

Policy document control box	
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Purpose

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. The school deals with all concerns about adults working in or behalf of the school appropriately and promptly.

Policy statement, provision and safeguards

The school 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 headteacher
- 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 LADO
- 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 at Red Balloon Worthing.

Defining a Low-Level Concern

A low-level concern is one that does not meet the harm threshold as stated 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 are contained specifically within the School's Policy, 'Dealing with Allegations Regarding Staff'. These should be reported to the headteacher 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. they believe it could be a concern) – that an adult working in or on behalf of the school 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.

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

- being over 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; or,
- using inappropriate sexualised, intimidating or offensive language.

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 of the expectations the school stipulates from them as contained in the Staff Code of Conduct. This is covered 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 and with the headteacher. This should be done without delay.

Where there are concerns/allegations about the headteacher, this should be referred to the Chair of Governors (whose contact details can be found in the School's Safeguarding Policy document).

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 contradiction to the school's code of conduct and expectations, should self-refer to the Head of Centre.

Dealing with Low-Level Concerns

All low-level concerns may be shared verbally with the Head of Centre in the first instance, but must then be recorded in writing using the school's safeguarding software. The record should include:

- details of the concern
- the context in which the concern arose
- action taken

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 Head of Centre 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 signed, timed and dated. Records will remain confidential in accordance with the school's Data Protection policies and GDPR.

Responding to a Low-Level Concern

The Head of Centre 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:

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

Where the Head of Centre is in any doubt whatsoever, advice will be sought from the LADO, if necessary, on a 'no-names' basis.

Having established that the concern is low-level, the Head of Centre 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 Head of Centre 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.

Monitoring Low Level Concerns

All reported low level concerns will be recorded. The record will include details of the concern, the date of the concern, the context in which the concern arose and the action taken. The name of the individual sharing the concerns will also be noted (although if the reporter wishes to remain anonymous this will be respected as far as possible). All records will be kept confidential and stored securely in compliance with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

The Governor with responsibility for safeguarding will be made aware that a low level concern has been made and will ensure the matter has been appropriately addressed, reporting to the governing body, or where deemed appropriate, referring to the Chair of Governors in a timely manner.

Records of low-level concerns will be periodically reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and responded to.

Where a pattern of behaviour is identified, the Head of Centre should decide on a course of action. This might be internal disciplinary procedures, or referral to the LADO if the harm threshold is met.

The Head of Centre must consider if any wider cultural issues in school that enabled the behaviour to occur and if appropriate policies could be revised or extra training delivered to minimise the risk of recurrence. Such monitoring will address circumstances of unrelated incidents involving more than one individual indicate an institutional issue.

Related legislation and documents

- External Documents
 - Students Act (Gov. UK 1989)
 - Students Act (Gov. UK 2004)
 - General Data Protection Regulation - UK UK GDPR (May 2018)
 - Human Rights Act (Gov. UK 1998)
 - Education Act (Gov. UK 2002)
 - Education and Skills Act (Gov. UK 2008)
 - Equality Act 2010
 - Sexual Offences Act (Abuse of Trust) (Gov. UK 2003)
 - Female Genital Mutilation Act (Gov. UK 2003)
 - Information Sharing; Advice for practitioners providing safeguarding services to students, young people, parents and carers (Gov.UK July 2018)
 - Counter-terrorism and Security Act (Gov.UK 2015)
 - Keeping Students Safe in Education - KCSiE (Gov.UK Sept 2023)
 - Revised Prevent Duty Advice for Schools (Prevent Duty Guidance: for England and Wales Gov.UK (July 2015)
 - Students Missing Education (Gov.UK Sept 2016)

- Pace Code C 2019
- Public Sector Equality Duty
- Teacher misconduct: the prohibition of teachers (Gov.UK October 2015)
- Working Together to Safeguard Students: A guide to inter-agency working to safeguard and promote the welfare of students (Gov.UK July 2018)