

# Viking Academy Trust



## Low Level Concerns Policy

Approved by the Trust: Term 1 2022

Reviewed annually

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Signed

Chair of Trust

# Low Level Concerns Policy

## The Viking Academy Trust

Empowering Children Through Education: One Childhood One Chance

### Schools in the Viking Academy Trust (VAT)

Chilton Primary School  
Ramsgate Arts Primary School  
Upton Junior School

This Low Level Concerns Policy is specific to Chilton Primary School

#### Key Staff:

- Designated Safeguarding Lead - Mrs Kate Law, Head of School
- Deputy Safeguarding Leads - Mrs Hannah Cheshire, Deputy Head, Mrs Michaela Gale, KS2 Lead, Miss Emily Davey, KS1 Lead
- Chair of Local Advisory Body - Mr Neil Roby
- Trustee with responsibility for Safeguarding - Mrs Joanna Brand

#### Related Documentation and Guidance

- [Keeping Children Safe in Education 2022](#)
- [Working Together to Safeguard Children 2018](#)
- [Viking Academy Trust Staff Code of Conduct](#)
- [Child Protection Policy](#)
- [Whistleblowing Policy](#)

#### Purpose:

The policy which enables all staff to share any concerns - no matter how small - about their own or another member of staff's behaviour with the relevant individual(s) stipulated within the policy. Safeguarding and promoting the welfare of children is everyone's responsibility. 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 staff code of conduct are constantly lived, monitored and reinforced by all staff.

#### The School Will:

- Ensure that staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour - in themselves and others, and the delineation of professional boundaries and reporting lines.



- Empower staff to share any low-level concerns with the relevant individual(s) stipulated within the policy and to help all staff to interpret the sharing of such concerns as a neutral act.
- Address unprofessional behaviour and support the individual to correct it at an early stage.
- Identify inappropriate, problematic or concerning 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.
- Use the policy to help identify any weaknesses in the school's safeguarding system.

### **Definitions**

- **Staff** - anyone associated with the school - ie whether working in or on behalf of the school, engaged as a paid employee (including supply teacher), worker or contractor, or unpaid member of staff or volunteer. It also includes anyone who is part of the Local Advisory Body (Governance).
- **Local Advisory Body (Governance)** - Individuals who are responsible for the school's
- Governance (known as governors)
- **Designated Safeguarding Lead (DSL)** - as stated in Keeping Children Safe in education "...an appropriate senior member of staff, from the school or college leadership team" who "should take lead responsibility for safeguarding and child protection (including online safety).

### **Definition of a Concern or Allegation which may meet the harm threshold:**

The behaviour in question might indicate that a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children (i.e. in connection with their employment or voluntary activity)- i.e. a concern is raised/it is alleged that they have:

- 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.

### **Keeping Children Safe in Education 2022 states that:**

- *in terms of managing cases of concerns or allegations that may meet the harm threshold, these might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in a school or college;*

- *this includes behaviour that may have happened outside of school or college, that might make an individual unsuitable to work with children, which is known as transferable risk and*
- *where appropriate, an assessment of transferable risk to children with whom the person works should be undertaken, and if in doubt, advice sought from the LADO*

### **Definition of a Concern or allegation that does not meet the harm threshold – low level concern:**

The term 'low-level' concern does not mean that it is insignificant. 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 working with children 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 harm threshold; or is otherwise not serious enough to merit a referral to the LADO.

### **Reporting Low Level Concerns at Chilton Primary School:**

Low Level Concerns should be reported to:

- Kate Law – Head of School and Designated Safeguarding Lead.
- In absence of the DSL named above reports should be made to: Hannah Cheshire or Michaela Gale or Emily Davey – Deputy Safeguarding Leads.

### **Anonymity**

If the staff member who raises the concern does not wish to be named, then the school will respect that person's wishes as far as possible. However, there may be circumstances where the staff member who raises the concern will need to be named (for example, where it is necessary in order to carry out a fair disciplinary process) and, for this reason, anonymity will never be promised to members of staff who share low-level concerns. Where possible, the school will encourage staff to consent to be named, as this contributes to creating a culture of openness and transparency.

### **Self-Referral for a Low Level Concern**

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others. Staff should, wherever possible, proactively self-report – for example, if they know they are going to be in a situation which would be deemed a breach of the staff code of conduct, including, for example, where a member of staff has contact or a personal connection to a child outside of work. Staff should notify the DSL of these personal connections.

Equally, a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the staff code of conduct. Self-reporting in these circumstances can be positive for a number of reasons: it is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity; it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived; and, crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour. KCSIE states that schools and colleges should ensure that they create an environment where staff are encouraged and feel confident to self-refer.

