



Issue Date	Sept 2024
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LOW LEVEL CONCERNS

To be read in conjunction with the Safeguarding (Child Protection) Policy

This policy which applies to the whole school, inclusive of boarding, is publicly available on the school website and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office.

Scope: All who work, volunteer or supply services to our school have an equal responsibility to understand and implement this policy and its procedures both within and outside of normal school hours, including activities away from school. All new employees and volunteers are required to state that they have read, understood and will abide by this policy and its procedural documents and confirm this by signing the *Policies Register*.

Legal Status: Complies with The Education (Independent School Standards) (England) Regulations currently in force. This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018
- DfE (currently in force) 'Keeping children safe in education 2022', DfE (currently in force) 'Working Together to Safeguard Children'

Related Documents: This policy operates in conjunction with the following school policies:

- Safeguarding (Child Protection) Policy
- Staff Behaviour Policy (Staff Code of Conduct)
- Inappropriate Relationships with Pupils Policy within the Staff Behaviour Policy (Staff Code of Conduct)
- Physical Intervention Policy - Use of Reasonable Force
- Allegations of Abuse Against Staff Policy within the Safeguarding (Child Protection) Policy
- Whistleblowing Policy
- Data Protection Policy
- Employee Disciplinary Policy and Procedure
- Confidentiality Policy

Monitoring and Review: These arrangements are subject to continuous monitoring, refinement, and audit by the Head. The Advisory Board will undertake a full annual review of this document, inclusive of its implementation and the efficiency with which the related duties have been implemented. This review will be formally documented in writing. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately and without delay. All staff will be

informed of the updated/reviewed arrangements and it will be made available to them in writing or electronically.

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1. Statement of intent: Woldingham School understands the importance of acknowledging, recording and reporting **all** safeguarding concerns, regardless of their perceived severity. We understand that, while a concern may be low-level, that concern can escalate over time to become much more serious.

Our school prides itself on creating a safe and prosperous environment for students, and our staff are expected to adhere to high standards of behaviour when it comes to professional conduct regarding students. The school has clear professional boundaries which all staff are made aware of and will adhere to. We are committed to ensuring that any safeguarding concerns are dealt with as soon as they arise and before they have had a chance to become more severe, to minimise the risk of harm posed to our students and other children. As part of our whole school approach to safeguarding, we ensure that we promote an open and transparent culture in which all concerns (including allegations that do not meet the harms threshold) about all adults working in or on behalf of the school (including supply teachers, volunteers and contractors) are shared responsibly and confidentially with the right person. Concerns are recorded and dealt with appropriately, to enable the school to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; 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 the ethos and values of the school. Ensuring they are dealt with effectively should also protect those working in or on behalf of the school from potential false allegations or misunderstandings.

2. Definitions: For the purposes of this policy, a low-level concern is defined as any concern had about an adult's behaviour towards, or concerning, a child that does not necessarily meet the harms threshold (see below), or is otherwise not serious enough to consider a referral at the time of its reporting. Low-level concerns refer to behaviour on the part of a staff member towards students that is considered inappropriate in line with statutory safeguarding advice, the Staff Code of Conduct, and the '[Appropriate and inappropriate behaviour](#)' subsection of this policy.

Low-level concerns are differentiated from concerns that can cause harm. The harms threshold is the point at which a concern is no longer low-level and constitutes a threat of harm to a child. This threshold is defined as accusations that an adult has:

- behaved in a way that has harmed a child or may have harmed a child.
- possibly committed a criminal offence against, or related to, a child.
- behaved towards a child in a way that indicates they may pose a risk of harm to children.
- behaved in a way that indicates they may not be suitable to work with children, including behaviour that has happened outside of school.

While low-level concerns are, by their nature, less serious than concerns which meet the harms threshold, the school understands that many serious safeguarding concerns often begin with low-level concerns, e.g. being overly friendly with children. The school will ensure that all staff are aware of the importance of recognising concerns before they have an opportunity to escalate from low-level to serious.

3. Roles and responsibilities: The governing board is responsible for:

- ensuring that the school complies with its duties under child protection and safeguarding legislation.
- ensuring that policies, procedures, and training opportunities with regard to reporting safeguarding concerns are compliant and effective.
- guaranteeing that there is an effective Staff code of Conduct that outlines behavioural expectations.
- ensuring that a suitably trained DSL has been appointed, alongside deputy DSLs where appropriate.
- ensuring that there are robust reporting arrangements, including inter-agency collaboration.
- ensuring that there are appropriate procedures in place to handle allegations and low-level concerns reported against members of staff.

