

COMMUNITY SUMMER SCHOOL - LOW LEVEL CONCERNS POLICY

Introduction

This policy applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers and contractors, which **do not** meet the harm threshold set out in the main Safeguarding and Child Protection Policy. In creating this policy, the School has considered this report:

[Developing and implementing a low-level concerns policy: A guide for organisations which work with children](#)

It is advised that this policy is read alongside:

- The Safeguarding and Child Protection Policy
- The Community Summer School Staff Code of Conduct

Concerns may arise through, for example:

- Suspicion
- Complaint
- Safeguarding concern or allegation from another member of staff
- Disclosure made by a child, parent or other adult within or outside the School
- Pre-employment vetting checks

The School recognises the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

1. Definition of low-level concerns

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the Community Summer School may have acted in a way that:

- is inconsistent with the Community Summer School 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 Local Authority Designated Officer.

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 students

To help staff in identifying the type of behaviour that has caused concern, they should refer to the following three categories:

Category 1: Concern or allegation that **may** meet harm threshold

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.

Behaviour in this category is beyond the scope of a low-level concern and should be reported immediately to the Course Director /Designated Safeguarding Lead, the Deputy Head (Pastoral), the Headmaster or to the Chair of Governors, as per the Community Summer School's Safeguarding and Child Protection Policy.

Category 2: Low-level concern

The term 'low-level' concern **does not** mean that it is insignificant. A low-level concern may cause no more than a sense of unease that an adult working with children may have acted in a way that conflicts with a safe culture. Although the behaviour **may not** meet the threshold of harm, the Community Summer School's practice is still to report all low-level concerns to the Local Authority Designated Officer.

Category 3: Appropriate conduct

Behaviour which is entirely consistent with the Community Summer School's Staff Code of Conduct, and the law.

2. Sharing low-level concerns

Safeguarding and promoting the welfare of children is the responsibility of everyone working in and for the Community Summer School. The Community Summer School recognises the importance of creating a culture of openness, trust and transparency to encourage all staff to share confidently low-level concerns so that they can be addressed appropriately.

The Community Summer School 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 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 Community Summer School's safeguarding systems and procedures;
- inviting staff to raise with the Course Director, Deputy Head (Pastoral)/Designated Safeguarding Lead, the Headmaster or other senior colleagues concerns about the School's safeguarding systems and procedures;
- taking prompt action to remedy any identified weaknesses in our safeguarding systems and procedures; and
- involving staff in interim and formal reviews of these systems and procedures, under the leadership of the Headmaster.

3. Procedure for reporting low-level concerns

If a colleague has a safeguarding concern or an allegation about another member of staff (including supply staff, volunteers or contractors) that **does not** meet the threshold of harm, then this should be shared with the Course Director, the Deputy Head (Pastoral)/Designated Safeguarding Lead, or any member of the Senior Leadership Team of Whitgift School.

The Headmaster will be the ultimate decision maker in respect of all low-level concerns, although it is recognised that depending on the nature of some low-level concerns, the Headmaster may wish to consult with the Deputy Head (Pastoral)/Designated Safeguarding Lead and take a more collaborative decision making approach. In the case of staff who are employed by another Foundation School, the Headmaster may wish to consult with that member of staff's own Headmaster.

If the Headmaster is not informed initially, the DSL or senior member of staff must inform him in a timely fashion, according to the nature of the particular low-level concern.

Staff have the option of sharing their low-level concern verbally with the relevant individuals stipulated within this policy in the first instance, or of providing them with a written or electronic summary of it by e-mail.

Where the low-level concern is provided verbally, the recipient of it should make an appropriate record of the conversation, either contemporaneously or immediately following the discussion. Sound professional judgement should be exercised by them in determining what information is necessary to record for safeguarding purposes.

The following details should always be included:

- the name of the individual sharing the low-level concern and their role;
- the name of the individual about whom the concern is being raised and their role;
- brief context in which the low-level concern arose; and
- concise details (which are chronological and as precise and accurate as possible) of any such concern and relevant incident(s).

If the individual about whom the concern is being raised has an opposing factual view of the incident, this should be fairly recorded alongside the concern. The record should be signed, timed and dated.

It is local practice to discuss all low-level concerns with the Local Authority Designated Officer (LADO).

4. Responding to low-level concerns

If the concern is raised via a third party, the Course Director or another senior member of staff 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 Headmaster will use the information collected to categorise the type of behaviour and determine any further action, in line with the Community Summer School's Staff Code of Conduct. The Headmaster will be the ultimate decision-maker in respect of all low-level concerns, though he may wish to collaborate with the Deputy Head (Pastoral)/ Designated Safeguarding Lead and/or the member of staff's own Headmaster if they are employed by another Foundation school.

All low-level concerns should be responded to in a sensitive and proportionate way – on the one hand demonstrating that such concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from any potential false low-level concerns or misunderstandings.

