



# **Burnside College**

## **Low Level Concerns Policy**

### **2023**

#### **Introduction**

Staff at Burnside College aim to ensure that all concerns about adults who work in and with school (including where the threshold for an allegation is not met) are shared responsibly, dealt with appropriately and recorded effectively. We aim to develop a culture of transparent reporting to ensure problematic or inappropriate behaviour is identified early; minimise the risk of abuse; and ensure that all staff / supply staff / volunteers are clear about professional boundaries and act within them, in accordance with the ethos of our school. This will also help safeguard against malicious allegations.

We understand that, while a concern may be perceived as low-level, it could escalate over time to become a safeguarding concern. All of our staff are expected to adhere to high standards of professional conduct (as detailed in the staff handbook) and recognise there may be some cross over with conduct in their personal life. We are fully committed to responding to any concerns that may arise to ensure the safety of our students is prioritised and the risks of any potential harm is reduced.

Concerns should not be limited to Safeguarding but could relate to behaviour which does not meet the professional standards expected from any individual working within school. Low-level concerns are differentiated from concerns that can cause harm. The harm threshold is the point at which a concern is no longer low-level and constitutes a threat of harm to a child.

The threshold for a high level concern 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 or children in a way that indicates he or she may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

An allegation can also relate to an adult's behaviour outside of work, and their relationships with others, if they have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include;

- an arrest for the possession of a weapon
- drug related incident
- have, as a parent or carer, become subject to child protection procedures
- are closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/volunteering

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 above. Many serious safeguarding concerns such as child sexual abuse, can often begin with low-level concerns, e.g. being overly friendly with a child. A concern could be no more than causing a sense of unease or a 'nagging doubt'.

A low-level concern is any concern that an adult working in school may have acted in a way that:

- is not consistent with our expectation of professional conduct
- has caused a sense of unease about that adult's suitability to work with children
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of inappropriate behaviour that could potentially constitute a low-level concern may include, but are not limited to:

- being overly friendly with children
- having favourites
- 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 without discussion with their line manager
- using inappropriate sexualised, intimidating or offensive language.

The context for all low-level concerns will be considered when determining the response. Behaviour which raises concerns may not be intentionally inappropriate, but this does not negate the need to report the behaviour.

## **Responsibilities of staff**

It is important that all staff are clear of what is expected of them in terms of professional conduct as is detailed in the staff handbook. This is reviewed annually by Charlotte Jenkins (Designated Safeguarding Lead) and as part of the school's 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 with the Headteacher. This should be done immediately.

Reporting Staff will be given the option of sharing their low-level concern verbally with the Headteacher. Where a low-level concern is provided verbally, the Headteacher will ensure an appropriate record of the conversation is taken. Where the Headteacher is unavailable, the information can be reported to M Swain, Deputy Headteacher. Where a low-level concern relates to the Headteacher, the concern should be reported to the Chair of Governors. The Chair of Governors will consider the concern within context, seeking appropriate advice (e.g. LADO.) 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 Headteacher, who will, in turn, inform the employer of the subject of the concern. The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the relevant personnel, e.g. Headteacher or Chair of Governors.

## **Responding to concerns**

When the Headteacher (or Chair of Governors as appropriate) has received a low-level concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated. The Headteacher will evaluate if the concern is serious enough to consider a referral to the LADO. In his evaluation he will also consider any historic low-level concerns that have been raised about the same individual, this may affect decision making to escalate an allegation and refer it to the LADO/other relevant external agencies.

It is important that the Headteacher speaks 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.) It is essential that records are kept of any conversations with the individual, the LADO, any witnesses and the person/s making the allegations. It is also important to record details of action taken, decisions reached, and the outcome. The Headteacher/Chair of Governors may need to seek advice from an external source, which they will do whilst adhering to Data Protection protocols.

Where it is determined that a low-level concern refers to action that breaches the standards of professional conduct expected and/or the law, the school will respond to this in a sensitive and proportionate manner. Upon evaluation, it may be determined that a low-level concern is more serious, requiring escalation and/or treating as an allegation, e.g. considered more serious alongside previous concerns or meets the harm threshold as stated in the Safeguarding Policy.

Breaches of the Staff Code of Conduct and/or the law will be managed in accordance with the Disciplinary and Capability procedure and, where appropriate, the Allegations Against Staff policy. If it is determined upon evaluation that the low-level concern refers to behaviour that does not breach the Staff Code of Conduct or the law, the Headteacher or an appropriate Senior Leader 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.

## **Record Keeping and Monitoring**

The Headteacher will retain (in accordance with the Data Protection policy) all records of low-level concerns. Where a low-level concern is provided verbally, the Headteacher will make an appropriate record of the conversation, either immediately following the discussion or as soon as possible afterwards. The Headteacher will review the recent low-level concerns log on a termly basis to identify any concerning behaviour patterns amongst staff. Records of low-level concerns will not be kept in the personnel file of the individuals to whom the concerns pertain. Where a low-level concern is determined to be more serious and is processed as an allegation, records of this will be kept in staff personnel files.

New Policy by CJ - Mar 2023  
Ratified by Governors - July 2023