



LOW LEVEL Safeguarding Concerns Policy and Procedure

(professional behaviour and conduct of staff)

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Introduction

The statutory guidance Keeping Children Safe in Education (KCSIE) 2022 includes new guidance for Colleges in England on dealing with low-level concerns about the behaviour of teachers, other staff, volunteers and contractors (Department for Education (DfE), 2021). This procedure outlines the College Process for dealing with such concerns. Any low-level concern about a staff member, including volunteers, supply staff and contractors, should be referred to the DSLs.

The purpose of the Low Level Safeguarding Policy and Procedure is to implement a process to:

- identify inappropriate, problematic or concerning behaviour early;
- minimise the risk of abuse;
- ensure that adults working in or on behalf of the College are clear about professional boundaries and act within them, in accordance with the ethos and values of the College.

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

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- doesn't meet the threshold of harm or is not considered serious enough for the College to refer to the local authority.

Low-level concerns are part of a spectrum of behaviour. This includes:

- 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:

- behaviour which is not consistent with the standards and values of the College, and which does not meet the organisational expectations encapsulated in their staff code of conduct.
- being over friendly with children
- having favourites
- adults taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language.

Self-referral

It is crucial that any such concerns are shared responsibly and with the right person, and recorded and dealt with appropriately, and early. It is important that staff feel confident to self-refer when they feel a situation may be misconstrued or if they have behaved in a way that falls below professional standards.

Recognising inappropriate behaviour

All staff should be familiar with the College's Staff Code of Conduct, which sets out clear values and expected professional behaviour, so they can feel confident in distinguishing between appropriate and inappropriate or problematic behaviour and take action to help safeguard students. This means being able to identify inappropriate behaviour rather than dangerous people.

It is important that staff feel comfortable with, and are clear about the concept of low-level concerns, and know what to do if they have a concern. Staff do not, however, need to be able to determine whether their concern is low-level, serious enough to consider referral to the LADO or whether it meets the threshold of an allegation. All concerns will be assessed by the DSL and the Principal.

Procedure for sharing and recording low-level concerns about a staff member

Sharing concerns

All concerns should be shared directly with the DSL or a member of the Human Resources Unit, as soon as reasonably possible but ideally within 24 hours, who will then liaise with the Senior Designated Lead for

Safeguarding or the Principal. Where the DSL is unavailable, concerns should be raised directly with the Senior Designated Lead for Safeguarding or the Principal.

Concerns that relate to the Principal should be referred to the Senior Designated Lead for Safeguarding and any concerns that relate to a DSL should be referred to the Principal.

Recording concerns

All concerns will be centrally recorded on a secure and confidential database with the Human Resources Unit and retained in compliance with data protection regulations. Records should include details of the concern, context and action taken. The name of the person raising the concern will also be included unless they wish to remain anonymous and their request is reasonable.

Identifying patterns of behaviour

Records will be reviewed in order to identify any patterns or potential patterns of concerning, problematic or inappropriate behaviour. Where a pattern of such behaviour is identified the College may put in place disciplinary procedures or, if the behaviour moves from a low-level concern to meet the harm threshold, refer the case to the LADO.

Procedure for responding to low-level concerns

Any investigation of low-level concerns will be carried out discreetly and on a need-to-know basis. Most low-level concerns are likely to be minor and may be dealt with through guidance and/or training.

The DSL, the Line Manager and the Human Resources Unit will endeavour to provide responsive, sensitive and proportionate handling of concerns raised. Some concerns may, however, trigger disciplinary, safeguarding or other procedures where external agencies are involved.

In order to determine appropriate action, if any, the DSL, Line Manager and the Human Resources Unit will:

Speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary has been provided;

- 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 the behaviour:

- is entirely consistent with the staff code of conduct and the law;
- constitutes a low-level concern;
- 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;
- 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;
- in and of itself meets the threshold of an allegation and should be referred to the LADO/other relevant external agencies.

Where there is any doubt whatsoever, advice will be sought from the LADO on a no-names basis if necessary.

The DSL, the Line Manager and the Human Resources Unit will also:

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 (subject to the above), and any relevant witnesses (subject to the above);
- all external conversations – for example, with the LADO/other external agencies (where they have been contacted, and if necessary on a no-names basis);

- the decision and rationale
- any action taken.

The DSL, the Line Manager and the Human Resources Unit will endeavour to provide responsive, sensitive and proportionate handling of concerns raised and act to identify any safeguarding systems that need review or reinforcement.

Any concerns that border on the harm threshold will be raised with the LADO for guidance.

