarding* by enabling staff to feel confident to report any concern, no matter **how small** that concern is.
- ensure the welfare and interests of the child are kept **paramount** in all circumstances regardless of age, ability or disability, gender reassignment, race, religion or belief, sex or sexual orientation and socio-economic background.
- ensure all allegations, suspicions of harm and/or abuse and related concerns, are **taken seriously** and responded to **swiftly**, fairly and appropriately.
- support everyone to **work in partnership** to promote the welfare, health, safety and development of a child

The policy focuses on low-level concerns regarding adults' behaviour towards children by ensuring the Trust is compliant with KCSiE 2023 by:

- supporting and promoting a culture of openness
- supporting staff to be clear about and confident to distinguish between expected, concerning and problematic adult behaviour
- expecting staff to share any low-level concern with the school's headteacher
- identifying concerning, problematic or inappropriate behaviour
- addressing unprofessional behaviour at an early stage
- providing responsive, sensitive and proportionate handling of such concerns
- helping to identify weaknesses in the Trust/school's safeguarding systems

### For note:

This policy applies to all trustees, leaders, staff, visitors and volunteers

**Concerns that are NOT covered by this Policy**

## **Allegations**

An *allegation* means that it is alleged that a person who works with children has:

- behaved in a way that has harmed or may have harmed a child
- possibly committed a criminal offence against a child
- behaved towards a child in a way that indicates they may pose a risk of harm to that child
- behaved in a way in their personal life that raises safeguarding concerns.
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

### **For note:**

These concerns do not have to directly relate to a child, but could for example, include:

- an arrest for possession of a weapon
- having, as a parent or carer, become subject to public protection procedures

These such concerns, given above, should be reported in accordance with the school's/Trust's Whistleblowing policy.

## **Safeguarding concerns**

- Clear concerns about a child's safety or welfare
- Concerns regarding peer-on-peer abuse
- Platforming behaviours

To report a concern of child peer-on-peer abuse, online safety or the welfare of a child refer directly to the Trust's *Safeguarding and Child Protection Policy* and procedures. All Trust safeguarding policies and associated information can be found on the Trust website and individual school websites.

## **Concerns that ARE covered by this Policy**

### **Low-level concerns**

A low-level concern about an adult's behaviour towards a child that does not meet the allegation and safeguarding thresholds set out above, or is not otherwise serious enough to consider a further referral to LADO

A low-level concern is any concern, no matter how small, and even if no more than a ***nagging doubt*** or a ***sense of unease*** that an adult may have acted in a manner which:

- is not consistent with the Trust's safeguarding policy and procedures
- is not consistent with the Trust's/School's values
- relates to 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

## What to do if there is a low-level concern

All low-level concerns should be referred to the Trust/school CEO/headteacher.

It is important to

- share concern with the headteacher asap and within 24 hours of becoming aware of it.
- in the absence of the headteacher contact the School Improvement Partner
- if behaviour relates to the headteacher share the concern with the Trust's Director of Education.
- if behaviour relates to an executive team member share the concern with the Trust CEO
- if behaviour relates to the CEO share the concern with the Trust Chair
- if behaviour relates to a trustee share the concern with the Trustee Safeguarding Lead and Trust Chair

## Trust procedure for managing a low-level concern

### Step 1 - Initial concern raised

In the first instance, staff should report verbally to their headteacher and a written summary of concern will be completed using the Trust's *Low-Level Concerns Reporting Template (appendix 1)*.

#### For note:

- Sound professional judgment of headteacher should be used in determining what information is necessary to record for safeguarding purposes
- The record should include brief context, concise details, and relevant incidents
- The record should be signed, timed and dated by both the person reporting the concern and the headteacher.

### Step 2 - Response by the headteacher

- The headteacher should allow enough time to speak to the person who is raising the concern and ensure their concern is reported accurately
- The headteacher should review the information and decide whether the behaviour is:
  - entirely consistent with Trust's *Safeguarding and Child Protection Policy and Procedure*
  - constitutes a low-level concern
  - serious enough to consider an escalation as outlined in the Trust's/School's disciplinary and Whistleblowing policies
  - serious enough to be reclassified as an allegation and referred to the Trust, LADO or any other statutory agencies having considered any other previous low-level concerns about this individual.