The Head is responsible for:

- being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level.
- assessing whether safeguarding concerns about staff members meet the threshold for being termed an allegation, or whether they are low-level concerns.
- implementing this policy, and all related policies, throughout the school, and ensuring that staff adhere to it at all times.
- safeguarding students' wellbeing and maintaining public trust in the teaching profession.
- ensuring that all staff have undertaken safeguarding training.
- ensuring that all staff have an ongoing awareness of low-level concerns and reporting procedures.

The DSL is responsible for:

- being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level.

- assessing whether safeguarding concerns about staff members meet the threshold for being termed an allegation, or whether they are low-level concerns.
- following all procedures outlined in this policy for acting upon low-level concerns.
- liaising with the Head, staff members, the governing board and all relevant agencies to act upon concerns, where necessary.
- keeping detailed, accurate and secure records of all low-level concerns and any actions taken. These are kept with the Head of HR as a separate record, and alongside records of all staff concerns held by the Head.

Staff are responsible for:

- adhering to all the relevant policies and procedures, including acting within the Staff Code of Conduct at all times.
- interacting with students in a way that is respectful and appropriate for their level of authority and has due regard to the power imbalance between students and staff members.
- understanding the importance of reporting low-level safeguarding concerns.
- reporting any and all safeguarding concerns they may have about students immediately.
- reporting any and all safeguarding concerns they may have about the behaviour of a member of staff immediately.

4. Prevention amongst staff: Appropriate and inappropriate behaviour: The school will ensure that all staff members are aware of the standards of appropriate behaviour expected towards students. Staff will ensure that they pay due regard to the fact that:

- they are in a unique position of trust, care, responsibility, authority, and influence in relation to students.
- there is a significant power imbalance in the student-staff dynamic.
- there are more stringent expectations on their behaviour with regard to students due to their position as a public professional.

Staff will remain aware of the fact that all students under the age of 18, regardless of the phase and year group they are at within the school, are children by law – resultantly, staff will ensure that they do not assume maturity on behalf of a student and do not engage with students as they would with their own peers. Staff will be aware that where there is any doubt regarding whether the behaviour of another adult is appropriate, this should be reported to the DSL, Head or other nominated person immediately. Inappropriate behaviour can exist on a wide spectrum, from inadvertent or thoughtless behaviour to behaviour which is ultimately intended to enable abuse. Examples of inappropriate behaviour that would constitute a low-level concern that should be reported to the DSL include, but are not limited to:

- being overly friendly with children – this could include, but is not limited to, communicating with a child through personal social media or allowing inappropriate conversations or enquiries to occur with students, e.g. conversations that are about a staff member's personal life or are of a sexual nature.
- having favourites – this could include, but is not limited to, calling students by pet names or terms of endearment or buying students gifts.
- taking photographs of children on their personal mobile phones or devices.

- engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- humiliating students.

Staff will be aware that some of the above low-level concerns may meet the harms threshold depending on certain factors, e.g. the age or needs of the child or the content of exchanged messages, and that some of the above incidents may not be concerns in context, e.g. a pre-approved, one-to-one meeting with a child behind a closed door between the child and a school counsellor who has received all appropriate safety checks. Staff will also be made aware that behaviour which raises concerns may not be intentionally inappropriate, and that this does not negate the need to report the behaviour. Staff members who engage in low-level inappropriate behaviour in relation to students inadvertently will be made aware and supported to correct this behaviour in line with the Staff Code of Conduct. The Head will also evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff cohort as a whole where low-level concerning behaviour is seen more widely.

School culture: The school understands that spotting the early signs of harmful behaviour towards children can be difficult, and that many will be hesitant to report concerns they have about their colleagues' behaviour, particularly the behaviour of their superiors. Staff are encouraged to maintain an attitude that recognises that abuse can happen anywhere, in any setting, and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc.

