

NAS Helen Allison School Low Level Concerns Policy SO-0007

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1. Introduction

- 1.1 The Helen Allison School recognises the importance of a positive culture where concerns can be identified and spoken about openly and acknowledges that this is a key element of a strong safeguarding system. This Low level Concerns Policy seeks to ensure that all staff who work with

children behave appropriately and to enable the early identification and prompt and appropriate management of concerns.

- 1.2 As part of its whole school approach to safeguarding, the School will ensure that it promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the School are dealt with promptly and appropriately.
- 1.3 Creating a culture in which all concerns about adults (including allegations that do not meet the harm threshold) are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should encourage an open and transparent culture; 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.
- 1.4 This policy is in line with statutory guidance set-out within Keeping Children Safe in Education and should be used in respect of all cases where an individual working in a school is subject to an allegation or has a concern raised in relation to them.
- 1.5 This policy should be read in line with Appendix 3 of NAS Schools Safeguarding Children and Young People (Child Protection) Policy SO-0189
- 1.6 This Low level Concerns Policy operates in conjunction (as appropriate) with the following:
 - 1.6.1 NAS Schools Safeguarding Children and Young People (Child Protection) Policy SO-0189
 - 1.6.2 NAS Code of Conduct
 - 1.6.3 NAS Whistleblowing Policy and Procedure SO-023
 - 1.6.4 Keeping Children Safe in Education 2022
 - 1.6.5 Disciplinary Procedures

2. Aims

- 2.1 To help create a culture in which all concerns about adults are shared responsibly and with the right person and are recorded and dealt with appropriately.
- 2.2 To enable schools to identify concerning, problematic or inappropriate behaviour early.
- 2.3 To minimise the risk of abuse occurring.
- 2.4 To 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.
- 2.5 To help create an environment where staff are comfortable 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 the expected professional standards.

3. Scope

- 3.1 All adults who come onto the school premises for the purposes of providing a service, including:
 - 3.1.1 Teachers
 - 3.1.2 Teaching assistants
 - 3.1.3 Support and administrative staff
 - 3.1.4 Volunteers
 - 3.1.5 Contractors
 - 3.1.6 Visitors
 - 3.1.7 Therapists and Clinicians
- 3.2 The term 'staff' throughout the policy refers to all of the above.

4. The Legislative Setting: What is a Low Level Concern?

- 4.1 The term 'low level' concern does not mean that it is insignificant. It means that the behaviour towards a child does not meet the harm threshold for an allegation. 'Keeping Children Safe in Education' defines a low level concern as:
 - 4.1.1 *'any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:*
 - 4.1.1.1 *is inconsistent with the staff code of conduct, including inappropriate conduct outside of work and*
 - 4.1.1.2 *does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.'*
- 4.2 **Staff are not expected to determine for themselves whether a concern is low level or not. Any concern must be reported to the Principal who will make this assessment in collaboration with other internal and external professionals and in full knowledge of any previous concerns.**

5. Reporting and recording a low level concern

- 5.1 Any concerns about a member of staff, that may or may not be low level, should be reported to the Principal as per Appendix 3 of the *NAS Schools Safeguarding Children and Young People (Child Protection) Policy – SO-0189*. The Principal should notify the NAS Safeguarding Advisor for Children and Young People. A discussion will then take place as to whether the

- concern meets the harm threshold to report to LADO or whether it will be treated as a low level concern.
- 5.2 The Principal may delegate to the Designated Safeguarding Lead (DSL), where appropriate, to investigate low level concerns.
- 5.3 Where an allegation or complaint is made against the Principal, the matter should be reported immediately to the NAS Safeguarding Advisor for Children and Young People, without first notifying the Principal. The NAS Safeguarding Advisor for Children and Young People will decide whether it meets the harm threshold to report to LADO or whether it will be treated as a low level concern.
- 5.4 All staff have access to SafeCall as an alternative method to raise a concern confidentially via phone: 0800 915 1571 or email: nas@safecall.co.uk.
- 5.5 At the Principal's or another's direction, the staff member making the report will be asked to complete a formal written record using Appendix B.
- 5.6 Where concerns have been raised using SafeCall, the Principal or another will record the facts known in Appendix B.
- 5.7 The record should include:
- 5.7.1 Details of the concern,
 - 5.7.2 The context in which the concern arose,
 - 5.7.3 The outcome of the investigation and any action taken, and
 - 5.7.4 The name of the individual sharing their concerns (unless the individual wishes to remain anonymous which must be respected as far as possible).
- 5.8 Relevant records will be retained confidentially on the personnel file. A separate record will also be kept of low level concerns to more easily identify patterns that may involve more than one member of staff. All records must be kept in line with data protection principles.