If the headteacher is in any doubt of points above, they should seek immediate advice from the school's School Improvement Partner/MAT Safeguarding Lead. The headteacher must use the recording template to make records of:

- all internal conversations

- all external conversations
- their determination
- the rationale for their decision
- any action taken

### Step 3 – Decision making and next steps

If the information shared meets the Trust's expectations and is compliant with the Trust's *Safeguarding and Child Protection Policy and Procedure*:

- Headteacher to inform the individual concerned what was shared about their behaviour and give them an opportunity to respond
- Headteacher to speak to the person who shared the low-level concern, providing feedback about how and why the behaviour is consistent with the Trust's Safeguarding Policy and Procedure and KCSiE 2021
- Trust/school to consider if a review of the Trust's safeguarding procedures is necessary e.g. are policies and procedures clear? Has training been unsatisfactory? Is the Trust's *Low-Level Concern Policy* clear enough?
- Trust/school to consider further staff training/support for the *Low-Level Concern Policy* e.g. if the same individual reports similar low level concerns that are found not to breach Trust Policy

If the information shared **does not meet** the Trust's expectations and is in breach of the Trust's *Safeguarding and Child Protection policies and procedures/Code of Conduct Policy* regarding a low-level concern, the headteacher/Trust will:

- take immediate action to discuss with the individual concerned and give them opportunity to respond
- recognise that a sensitive and proportionate approach is essential
- maintain confidence that concerns will be handled promptly and effectively, whilst protecting staff from potential false or malicious allegations
- maintain that any investigation is on a *need to know* basis e.g. the concern may be dealt with by management guidance and/or training and not give rise to further action
- ensure a positive and supportive conversation with the individual to enable them to meet future expectations noting that lasting change in behaviour is least likely to be achieved by an approach experienced as critical or threatening
- assess whether further evidence gained raises the level of concern, if so, the headteacher should seek guidance from their SIP and/or LADO.
- ensure that if referring to LADO, the SIP/Trust is always informed.

### Previous low-level concern

If an individual has had a previous low-level concern raised against them, the headteacher must inform their SIP of this further concern. The information available will be reviewed and a decision may be made to reclassify the concern as a more serious concern or allegation.

### Step 4 – Formal Recording

All low-level concerns will be formally recorded on the agreed template (appendix 1) and placed on Edupay for future reference. A copy will be provided to the individual concerned.

Appendix 1.

Recording Template

Name of Individual concerned:	Date concern reported:
Name of Individual completing form:	
Statement of concern: (who, when, what, where)	
Statement from individual concerned:	
Record of discussion held with individual concerned and headteacher:	
Have checks of previous concerns be carried out: Yes/No (delete as approp.) If yes, what was decided in consultation with SIP/LADO??	
Agreed action:	
Signed: _____ (Individual concerned) Date: _____ Signed: _____ (Headteacher) Date: _____	

**Why is this important? Examples From Cases – Two Serious Case Reviews**

Nigel Leat was a classroom teacher who taught at a first school in Somerset for fifteen years. A disclosure by a child to her mother in 2010 led to the discovery of his abuse. It is now known that 20 pupils were witnesses to or possible victims of sexual abuse by Nigel Leat. At a court hearing in May 2011 Nigel Leat pleaded guilty to 36 sexual offences, including 22 counts of sexually assaulting a child under 13 and eight counts of sexual assault by penetration of a child under 13.

William Vahey was a history teacher who taught at ten international schools in nine different countries between 1972 and 2014. Vahey committed suicide in March 2014 following the discovery by a maid of indecent images of children on his computer. It is now known that he drugged and abused at least 54 students at an independent international day school in London where he taught for four years.

In both cases a number of staff, parents and pupils discussed concerns with each other or a member of the senior management team. A number of these concerns, taken in isolation, were not treated by the school as meeting the threshold for reporting to the LADO at the time. Many concerns were not reported to anyone. In the case of Leat, only 11 of the 30 recorded incidents were reported to the school. All staff interviewed for the Serious Case Review said that it was common knowledge amongst school staff that Leat allowed pupils to be over familiar with him.

Neither school had a formal mechanism for reporting, recording or handling these low-level concerns. As a result, when they were reported, the concerns were shared with different people and each concern was dealt with in isolation. No one person was aware of all of the concerns, and no-one was therefore able to 'join the dots' and identify a pattern of concerning behaviour. Concerns, therefore, were either dismissed or, where they were investigated, they were viewed as isolated incidents and the staff member's explanation was accepted.