



# The Castle Partnership Trust

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## Low Level Concerns Policy

**Date: October 2022**

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Due for review: Autumn Term 2024

### Rationale:

This policy should be operated in conjunction with the Trust's Safeguarding Policy (which includes the 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 are constantly lived, monitored and reinforced by all staff. The Trust deals with all concerns about adults working in or on behalf of the Trust appropriately and promptly. The Trust seeks to create an environment where staff are encouraged and feel confident to self-disclose, where, for example, they have found themselves in a situation that 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 their Headteacher;
- 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 LADO;
- Provide for responsive, sensitive and proportionate handling of such concerns when they are raised;
- Help identify any weaknesses in the organisation's safeguarding system.

### Keeping Children Safe in Education September 2022:

Paragraph 424 through to paragraph 445 include specific information with regard to low-level concerns, that have been considered when writing this policy.

### Defining a Low-Level Concern:

A low-level concern is one that does not meet the harm threshold as stated in the Trust's Safeguarding Policy. 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' (i.e. they believe it could be a concern) – that an adult working in or on behalf of the Trust 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 without agreement;
- 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.

#### Responsibilities of Staff:

It is important that all staff are clear of the expectations the Trust stipulates from them as contained in the Staff Code of Conduct. This is covered annually by the Designated Safeguarding Lead and through reading and understanding of the Safeguarding Policy, and as part of the 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 relevant Headteacher. This should be done without delay. Where there are concerns/allegations about the Headteacher, this should be referred to the relevant Chair of Governors (whose contact details can be obtained from the website and Main Reception).

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-disclose to their Headteacher.

#### Dealing with Low-Level Concerns:

All low-level concerns may be shared verbally with the Headteacher in the first instance, but must then be recorded in writing (this may be done over email). The record should include:

- Details of the concern;
- The context in which the concern arose;
- Action taken.

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. Where the low-level concern is provided verbally, the Headteacher 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. Records will remain confidential in accordance with the Trust Data Protection policies and GDPR.

### Responding to a Low-Level Concern:

The Headteacher will in the first instance satisfy themselves 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:

- (a) The threshold is met for a higher-level concern/allegation;
- (b) There is a pattern of low-level concerns which collectively amount to a higher-level concern/allegation; or
- (c) There is other information which when taken into account leads to a higher-level concern/allegation.

Where the Headteacher is in any doubt whatsoever, advice will be sought from the LADO, if necessary, on a ‘no-names’ basis. Having established that the concern is low-level, the Headteacher 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 Headteacher should collect as much evidence as possible by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously;
- 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. 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 Trust’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 the Trust’s HR Advisor.

**Monitoring of Low-Level Concerns:**

The Headteacher will ensure all low-level concerns are securely retained within confidential files. The Headteacher will share any low-level concerns at Senior Leadership Team meetings on a regular basis to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of names discussed will be kept within SLT meeting minutes.