The school will ensure that all staff members have received training as part of their induction that outlines appropriate behaviour towards students for staff members. All staff will read, understand, and adhere to the Appropriate and inappropriate behaviour subsection of this policy, as well as Staff Behaviour Policy (Staff Code of Conduct) and Inappropriate Relationships with Pupils Policy within the Staff Behaviour Policy (Staff Code of Conduct). Staff will address any questions they have regarding safeguarding to the DSL. The school will work to foster an environment where personal and professional boundaries are clearly set and respected for all individuals in the school community, e.g. students are not treated as friends and an appropriate professional distance is maintained by staff.

The school will ensure that all staff are sufficiently trained surrounding the reporting of safeguarding concerns as part of their induction, and that refresher training is conducted as necessary. The school will ensure that all staff understand how to recognise and report safeguarding concerns. Staff will be trained to identify inappropriate, concerning, or problematic behaviour towards students that may indicate a safeguarding concern, and how to identify signs of abuse or harm in students.

Evaluating school culture following concerns: The school will ensure that appropriate consideration is given to the school's culture and whether or not it has enabled the inappropriate behaviour to occur. The Head will review whether any changes need to be made to relevant policies or training programmes in light of any evaluations of the school's culture, in order to achieve an open and transparent culture that deals with all concerns promptly and appropriately.

5. Reporting concerns: The school will promote a culture in which safeguarding students is the uppermost priority, beyond any perceived professional loyalties to colleagues, ensuring that staff are

actively encouraged to report concerns, regardless of their relationship with the staff member. Staff will report all safeguarding concerns they have to the Head, DSL, or other nominated person (such as a safeguarding champion) immediately in line with the procedures laid out in Safeguarding (Child Protection) Policy. Staff members will report concerns without undue delay. Where the report concerns a specific incident, staff members will report their concerns no later than 24 hours after the incident where possible. Staff members will be aware that concerns are still worth reporting even if they do not seem serious.

Staff members will report their concerns to the Head verbally, or by submitting a [Low-level Concern Reporting Form](#). If reported verbally, the form will be completed afterwards to form a record. When submitting concerns, staff will take care to ensure that they observe the Confidentiality Policy and Allegations of Abuse against Staff as stated in Safeguarding (Child Protection) Policy (currently in force) cited in Keeping Children Safe in Education (KCSIE) (also currently in force), and protect the identity of all individuals to which the concern pertains as far as possible. Staff members may request anonymity when reporting a concern, and the school will endeavour to respect this as far as possible. The school will not, however, promise anonymity to staff members who report concerns in case the situation arises where they must be named, e.g. where it is necessary for a fair disciplinary hearing. In line with the Whistleblowing Policy, staff will be protected from potential repercussions caused by reporting a genuine concern. Where a low-level concern relates to the Head, it should be reported to the chair of governors. Where a low-level concern relates to a person employed by a supply agency or a contractor to work in the school, staff will also be required to report this to the Head, who will, in turn, inform the employer of the subject of the concern.

All concerns reported to the Head will be documented in line with the Records Management Policy. If the school was in any doubt as to whether the information which has been shared about a member of staff in fact meets the harm threshold, the school will consult with the LADO.

6. Self-reporting: On occasion, a member of staff may feel as though they have acted in a way that:

- could be misinterpreted.
- could appear compromising to others.

They realise, upon reflection, falls below the standards set out in within the Staff Behaviour Policy (Staff Code of Conduct) or violates the Inappropriate Relationships with Pupils Policy within the Staff Behaviour Policy (Staff Code of Conduct). The school will ensure that an environment is maintained that encourages staff members to self-report if they feel as though they have acted inappropriately or in a way that could be construed as inappropriate upon reflection. The Head and DSL will, to the best of their abilities, maintain a culture of approachability for staff members, and will be understanding and sensitive towards those who self-report. Staff members who self-report will not be treated more favourably during any resulting investigations than staff members who were reported by someone else; however, their self-awareness and intentions will be taken into consideration. The DSL will keep a log of self-reports.

