



**OXFORD  
International  
College**

A NORD ANGLIA EDUCATION SCHOOL

## LOW LEVEL CONCERNS

POLICY INTENDED FOR:	Staff
CATEGORY:	Safeguarding
POLICY IMPLEMENTED BY:	Principal
REVIEWED BY:	NAE Head of Safeguarding
REVIEW DATE:	June 2024
FUTURE REVIEW:	June 2025

### The Three Pillars

The three pillars of the OIC curriculum are:

- Academic Excellence
- Personal Development
- Career and University Pathways

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## PRINCIPLES

OIC is committed to ensuring Low-Level Concerns are monitored, recorded and dealt with appropriately to create a safer culture for all staff, students and visitors.

OIC has a moral, legal and social responsibility to provide a safe environment for students studying and residing with us.

## SCOPE AND REFERENCES

This policy sets out good practice and provides guidance on how to deal with situations and put in safeguards where a low-level concern may be encountered to ensure promotion of a safe culture and the prevention of possible harm. It will work in conjunction with all college policies and procedures, including, but not exclusive to, the following: Safeguarding Policy, GDPR, Health and Safety, Prevent Strategy and Safer Recruitment Policy.

## DISTINCTION BETWEEN AN ALLEGATION AND A LOW-LEVEL CONCERN

A culture encouraging the reporting of Low-Level Concerns enables staff to share any concerns they may have, no matter how small, about the behaviour of any adult in the college.

Concerns should not be limited to Safeguarding but could relate to behaviour which does not meet the professional standards expected within OIC and Nord Anglia.

The term '**allegation**' means that it is alleged that a person who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- or behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

An **allegation** can also relate to an adult's behaviour outside of work, and their relationships with others, if they:

- have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include an arrest for the possession of a weapon;
- have, as a parent or carer, become subject to child protection procedures;
- are closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/volunteering.

A **Low-Level Concern** is any concern about an adult's behaviour towards a child that does not meet the allegation threshold set out above, or is not otherwise serious enough to consider a referral to the LADO.

A **Low-Level Concern** is any concern – no matter how small, and even if no more than a 'nagging doubt' – that an adult may have acted in a manner which:

- is not consistent with an organisation's Code of Conduct, and/or
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

Staff do not need to be able to determine in each case whether their concern is a Low-Level Concern, or if it is in fact serious enough to consider a referral to the LADO, or meets the threshold of an allegation. Once staff share what they believe to be a Low-Level Concern, that determination should be made by the Principal.

## **IMPORTANCE OF SHARING LOW-LEVEL CONCERNS**

It is necessary to ensure a culture of openness and trust is fostered within an organisation in which staff can share any concerns about the conduct of colleagues and be assured that these will be received in a sensitive manner. It is well documented that organisational child sexual abuse is often preceded by grooming, and that such conduct was observed and considered questionable. This could be targeted at protective adults, not just children or vulnerable adults. This behaviour was rarely reported to the relevant individual in the organisation, was not recorded, and not available later for evaluation of patterns emerging. It is not possible for individuals to accurately judge people, as there is no one profile to describe everyone who abuses a child, so focus should be placed upon specific behaviours.

To minimise the risk of situational offending, there needs to be a culture of allowing the confidence to speak out. This requires a willingness to accept that abuse could happen in any organisation and must be supported by a robust framework, policy, training, support and leadership.

## **WHAT TO DO**

Staff should:

- Complete the 'Low Level Concern Form' in Appendix 1 (also available here: [Appendix 1](#)) as fully as possible.
- Email the form to the Principal, or in their absence the Chair of Governors, without informing the adult who is the subject of the form.
- If the concern is about the Principal it should be passed to the Chair of Governors without informing the Principal.
- The Principal will:
  - Decide whether the Low-Level Concern meets the harm threshold;
  - If it is deemed to meet the harm threshold, the Principal will contact the LADO;
  - If it doesn't meet the harm threshold, the Principal will speak to the member of staff themselves or appoint another person to. This could be the line manager or another member of the SLT;
  - The Principal or appointed person will collect as much evidence as is possible by speaking with the person who raised the concern, the individual and any witnesses.