6. Dealing with a low level concern

- 6.1 Where a concern is raised about the practice or behaviour of a member of staff, this information must be recorded and passed to the Principal.
- 6.2 The Principal and Safeguarding Advisor for Children and Young People will then make an assessment to determine if the matter is a 'low level concern' or an 'allegation' and follow one of the following routes.
- 6.3 Allegations that meet the harm threshold will be referred to the LADO for advice.
- 6.4 Low level concerns that the school feel may need further guidance on will be referred to the LADO for advice.
- 6.5 Low level concerns that the school feel they can deal with internally will be dealt with via the school's usual child protection investigation process. The school will engage with its HR provider where it is necessary to

undertake further investigation and/or deal with the concern under relevant processes.

- 6.6 The Principal should collect as much information as possible by:
 - 6.6.1 speaking directly with the person who raised the concern;
 - 6.6.2 to the individual involved and any witnesses;
 - 6.6.3 review any documentation or additional information as necessary.

7. Reviewing a low level concern

- 7.1 Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the Principal will decide on a course of action, which may include:
 - 7.1.1 Disciplinary investigation and/or proceedings
 - 7.1.2 Management Advice, including recommendations for training
 - 7.1.3 Referral to the LADO (where a pattern of behaviour moves from a concern to meeting the harm threshold).
- 7.2 The school will take advice, where appropriate, from their HR provider/ Safeguarding Advisor or/and LADO in respect of low level concerns. The school will also review appropriate policies and training, or other wider cultural issues in the school, to see whether anything needs to be done to minimise the risk of similar behaviour happening again.
- 7.3 Relevant records will be retained confidentially on the personnel file. A separate record will also be kept of low -level concerns to more easily identify patterns that may involve more than one member of staff.
- 7.4 All records must be kept in line with data protection principles.
- 7.5 Low level concerns will not be included in a reference unless they relate to issues which would normally be included in a reference (e.g. misconduct or poor performance).
- 7.6 A low -level concern (or group or pattern of concerns) which has met the harm threshold and has therefore been referred to the LADO may be included in a reference depending on the circumstances.

Appendix A - Spectrum of Behaviour

ALLEGATION	<p>Behaviour which indicates that an adult who works with children has:</p> <ul style="list-style-type: none"> • 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	<p>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.</p> <p>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:</p> <ul style="list-style-type: none"> • 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, on a no-names basis if necessary
APPROPRIATE CONDUCT	<p>Behaviour which is entirely consistent with the School's staff code of conduct, and the law.</p>

Appendix B – Low Level Concern Recording Form

This form should only be completed at the direction of the Principal to record a concern that has been discussed with them verbally or by other means (i.e. email). Only concerns agreed by the Principal to be low level may be recorded using this form.

This form will be used to record any concern – no matter how small, and even if no more than a 'nagging doubt' – that an adult may have acted in a manner which:

- is not consistent with the NAS Code of Conduct, and/or
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

You should provide a concise record – including brief context in which the low level concern arose, and details which are chronological, and as precise and accurate as possible – of any such concern and relevant incident(s) (and please use a separate sheet if necessary). The record should be signed, timed and dated. Consider any contextual information that may be appropriate to know.

This record will be held securely in accordance with the Helen Allison School's Low Level Concerns policy. Please note that low level concerns will be treated in confidence as far as possible, but the Helen Allison School may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.

Details of Concern	
Name of Staff Member Concerned	
Department and Role	
Name of Reporting Staff Member	
Signature of Reporting Staff Member	
Date	
Received By	
Nature of Concern	
Actions Taken (to be completed by Principal/other)	
Name of Principal/other	
Signature of Principal/other	
Date finalised	