### **Sharing and Recording Low Level Concerns:**

Staff should share a low level concern with the DSL (Kate Law, Head of School) or Deputy DSL verbally and will be asked to make a written summary of it during this conversation (see Appendix A- [Low Level Concerns Form](#)). The name of the member of staff sharing the concern will be recorded and their role alongside the name and role of the member of staff about whom the concern is being raised. If the latter has an opposing view of the incident, this will be fairly recorded alongside the concern. The record should include 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). The record should be signed, timed and dated.

### **Responding to a Low Level Concern:**

All low-level concerns will be responded to in a sensitive and proportionate way. They will be handled promptly and effectively whilst protecting staff from any potential false low-level concerns or misunderstandings.

Once the DSL has received what is believed (by the person raising it) to be a low-level concern, they will:

- Speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary has been completed
- Speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted);
- 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);
- Review the information and determine whether: (i) the behaviour is in fact appropriate - i.e. entirely consistent with their staff code of conduct and the law, (ii) the behaviour constitutes a low-level concern, (iii) 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 their LADO, (iv) in and of itself the behaviour may meet the harm threshold, and should be referred to the LADO/other relevant external

agencies, or (v) 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.

- 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 and any relevant witnesses
- All external conversations - for example, with the LADO/other external agencies (where they have been contacted)
- Their determination
- The rationale for their decision
- Any action taken.

If it is determined that the behaviour is entirely consistent with the organisation's staff code of conduct and the law:

- The DSL will update the individual in question and inform them of the action taken as above
- The DSL will 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 organisation's staff code of conduct and the law

If it is determined that the behaviour constitutes a low-level concern the DSL will:

- Speak to the individual about whom the concern has been raised.
- Discuss how the individual came to behave in a way not in keeping with the staff Code of Conduct.
- Be clear how and why the behaviour is inappropriate, problematic or concerning
- Identify avenues of support, including any required training, to ensure the behaviour does not happen again.
- Be clear about the consequences in not meeting the expected standard of behaviour as set out by the staff Code of Conduct or repeat the behaviour in question.
- Put in place (if appropriate) a monitoring plan and/or risk assessment which is agreed with the individual and regularly reviewed with them
- Consider whether the behaviour may raise issues of misconduct or poor performance which are unrelated to safeguarding and refer to the school's disciplinary policies and procedures.
- Notify the employers of a contract worker or external agency worker so that patterns of behaviour can be identified.
- May (if appropriate) seek specialist and/or legal advice.

If it is determined that the behaviour meets the harm threshold, or when considered with other low level concerns that have been shared previously about the same individual may meet the harm threshold, the DSL will:



- Refer the individual to the LADO/ other relevant external agencies, in accordance with the school's Child Protection policy, Managing Allegations Against Staff Policy and Part 4 of Keeping Children Safe in Education 2022

### **Holding Low Level Concerns:**

- The School will retain all records of low-level concerns (including those which are subsequently deemed to relate to behaviour which is entirely consistent with the staff code of conduct) in a central low-level concerns file
- Where multiple low-level concerns have been shared regarding the same individual these should be kept in chronological order as a running record, and with a timeline alongside
- These records will be kept confidential and held securely (in a locked cupboard), with access afforded only to a limited number of individuals (Head of School, DSL and Deputies, Executive Head and HR Director).
- Where low level concerns may lead to an issue with misconduct or performance, records may also be added to an individual's personnel file.
- The records will be reviewed periodically to ensure all low level concerns are being dealt with promptly and appropriately and to identify any patterns in concerning, inappropriate or problematic behaviour.
- The records will be kept for seven years
- Low level concerns which relate only to safeguarding and do not meet the harm threshold (and not misconduct or poor performance) will not be included in any references for the individual.

### **Accountability**

- The Local Advisory Body (Governance) will provide strategic challenge to test and assure itself that the safeguarding policies and procedures in place at their school or college are effective and support the delivery of a robust whole school approach to safeguarding.
- The Head of School / DSL should regularly inform the Local Advisory Body (Governance) about the implementation of the low-level concerns policy and any evidence as to its effectiveness.
- Safeguarding visits conducted by the lead safeguarding Trustee and Governor should make record through visit meetings to the implementation of the Low Level Concerns Policy.
- Safeguarding and Child Protection is a minuted agenda item on every Local Advisory Body meeting and reports on low level concerns recorded including trends or patterns should be part of every meeting
- The safeguarding Governor and Trustee 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.

**Appendix A** - Low Level Concerns Form - available in paper form from DSL or electronically on [Sharepoint](#)





## **Viking Academy Trust – Low Level Concern Form**

Please use this form to share 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:

- is inconsistent with Viking Academy Trust’s staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the harm threshold, or is otherwise not serious enough to merit a referral to the LADO.

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). The record should be signed, timed and dated.

### **Details of concern:**

Name of Staff Member and Role ..... (about whom the concern is being recorded for.
Concern
Sign and print name.....
Role .....





Time and Date.....

Received by .....

Role .....

Time and Date .....

Action Taken:

Sign .....

Time and Date .....

This record will be held securely in accordance with Chilton Primary School's low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but Chilton Primary 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.

