



Low level concerns
(about adults working with or
around children)

Policy and Guidance
June 2024

1. Introduction

At Penpol School, we aim to create an open and transparent culture where all concerns about all adults involved with our schools are dealt with promptly and appropriately. We aim to identify any concerning, problematic or inappropriate behaviour early; minimise the risk of harm; and ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with our ethos.

This policy should be read alongside other policies: Keeping Children Safe in Education 2023, Safeguarding and Child Protection, Whistleblowing, Managing Allegations Against Staff and Staff Code of Conduct Policies.

KCSIE 2023:

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out at paragraph 338 of KCSIE 2023. 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 or college 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.*

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.

It is crucial that any such concerns, including those which do not meet the harm threshold are shared responsibly and with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from potential false allegations or misunderstandings.

Examples of such behaviour could 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
- Humiliating pupils

Here at Penpol, we have created a safe environment for our pupils to remain safe from harmful adults. Our Code of Conduct is robust and incorporates all of the above guidance. However, this guidance is to ensure staff/volunteers/partners are responsible for their actions at all times.

Examples that may need to be reported:

- Staff who befriend families online who they have met through their role at Penpol School
- Staff who come to mind in Safer Recruitment/Safeguarding training ('flying low of radar')
- Staff who shout or speak disrespectfully to or about children
- Staff who adopt risky 'alter egos' online
- Staff who are online 'influencers' and use their role within Penpol School to meet their own needs (for example, to promote their own business or enterprise)
- Staff who 'like' or 'share' inappropriate/extreme material or opinions on social media (for example, making, liking or sharing derogatory comments about individuals or groups with protected characteristics)
- Staff who are unable to safeguard their own children
- Staff who display coercive/controlling behaviour outside or inside the workplace
- Staff who do not role model the ethos of modern Safeguarding in Education

Staff should be assured that we understand that dynamics/relationships within families, neighbours and friendship groups can break down and the Headteacher will be mindful of assessing delicate personal details. Concerns of this nature will be handled with respect alongside your human right to have a 'personal life' and protect from malicious allegations. However, any actions that impact on the wellbeing of children and/or vulnerable adults cannot be ignored.

Sharing low-level concerns

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- Empowering staff to share any low-level concerns as per section 7.7 of this policy
- Empowering staff to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- Helping to identify any weakness in the school's safeguarding system

Responding to low-level concerns

If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To the individual involved and any witnesses

The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's **Staff Conduct and Discipline Policy**. The headteacher will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.

Record keeping

All low-level concerns will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority
- Retained at least until the individual leaves employment at the school

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

References

We will not include low-level concerns in references unless:

The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or

The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance



