



## **St Francis' College**

### **Low Level Concerns Policy (2021)**

#### **Introduction:**

The 'College' refers to all the staff and pupils of the Prep Department and Senior School which includes Early Years Foundation stage (EYFS), Pre-prep (Key Stage 1), Prep (Key Stage 2), and Senior School (Key Stages 3-5).

This policy aims to inform staff, volunteers, supply teachers, contractors and other adults working within the College.

#### **Purpose:**

This policy relates to the whole College, including the Early Years Foundation Stage, and is reviewed annually to ensure compliance with current regulations and law and must be read in conjunction with our Child Protection and Safeguarding Policy and other relevant policies.

This policy sets out a framework whereby staff are expected to report concerns, no matter how small, about their own behaviour and/or that of another member of staff, volunteer, supply teacher, contractor or other person working in school.

Its purpose is to help create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour set out in our Safeguarding Policy are adhered to, monitored and reinforced.

The policy should be read in conjunction with the current statutory guidance – *Keeping Children Safe in Education (2021)* Part 4, Section 2.

The policy applies to all staff and other individuals who work or volunteer in the College.

#### **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 or on behalf of the College may have acted in a way that:

- Is inconsistent with the College's Staff Behaviour and Code of Conduct
- Does not meet the allegations threshold or is otherwise not considered serious enough to make a referral to the Local Authority Designated Officer (LADO).

Examples of behaviour that could require reporting of a low-level concern include, but are not limited to:

- Being overly 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 careless or thoughtless, or behaviour that may appear 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 that do not meet the LADO threshold, are shared responsibly and with the right person and recorded and dealt with appropriately.

The College will ensure that low-level concerns are dealt with effectively and protect those working in or on behalf of the College from potential false allegations or misunderstandings.

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

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

Where the Headmistress is not available, the information will be reported to the Designated Safeguarding Lead (not one of the DDSLs) or the most senior member of the Senior Leadership Team on site.

Low-level concerns about the Designated Safeguarding Lead will be reported to the Headmistress and those about the Headmistress will be reported to the Chair of Governors.

Where the low-level concern has been reported to the Designated Safeguarding Lead, they will inform the Headmistress 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, a record of the conversation will be made by the Headmistress (or DSL in her absence) which will be signed, timed and dated.

The Headmistress will retain a log of low-level concerns and the documentation may be stored in the individual's HR file.

### **Responding to low-level concerns**

Where a low-level concern has been raised, this will be taken seriously and dealt with promptly. The Headmistress 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, unless advised not to do so by the LADO or Police (HR advice from the Bursar may also need to be taken).

Where necessary, further investigations 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 College's 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 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 capability or disciplinary procedures.
- Is serious enough to consult with or refer to the LADO: a referral should be made to the LADO and HR advice taken from the Bursar.

When considered with any other low-level concerns that have been previously raised about the same individual, the low-level concern 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 from the Bursar. In this case, the College's Staff Code of Conduct, Disciplinary Policy and Safeguarding Policy will be followed.

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

- All internal conversations, including relevant witnesses.
- All external conversations, e.g. with the LADO.
- The decision and rationale for taking it.
- 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 but cannot be guaranteed. There may be circumstances where it cannot be avoided (e.g. when a criminal investigation is required).

### **Should staff report concerns about themselves (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 Code of Conduct. In these circumstances, they should self-report. This will enable a potentially difficult situation to be addressed at any early stage.

### **Where behaviour is consistent with the 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 regularly by the Headmistress and whenever a new low-level concern is added, so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and referred to the LADO if required. A record of these reviews will be maintained.

### **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 Headmistress will regularly inform the Governors about the implementation of the low-level concerns policy, including any evidence of its effectiveness. The Safeguarding Governor may also review an anonymised sample to ensure that these concerns have been handled appropriately.

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