



Low Level Concerns Policy

Written	April 2023
Reviewed	January 2024
Next Review Date	January 2025
Lead for Review	DSL

Rationale

This policy should be read in conjunction with Leiths' Safeguarding and Child Protection 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. Leiths deals with all concerns about adults working in or behalf of the school appropriately and promptly.

Leiths 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 DSL or one of the DDSLs
- 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 relevant Local Authority MASH.
- provide for responsive, sensitive, and proportionate handling of such concerns when they are raised.
- help identify any weaknesses in the organisation's safeguarding system.

This policy applies to all staff, visitors and volunteers at Leiths.

Defining a Low-Level Concern

A low-level concern is one that **does not meet** the harm threshold as identified in the school's Safeguarding Policy. That 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 should be reported to the Principal or the DSL (or a DDSL in her absence) without delay.

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., you believe it could be a concern) – that an adult working in or on behalf of Leiths 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 Principal, LADO or Police.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking and/or keeping photographs of children on a 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
- over-friendly relationships/contact with parents
- inappropriate online behaviour with students and/or parents.

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 about the expectations Leiths stipulates from them as contained in the Staff Code of Conduct. This is covered by the HR Manager as part of the school’s induction for new staff and reminders and updates are communicated to all staff regularly by the DSL.

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 DSL or one of the DDSLs. This should be done without delay.

Where there are concerns/allegations about the Principal, these should be referred to the Board Member who represents the Board of Directors in matters pertaining to Safeguarding, Caroline Waldegrave.

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 Leiths' Staff Code of Conduct and expectations, should self-refer to the Principal.

Dealing with Low-Level Concerns

All low-level concerns may be shared verbally with the DSL or one of the DDSLs in the first instance but must then be recorded in writing by the DSL or DDSL on the log of Low Level Concerns – a confidential log shared by all members of the Safeguarding Committee.

The record should include:

- details of the concern
- the context in which the concern arose
- action taken
- date and time

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 DSL or DDSL 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 attributed to the author, timed and dated. Records will remain confidential in accordance with the school's Data Protection policies and GDPR unless or until any serious Safeguarding threshold is exceeded at which point details may be shared with the Principal, LADO, or Police.

Responding to a Low-Level Concern

The DSL or DDSL 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 below.

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

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

Where the DSL or DDSL is in any doubt whatsoever, advice will be sought from Hammersmith and Fulham's MASH, if necessary, on a 'no-names' basis.

Having established that the concern is low-level, the DSL or DDSL 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 DSL or DDSL 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 in order to inform future behaviours.

Details of the concern will be recorded along with the rationale for decisions and action taken in the confidential log of low level concerns about staff shared by the Safeguarding Committee (DSL and DDSLs).

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 the school's HR manager.

Monitoring of Low-Level Concerns

The Safeguarding Committee (DSL and DDSLs) will securely retain confidential files on low-level concerns. A summary will be shared by the DSL on a no-names basis with the Board Representative for Safeguarding to ensure that all/any such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record will be kept of this review within Minutes of the termly meeting between the DSL and the Board Member who reports to the Board on Safeguarding

No record will be made of the concern on the individual's HR file (and no mention made in job references) unless either:

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

Diagram 1: Spectrum of behaviour

Allegation

Behaviour which indicates that an adult who works with children 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 they 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.

Low-Level Concern

Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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 may have acted in a way that:

- is inconsistent with an organisation's 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 - but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

Low Level Concern (LLC) Form OR Self-Report

Please delete/circle clearly as appropriate

School name	Leiths School of Food and Wine
Name of adult making the report and signature	
Role in school	
For Low Level Concerns ONLY Adult referred to in Log of LLC and record of response noted	
For Low Level Concerns ONLY Child referred to in LLC and their Course/Group	If a child was involved
Names of any witnesses	
Date	

Brief summary of information

Statutory Guidance:

Department for Education, Keeping Children Safe in Education, September 2023

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1181955/Keeping_children_safe_in_education_2023.pdf

Working together to Safeguard Children, December 2023

https://assets.publishing.service.gov.uk/media/65803fe31c0c2a000d18cf40/Working_together_to_safeguard_children_2023_-_statutory_guidance.pdf