7. Evaluating concerns: Where the Head is notified of a safeguarding concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated, e.g. where a child is at immediate risk of harm. When deciding if a concern is low-level, the Head will discuss the concern with the DSL and will seek advice from the LADO where there is

any doubt about whether the concern in fact meets the harm threshold. When seeking external advice, the Head will ensure they adhere to the General Data Protection Regulations (GDPR) Data Protection Policy, and the information sharing principles outlined in the Safeguarding (Child Protection) Policy at all times. To evaluate a concern, the Head and DSL will:

- speak to the individual who raised the concern to determine the facts and obtain any relevant additional information.
- review the information and determine whether the behaviour displayed by the individual about whom the concern was reported is consistent with the Staff Behaviour Policy (Staff Code of Conduct) and the law.
- determine whether the concern, when considered alongside any other low-level concerns previously made about the same individual, should be reclassified as an allegation and dealt with alongside the Confidentiality Policy and Allegations of Abuse against Staff as stated in Safeguarding (Child Protection) Policy (currently in force) cited in Keeping Children Safe in Education (KCSIE) (also currently in force).
- consult with, and seek advice from, external agencies when in doubt over the course of action to follow.
- speak to the individual about whom the concern has been raised to inform them of the concern and to give them an opportunity to respond to it.

Ensure that accurate and detailed records are kept of all internal and external conversations regarding evaluating the concern, and any actions or decisions taken.

8. Acting on concerns

Where the concern is unfounded: If it is discovered upon evaluation that the low-level concern refers to behaviour that was not considered to be in breach of the Staff Behaviour Policy (Staff Code of Conduct), the Inappropriate Behaviour with Pupils Policy within the Staff Behaviour Policy (Staff Code of Conduct) and the law, the Head or DSL will speak to the individual about whom the concern was made to discuss their behaviour, why and how the behaviour may have been misconstrued, and what they can do to avoid such misunderstandings in the future. The Head will also speak to the individual who shared the concern, outlining why the behaviour reported is consistent with school standards and the law. The Head or DSL will take care to ensure that conversations with individuals who reported concerns that transpired to be unfounded do not deter that individual from reporting concerns in the future.

The Head will discuss the concern with the DSL (and if they have been involved, the LADO) to discern whether the behaviour, and the reporting of this behaviour, is indicative of ambiguity in the school's policies or procedures, or the training it offers to staff. Where such ambiguity is found, the DSL and Head will work together to resolve this with input from other staff members, as necessary.

Where the concern is low-level: Where the Head determines that a concern is low-level, the school will respond to this in a sensitive and proportionate manner. The following procedure will be followed:

- The DSL holds a meeting with the individual about whom the concern was reported, during which they will:
 - talk to the individual in a non-accusatory and sympathetic manner.

- inform them of how their behaviour was perceived by the individual who reported the concern (without naming them, where possible).
- clearly state what about their behaviour was inappropriate and problematic.
- discuss the reasons for the behaviour with the individual.
- inform the individual clearly what about their behaviour needs to change.
- discuss any support that the individual may require in order to achieve the proper standards of behaviour.
- allow the individual the opportunity to respond to the concern in their own words.
- The DSL asks the individual to re-read the Staff Behaviour Policy (Staff Code of Conduct) and/or the Inappropriate Relationships with Pupils Policy within the Staff Behaviour Policy (Staff Code of Conduct) , depending on the nature of the concern.
- The DSL and the Head will consider whether the individual should receive guidance, supervision or any further training.
- Where considered appropriate in the circumstances, the Head will develop an action plan, with input from the individual, that outlines ongoing and transparent monitoring of the individual's behaviour and any other support measures implemented to ensure the staff member's behaviour improves.
- Where it is necessary to undergo an investigation into the behaviour, this will be done discreetly, and information will only be disclosed to individuals on a need-to-know basis.
- Where any student or other individual has been made to feel uncomfortable by the individual's behaviour, they will be offered pastoral support, where appropriate.

The Head will ensure that all details of the low-level concern, including any resultant actions taken, are recorded and securely stored in line with the Records Management Policy and the General Data Protection Regulations (GDPR) Data Protection Policy. The Head will ensure that these records are kept organised and up-to-date, and that it is easy to refer back to them if any other concerns are reported about the same individual.

The specific approach to handling low-level concerns will be adapted on a case-by-case basis. It is unlikely that a low-level concern will result in disciplinary procedures; however, individuals may be given warnings in line with the Staff Disciplinary Policy and Procedure where behaviour does not improve once it is brought to their attention. Where behaviour does not improve over a longer period of time, the concerns will be escalated and dealt with in line with the Confidentiality Policy and Allegations of Abuse against Staff as stated in Safeguarding (Child Protection) Policy (currently in force) cited in Keeping Children Safe in Education (KCSIE) (also currently in force).

