

# ERA EDUCATION COMPANY

September 2021

## Low Level Concerns Policy

**Defining a Low-Level Concern** A low-level concern is one that does not meet the harm threshold as stated in the school's Safeguarding Policy. That is, when anyone working with child (including volunteers, supply staff and contractors) 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 he or she 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 (which includes behaviour that may have happened outside school posing a transferable risk to children). Responses and actions to behaviours that may meet the harm threshold'. These should be reported to the Director of Era Oxford Ltd. without delay.

**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' (i.e. they believe it could be a concern) – that an adult working in or on behalf of the company 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 allegations threshold or is otherwise not considered 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;
  - engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
  - using inappropriate sexualised, intimidating or offensive language. Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse. Responsibilities of staff It is important that all staff are clear of the expectations the companies stipulates from them as contained in the Staff Code of Conduct.

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Staff members who are concerned about how their behavior may have been interpreted, or, on reflection, re-evaluate their behavior as one that may have been in contrary to the company's code of conduct and expectations, they self-refer to the Director. Dealing with Low-Level Concerns All low-level concerns may be shared verbally with the Director in the first instance, but must then be recorded in writing. The record should include:

- details of the concern
- the context in which the concern arose
- action taken

The name of the individual sharing their concerns should also be noted, but if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Where the low-level concern is provided verbally, the Director should make an appropriate record of the conversation, either at the time or immediately following the discussion, paying heed to the details above. Records will be signed, timed and dated. Records will remain confidential in accordance with the company's Data Protection policies and GDPR.

**Responding to a Low-Level Concern** The Director will in the first instance satisfy themselves that it is a low-level concern and should not be reclassified as a higher level concern/allegation and dealt with under the appropriate procedure below. The circumstances in which a low-level concern might be reclassified are where: (a) the threshold is met for a higher-level concern/allegation (b) there is a pattern of low-level concerns which collectively amount to a higher-level concern/allegation or (c) there is other information which when taken into account leads to a higher-level concern/allegation. Where the Director is in any doubt whatsoever, advice will be sought from the LADO, if necessary, on a 'no-names' basis. Having established that the concern is low-level, the Director will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. If the concern has been raised via a third party, the Director should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously;
- to the individual involved and any witnesses.

The information collected will help them to categorise the type of behavior and determine what further action may need to be taken. All of this needs to be recorded along with the rationale for their decisions and action taken.