## **HOW LOW-LEVEL CONCERNS WILL BE RECORDED**

Low Level Concern Forms and records will be retained (including those subsequently deemed to relate to behaviour which is entirely consistent with the Code of Conduct) and logged on a confidential spreadsheet managed by the Principal.

Where there are multiple Low-Level Concerns relating to the same individual these will be kept in chronological order as a running record. These records will be kept confidential and held securely with only the Principal and the HR team having access. The log will contain details of the concern, the context in which it arose, and action taken. The name of the person reporting should be noted respecting wishes to remain anonymous as far as reasonably possible.

Where concerns also involve issues of misconduct or where such issues have caused the poor performance, disciplinary, grievance or whistleblowing procedures to be triggered, the normal records required would still be made and kept according to procedure in addition to the Low- Level Concerns records.

Where the Low-Level Concern is serious enough to be referred to the LADO, the related records will be placed and retained on the staff member's employee file. Where a Low-Level Concern is reclassified as an allegation, then the records relating to it will be treated accordingly.

## **REVIEW OF THE CENTRAL LOW-LEVEL CONCERNS FILE**

The Safeguarding Governor will review the college Low Level Concerns File termly.

A record of these reviews will be made. This is to ensure such concerns are being dealt with promptly and appropriately and that any potential patterns of concerning, problematic or inappropriate behaviour are identified, and a course of action can be decided and carried out. This might be internal disciplinary procedures, or referral to the LADO if the harm threshold is met. It will also be considered whether there are any wider cultural issues in college that enabled the behaviour to occur. If appropriate, policies would be revised or extra training delivered to minimise the risk of recurrence. The rationale for all decisions and actions taken will be recorded.

## **RETENTION OF LOW-LEVEL CONCERN RECORDS**

There is currently no guidance on the retention of Low-Level Concerns, but the point at which an employee leaves the organisation would be considered a natural point at which the content of the file may be reviewed to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims) and is therefore necessary to keep.

## **IMPLEMENTATION**

To be effective, all staff at all levels must adhere to and model the expected values and behaviours as written in the policy.

Training on this policy will be incorporated in both the Safeguarding Induction Training for new staff and the Annual Safeguarding Training for all staff.

Any concerns or issues relating to the Low-Level Concern Policy will be included in the annual safeguarding report to governors.

## **DATA PROTECTION**

The Data Protection Act 2018 makes specific provision for the processing of personal data necessary for safeguarding children from harm. The Information Sharing Code of Practice (Information Commissioner's Office) specifically cites safeguarding of children as a 'clear example of a compelling reason' to share personal data. Where a concern is low-level, rather than an allegation, the balance between safeguarding interest and personal data rights will be considered carefully to ensure it is a reasonably necessary measure that the data should be shared.

## **SHOULD LOW-LEVEL CONCERNS BE REFERRED TO IN A REFERENCE?**

With reference to KCSIE guidance, allegations which are proven to be false, unsubstantiated or malicious, should not be included in employer references. Likewise, a history of repeated concerns which have all been found to be false, unsubstantiated or malicious should also not be included in any reference. Misconduct or consistent poor performance, where relevant, may be included. This would not normally include Low-Level Concerns of a safeguarding nature, unless the threshold is met for referral and found to be substantiated, where it should then be referred to in a reference. Where KCSIE does not apply, consideration must be given to legal obligations and duty of care in giving accurate references.

### **ROLE OF THE BOARD OF GOVERNORS**

The DSL will include in the Termly Reports to the Board of Governors, the information about the implementation of the Low-Level Concern Policy and any evidence as to its effectiveness, with any relevant data.

**APPENDIX 1**

**LOW LEVEL CONCERN FORM**

<b>Date of incident:</b>	
<b>Name of the person(s) the report is being made about:</b>	
<b>Account of incident or concern:</b> (give clear details relating to what happened, where, when, who was involved, what was said, nature of injury or behaviour, any witnesses etc keep if factual).	
<b>Action taken: (from the Principal)</b>	
<b>Name of person making the report:</b>	
<b>Signed:</b>	
<b>Date:</b>	
<b>ADMIN USE ONLY</b>	
<b>Principal:</b>	
<b>Signed:</b>	
<b>Date:</b>	
<b>Further action taken:</b>	