Where the concern is serious: The Head may decide upon evaluation that a concern is more serious than the reporter originally thought, e.g. when viewed in conjunction with other evidence or other concerns made about the same individual. Where this decision is made, the concern will be escalated, and dealt with as an allegation. The Head will then follow the procedures laid out in the Confidentiality Policy and Allegations of Abuse against Staff as stated in Safeguarding (Child Protection) Policy (currently in force) cited in Keeping Children Safe in Education (KCSIE) (also currently in force).

9. Record keeping: The school will retain all records of low-level concerns, including those that were found to be unfounded. The Head will ensure that all records include the most accurate and up-to-

date information and will be stored in the electronic low-level concerns file. This is kept by the Head of HR, and also recorded alongside records of all staff concerns, which the Head retains. The Head will ensure that all low-level concerns are stored together, in an organised and consistent manner, to ensure they can be easily reviewed and analysed where necessary. **Records will include:**

- a clear and comprehensive summary of the concern.
- the context in which the concern arose.
- details of how the concern was followed up and resolved.
- a note of any action taken, decisions reached, and the outcome.
- the name of the individual sharing concerns – if the individual wishes to remain anonymous, this will be respected as far as reasonably possible.

The DSL will periodically review the recent low-level concerns made with the Head and Head of HR to ensure that they are being appropriately dealt with and to check for any concerning behaviour patterns amongst the staff cohort as a whole. The DSL will keep records of these reviews.

Where any concerning patterns of behaviour have been identified with regard to a member of staff, the DSL will consult with the Head to decide on a course of action. Where a pattern of behaviour has become so concerning that it meets the harms threshold, this will be referred to the LADO as soon as practicable. It should be considered whether there are any wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies, including this one, could be revised, or extra training provided to staff to decrease the risk of it happening again.

Records of low-level concerns will not be kept in the personnel file of the individuals to whom the concerns pertain, unless there have been multiple low-level concerns made about the same individual. Where a concern is thought to be serious and is processed as an allegation, records of this will be kept in staff personnel files. Where multiple low-level concerns have been made about the same individual, these will be kept together, and in chronological order. Where an allegation is made about an individual who has previously been subject to such allegations, or where a low-level concern is reclassified as a serious concern after meeting the harms threshold, all records of low-level concerns about that individual will be moved to the staff personnel file and kept alongside records of the allegation.

The DSL will ensure that these records will be kept confidential, held securely and will comply with the Data Protection Act 2018 and the UK General Data Protection Regulations (UK GDPR). Records will be confidential, kept password-protected, and securely destroyed after the staff member to whom the concerns pertain has left the school.

The school will only refer to concerns about a staff member in employment references where they have amounted to a substantiated safeguarding allegation, i.e. it has met the harms threshold and has been found to have basis through investigation, or where it is not exclusively a safeguarding issue and forms part of an issue that would normally be included in a reference, e.g. misconduct or poor performance. Low-level safeguarding concerns will not be included in a reference, unless they have comprised a pattern of behaviour that has met the harms threshold.

APPENDIX A - LOW-LEVEL CONCERN REPORTING FORM

Thank you for reporting your concerns; we are grateful to you for taking the safety and welfare of our students seriously. Please fill in the below form, including as much detail as you can, and return it directly to the Head. Please refrain from discussing this concern with anyone other than the Head until the matter has been dealt with. We ask that you keep all details, including the name staff member to whom the concern pertains, confidential.

Your details	
Name (optional)	
Role	
Date and time of completing this form	
Details of individual whom the concern is about	
Name	
Role	
Relationship to the individual reporting the concern, e.g. manager, colleague	
Details of concern	
Please include as much detail as possible. Think about the following: What behaviour and/or incident are you reporting? What exactly happened? Why does the behaviour and/or incident worry you? Why do you believe the behaviour and/or incident is not consistent with our Staff Code of Conduct?	
Details of any children or young people involved	
Name(s)	
Do you believe there is a risk of harm to the above children or young people, either now or in the future, as a result of the individual's behaviour? Explain your answer.	
Next steps	
What would you like to see happen in response to your concern?	

Are you willing to meet with the Head and DSL to discuss your concern? Please circle as appropriate.	Yes	No
Please state any other information that you believe is relevant to the processing of this concern.		
Signature		
Upon receipt of concern		
Date and time concern received		
Signature		
Actions to be taken (e.g. no action, investigation, reclassification as allegation meeting the harms threshold.)		
Date of meeting with staff member		