Once the Course Director, the Deputy Head (Pastoral)/Designated Safeguarding Lead or another senior colleague has received what is believed (by the person raising it) to be a low-level concern, they should follow the steps detailed below, though not necessarily in order, and according to the nature of the concern.

- (a) Speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether there is a written summary.
- (b) Speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted);
- (c) Speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).
- (d) Review the information and determine whether:
 - the behaviour is in fact appropriate – i.e. entirely consistent with the Community Summer School Staff Code of Conduct and the law,
 - the behaviour constitutes a low-level concern,
 - there is any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact **may** meet the harm threshold, in which case they should consult with the LADO,
 - in and of itself the behaviour **may** meet the harm threshold, and should be referred to the LADO/other relevant external agencies, or

- when considered with any other low-level concerns that have previously been shared about the same individual, the behaviour **may** meet the harm threshold, and should be referred to the LADO/other relevant external agencies.

(e) Make appropriate records of:

- all internal conversations – including with the person who initially shared the low-level concern (where this has been possible), the adult about whom the concern has been shared (subject to the above), and any relevant witnesses (subject to the above);
- all external conversations – for example, with the LADO/other external agencies (where they have been contacted, and either on a no-names or names basis);
- their determination;
- the rationale for their decision; and
- any action taken.

The Headmaster's or Deputy Head (Pastoral)/Designated Safeguarding Lead's approach (including following any consultation with the LADO, as above, where action (if/as necessary) should be taken in accordance with their advice) should also be informed by the following:

If it is determined that the behaviour is entirely consistent with the Community Summer School's Staff Code of Conduct and the law:

(a) it will still be important for the Course Director or Deputy Head (Pastoral)/Designated Safeguarding Lead to update the individual in question and inform them of the action taken as above;

(b) in addition, the Course Director or Deputy Head (Pastoral)/Designated Safeguarding Lead should speak to the person who shared the low-level concern – to provide them with feedback about how and why the behaviour is consistent with the Community Summer School's Staff Code of Conduct and the law;

(c) such a situation may indicate that:

- the Community Summer School Staff Code of Conduct is not clear;
- the briefing and/or training has not been satisfactory; and/or
- the Low Level Concerns Policy is not clear enough.

If the same or a similar low-level concern is subsequently shared by the same individual, and the behaviour in question is also consistent with the Community Summer Staff Code of Conduct, then an issue may need to be addressed about how the subject of the concern's behaviour is being perceived, if not about the behaviour itself, and/or the Community Summer School may need to look at the implementation of its Low Level Concerns Policy.

If it is determined that the behaviour **does** constitute a low-level concern:

- (a) any investigation should be done discreetly and on a need-to-know basis;
- (b) by its very nature, it is likely to be minor, and it may not give rise to any ongoing concern or require any further action, although it may be most appropriately dealt with by means of management guidance and/or training;
- (c) in many cases, it will simply require a conversation with the individual about whom the concern has been raised, where a 'values-based conversation' is more likely to be effective, and help maintain a positive professional relationship with the member of staff concerned;
- (e) any such conversation should include being clear with the individual as to why their behaviour is inappropriate, problematic or concerning, 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;
- (f) ongoing and transparent monitoring of the individual's behaviour may be appropriate (for example, an action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate); and
- (g) the Headmaster or Deputy Head (Pastoral)/Designated Safeguarding Lead should consider whether the concern raises issues of misconduct or poor performance which are unrelated to safeguarding, referring to and following the School's disciplinary and/or capability procedures and taking advice from the Human Resources Department of the John Whitgift Foundation, on a named or no-names basis, where necessary.

5. 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. The Course Director and Deputy Head (Pastoral)/Designated Safeguarding Lead will maintain a secure, confidential log of all low-level concerns.

Records will be:

- Kept confidential, held securely and comply with the Data Protection Act 2018 and UK General Data Protection Regulations.
- Reviewed by the Headmaster, the Senior Deputy and Deputy Head (Pastoral)/Designated Safeguarding Lead so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the School will decide on a course of action, either through its disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold, the School will refer it to the Local Authority Designated Officer.
- Retained at least until the individual leaves employment at the School.

Where a low-level concern relates to a supply teacher, contractor, or member of teaching staff from a different foundation school, the School will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

6. References

The School will not include low-level concerns in employment references unless:

- The concern (or group of concerns) has met the threshold for referral to the Local Authority Designated Officer 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

7. The Role of the Governors

In supporting the governors of the John Whitgift Foundation to fulfil their responsibility to oversee safeguarding, the Headmaster and the Deputy Head (Pastoral)/Designated Safeguarding Lead will regularly inform them about the implementation of the low-level concerns policy and any evidence as to its effectiveness. The Foundation governors should also review an anonymised sample of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately. In addition, the Deputy Head (Pastoral)/Designated Safeguarding Lead will inform the safeguarding governor to the Whitgift School Committee of all low-level concerns.

**Reviewed by Assistant Head (Partnerships & Development) and the
Community Summer School Course Director: July 2024
Next review: July 2025**