



**RADLEY**

## **Low Level Concerns Policy**

**March 2024**

## Low-Level Concerns Policy

The statutory guidance *Keeping children safe in education* includes guidance for schools and colleges in England on dealing with low-level concerns about the behaviour of teachers, other staff, volunteers and contractors (Department for Education (DfE), 2021). The purpose of this policy is to assist in building and embedding a culture of openness, trust and transparency in which the school's or college's values and expected behaviour which are set out in the staff code of conduct are constantly lived, monitored and reinforced by **all staff**.

Behaviour which is not consistent with our standards and values, and which does not meet the college's expectations encapsulated in our staff Code of Conduct, needs to be addressed.

### What is a low-level Concern?

A low-level concern is any concern that an adult has acted towards a child in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work;
- makes a colleague feel uncomfortable or is a behaviour that could be conducted more professionally ;
- doesn't meet the **threshold of harm** or is not considered serious enough for the College to refer to the local authority.

Higher level concerns, those that may meet the harm threshold, might occur when a person 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.

Low-level concerns are part of a spectrum of behaviour, that might span:

- inadvertent or thoughtless behaviour;
- behaviour that might be considered inappropriate depending on the circumstances;
- behaviour which is intended to enable abuse.

Examples of such behaviour could include:

- being over friendly with children or showing favouritism;
- adults taking photographs of children in a way which contravenes the [images policy](#) ;

- engaging inappropriately with a child on a one-to-one basis in a secluded area or behind a closed door;
- leading or allowing inappropriate or unprofessional discussions with boys, such as during Cocoa, Form Master gatherings or in the JCR;
- using inappropriate sexualised, intimidating, or offensive language.

### **Why do we need to respond to low-level concerns?**

Having clear procedures for responding to low-level concerns is part of creating a culture of openness and trust. It helps ensure that we, as adults, consistently model the College's values and helps keep children safe. It will also protect adults working at Radley from potential false allegations or misunderstandings.

### **How to report a low-level concern**

Low level concerns can be raised with the Warden, but the more usual reporting path is likely to be through the DSL<sup>1</sup>. Staff are encouraged to speak to the DSL for advice if you have a low-level concern (LLC). If the LLC relates to the behaviour of the DSL or deputy DSL, then the concern should be raised with the Warden. Or staff can complete the **Low Level Concern Form**, which can be found [here](#).

Staff are also encouraged to self-refer to the DSL, 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.

Reports about supply staff and contractors should be notified to their employers so any potential patterns of inappropriate behaviour can be identified

### **Recording**

All low-level concerns will be recorded in writing and include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, however if the individual wishes to remain anonymous then that will be respected, as far as reasonably possible.

Records will be kept confidential (only the DSL receives Low Level Concern entries), held securely, and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR) (see KCSIE para. 109).

Records will be reviewed periodically so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of behaviour starts to meet the harms threshold, it will be referred to the LADO. The rationale for all decisions and actions taken must be recorded.

The record of a low-level concerns will be retained for three years after the individual leaves employment with Radley. Low-level concerns will not form part of a reference, unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance, or a pattern of behaviour has been identified that meets the harm threshold and will therefore have been brought to the attention of the LADO, and substantiated.

### **Responding to concerns.**

Concerns will be investigated through a series of conversation with:

- the individual raising the concern
- any potential witnesses to the concerning behaviour
- the colleague whose behaviour has been called into question
- and, where necessary, the LADO team.

There will be a review the information to determine whether the behaviour:

- i. is entirely consistent with their staff code of conduct and the law,
- ii. constitutes a low-level concern,
- iii. is not serious enough to consider a referral to the LADO – but may merit consulting with and seeking advice from the LADO, and on a no- names basis, if necessary,
- iv. when considered with any other low-level concerns that have previously been raised about the same individual, could now meet the threshold of an allegation, and should be referred to the LADO/ other relevant external agencies,
- v. in and of itself meets the threshold of an allegation and should be referred to the LADO/other relevant external agencies.

The primary purpose of sharing LLCs is to support colleagues in correcting inappropriate behaviour. In most cases, a constructive conversation with the subject of the concern will be all that is required. Consideration will be given as to who is best placed to have the conversation, but in most cases, this will be the Head of Department. It is important that the conversation is conducted in a supportive manner, rather than as a disciplinary intervention.

If there were to be a repetition of the behaviour, leading to further concern being raised, the Sub Warden will become part of the conversation and advise on changes that need to be made. A repetition might be seen as the start of a pattern of behaviour, requiring careful review against the harm threshold. If the pattern of behaviour is approaching the threshold for reporting, advice will be sought from the LADO team on a 'no names' basis in the first instance.

### **Reviewing**

Low level concerns will be reviewed by the DSL and the Warden on an annual basis, to identify patterns and review the actions that have been taken. Cultural issues within the College might be a factor in enabling the behaviour to occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.