



## Low-Level Concerns Policy

### Kimbolton School

This policy has been written alongside the School's *Staff Code of Conduct* and with guidance from *KCSiE 2023* and *Guidance for Safer Working Practice 2019*.

Safeguarding is central to the School's operations and its rigorous implementation is embedded in the School's culture. This includes sharing low level concerns. This policy enables all staff to share any concerns – no matter how seemingly insignificant – about their own, or another member of staff's, behaviour with the Headmaster or the Designated Safeguarding Lead (DSL). Safeguarding, and promoting the welfare of children, is everyone's responsibility and therefore 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.

It is important that low-level concerns are shared, as soon as reasonably possible and, in any event, within 24 hours of becoming aware of the concern (where the concern relates to a particular incident) – although it should also be emphasised that it is never too late to share a low-level concern. Any concerns should be shared with the DSL, or Headmaster (potentially Prep Headmaster if based at the Prep School) or if pertaining to a support member of staff with the Bursar (also a DSP) and Deputy Bursar. If the Headmaster and DSL are absent for any reason, low-level concerns should be shared with the Senior Deputy Headmaster (also a DSP) who should ensure that the DSL is informed as soon as is practically possible. Concerns will still be addressed of course in the absence of the Headmaster and DSL. If any low-level concern relates to the behaviour of the DSL, it should be shared with the Headmaster or the Safeguarding Governors.

#### **What is a 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 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 harm threshold or is otherwise not 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, contrary to school policy.

- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or
- humiliating children.

### **Raising the concern:**

If the staff member who raises the concern does not wish to be named, then we at Kimbolton School will respect that person's wishes as far as possible. However, we will try to encourage staff to consent to being named, as this will help to create a culture of openness and transparency.

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others. 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.

Staff will be given the option of sharing their low-level concern verbally with the Headmaster or DSL (or Senior Deputy Headmaster if necessary) in the first instance, or of providing them with a written summary. Where the low-level concern is provided verbally, the DSL (or Senior Deputy Headmaster), will make an appropriate record of the conversation.

Sound professional judgement will be exercised by the Headmaster and DSL in determining what information is necessary to record for safeguarding purposes. Once the low-level concern has been received, these senior staff will review the information and determine whether the behaviour:

- is entirely consistent with the organisation's *Staff Code of Conduct* and the law,
- constitutes a low-level concern,
- is serious enough to consider a referral to the LADO,
- or when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO/other relevant external agencies;

The information collected will categorise the type of behaviour and determine what further action may need to be taken. This information will be recorded electronically in a secure spread sheet, along with the rationale for the decisions and action taken. Where the DSL is in any doubt whatsoever, they should seek advice from the LADO.

### **If it is a low-level concern:**

It will be responded to in a sensitive and proportionate way. Any investigation of low-level concerns should be done discreetly and on a need-to-know basis. In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

### **If considered a serious concern:**

If 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 meets the harm threshold, the LADO will be consulted. If agreed it has met the threshold, it will be formally referred to the LADO, again on a need-to-know basis.

### **How are low-level concerns stored?**

The Headmaster and DSL will retain all records of low-level concerns in a central and secure low-level concerns spread sheet. These records are kept confidential, with access afforded only to a limited number of individuals. The concerns which are documented and records kept are confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation

(UK GDPR). 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. Records should be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the Headmaster and DSL will choose a course of action, either through disciplinary policies or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, in which case it will be referred to the LADO. If a low-level concern is deemed to be serious enough to consider a referral to the LADO and, perhaps following consultation, a referral is made to them, then records relating to the low-level concern will be placed and retained on the staff member's personnel file.

**Reviewed: September 2023**

**Headmaster**