Keeping Children Safe in Education 2022 – Part 2

**Reporting Low Level Concerns (LLC) – Policy**

To be read in conjunction with the Staff Code of Conduct

Introduction

Keeping Children Safe in Education 2021 (Section 2) (KCSiE2021-Part2) sets out expectations with regards ‘Concerns that do not meet the harm threshold’[[1]](#footnote-1). There is a requirement that Governing bodies have policies and processes to deal with concerns (including allegations) which do not meet the harm threshold set out in KCSiE 2021. Concerns may arise in several ways and from a number of sources and from within and outside of the school.

Low Level Concerns

As part of our approach to safeguarding we promote 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. We have developed and maintain a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately. This encourages an open and transparent culture and enables the school to identify concerning, problematic or inappropriate behaviour early. This, in turn, minimises the risk of abuse and ensures that all adults working in the school are clear about professional boundaries and act within them.

What is Low Level Concern?

The term ‘low level’ does **not** mean insignificant. It means that the behaviour towards a child does not meet the threshold as set out in KCSiE 2021 Part 4, section 1[[2]](#footnote-2). ***A low level concern is any concern – no matter how small – and even if not 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[[3]](#footnote-3)***
* ***Does not meet the allegations threshold***

It is crucial that concerns are shared responsibly and with the right person. The concern needs recording and to be dealt with effectively.

How does this work at Smannell Field School?

We will embrace the guidance in this policy by:

* ensuring that staff are clear about what appropriate behaviour is and that they are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour in themselves and others;
* empowering staff to share any low-level safeguarding concerns using the (already established) Cause for Concern’ forms:
* addressing unprofessional behaviour and supporting individuals to correct themselves at an early stage:
* providing a responsive, sensitive and proportionate handling of such concerns when they are raised:
* identifying any weaknesses in the school’s safeguarding system

Sharing low-level concerns

All low-level concerns should be recorded in writing including details of concern, the context in which the concern arose and the action taken. The name of the individual sharing the concern should also be noted. These records must be kept confidential and be held securely to comply with the Data Protection Act 2018 Regulation (UK GDPR)[[4]](#footnote-4). These records should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where this is occurring the matter moves from a concern to meeting the threshold in which case it should referred to the LADO. Consideration should also be given to whether there are wider cultural issues within the school.

What staff should do if they have a safeguarding concern about another member of staff?

* Refer the matter to the Headteacher
* Where there are concerns about the Headteacher the matter should be referred to the Chair of Governors

Responding to low-level concerns

When a low-level concern is raised the Headteacher will;

* Speak directly to the person who raised the concern
* Speak directly to the individual involved

The information collected will help to categorise the type of behaviour and determine what further action may need to be taken. All of this will be recorded along with the rationale for the decision.

1. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/1014057/KCSIE\_2021\_September.pdf [↑](#footnote-ref-1)
2. The harm test is explained on the Disclosure and Barring service website on GOV.UK. Section 31(9) of the Children Act 1989 as amended by the Adoption and Children Act 2002 [↑](#footnote-ref-2)
3. http://documents.hants.gov.uk/education/ModelCodeofConduct.docx [↑](#footnote-ref-3)
4. The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR). Everyone responsible for using personal data has to follow strict rules called 'data protection principles'. They must make sure the information is: used fairly, lawfully and transparently. [↑](#footnote-ref-4)