



HEATHFIELD SCHOOL

Code of Conduct for All Staff

Policy Area:	Staff
Relevant Statutory Regulations:	ISSR 2014 Part 3 NMS Part A, Part D, Part G KCSIE 2022 Equality Act 2010
Key Contact Personnel in School	
Nominated Member of Leadership Staff Responsible for the policy:	Bursar
Version:	2022.01
Date updated:	06 June 2022
Date of next review:	01 September 2023

This policy will be reviewed at least biannually, and/or following any concerns and/or updates to national and local guidance or procedures.

Introduction

Relationships with fellow employees, Governors, contractors, visitors, volunteers, pupils and their parents, guardians or carers should be reasonable and mutually respectful at all times. This Code has been produced to place the welfare of children at the centre of Heathfield School (“the School”) and its culture and to ensure that all those who work in the School and may have contact with children are clear on the rules of conduct and the expectations of the School. Children and their parents place trust in those connected to the School creating obligations which we must all meet to ensure the successful outcomes achieved by the children in our care.

This document clarifies what is expected in terms of professional behaviour; it gives clear advice about what constitutes illegal behaviour and what might be considered as misconduct. It also describes safe practice and which behaviours should be avoided.

If a member of staff does not follow this code of conduct, it may lead to disciplinary procedures being invoked.

There may be times when professional judgements are made in situations not covered by this document, or which directly contravene the guidance given by the employer. It is expected that in these circumstances staff will always advise their senior colleagues of their justification for any such action already taken or proposed.

Application

The Code of Conduct applies to all staff working in the School, whether paid or unpaid, whatever their position, role or responsibilities and staff includes employees, Governors, contractors, work experience / placement pupils and volunteers.

Purpose

The purpose of the Code is to:

- confirm and reinforce the professional responsibilities of all faculty and staff;
- clarify the legal position in relation to sensitive aspects of staff pupil relationships and communication including the use of social media;
- set out the expectations of standards and behaviour to be maintained within the School; and
- to help adults establish safe practices and reduce the risk of false accusations or improper conduct.

Core Principles

- The welfare of pupils is paramount.
- Staff are responsible for their own actions and behaviour and should avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- Staff should work, and be seen to work, in an open and transparent way.
- Staff should discuss and/or take advice promptly from their line manager or another senior member of staff over any incident which may give rise to concern.
- Records should be made of any such incident and of decisions made/further actions agreed.
- Staff should apply the same professional standards in keeping with the School's Equal Opportunities Policy.
- All staff should know the name of their Designated Safeguarding Lead (Director of Pastoral), be familiar with child protection arrangements, and understand their responsibilities to safeguard and protect pupils.
- Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them.

Guidelines for Safe Working Practices for the Protection of Pupils and Staff at Heathfield School

The following guidance has been produced to help all staff establish the safest possible learning and working environment. The aims are to safeguard young people and reduce the risk of staff being falsely accused of improper or unprofessional conduct.

This means that these guidelines apply to all adults working at Heathfield School whatever their position, roles, or responsibilities, and those on permanent and temporary contracts.

Exercise Professional Judgement

This guidance cannot provide a complete checklist of what is, or is not, appropriate behaviour for staff. It does highlight, however, behaviour that is illegal, inappropriate or inadvisable. There will be occasions and circumstances in which staff have to make decisions or take action in the best interests of the pupils which could contravene this guidance or where no guidance exists. Individuals are expected to make judgements about their behaviour in order to secure the best interests and welfare of the children in their charge and in so doing, will be seen to be acting reasonably.

This means that Heathfield School should:

- ensure that safeguarding procedures are in place and reviewed;
- ensure that systems are in place for concerns to be raised;
- ensure that adults are not placed in situations which render them particularly vulnerable.

This means that where no specific guidance exists staff should:

- discuss the circumstances that informed their action, or their proposed action, with a senior colleague. This will help to ensure that the safest practices are employed and reduce the risk of actions being misinterpreted ;
- always discuss any misunderstanding, accidents or threats with a member of the Senior Leadership Team;
- always record discussions and actions taken with their justification.

Behaviour Management

All pupils have a right to be treated with respect and dignity. Staff should not use any form of degrading treatment to punish a pupil. The use of humour can help to defuse a situation. The use of sarcasm, demeaning or insensitive comments towards pupils is not acceptable in any situation.

This means that staff should:

- not use force as a form of punishment;
- try to defuse situations before they escalate;
- keep parents informed of any sanctions
- adhere to the School's Positive Behaviour Policy.

Behaviour of Others

Staff should be aware that the behaviour of their partner or other family members or any member of your household may raise concerns which could affect the welfare of a member of the School community, a member of the public, or bring the School into disrepute and they should bring any such behaviour to the immediate attention of the School. Such concerns will be given careful consideration as to whether they constitute a potential risk to children at the School or its reputation.

Care, Control and Physical Intervention

Staff may legitimately intervene to prevent a pupil from committing a criminal offence, injuring themselves or others, causing damage to property, engaging in behaviour prejudicial to good order and to maintain good order and discipline. Staff should have regard to the health and safety of themselves and others.

Under no circumstances should physical force be used as a form of punishment. The use of unwarranted physical force is likely to constitute a criminal offence. Heathfield School does not use or permit any form of corporal punishment.

In all cases where physical intervention is deemed necessary, the incident and subsequent actions should be documented and reported.

This means that staff should:

- always seek to defuse situations;
- always use minimum force for the shortest period necessary.

Co-curricular activities

Staff should take particular care when supervising pupils in the less formal atmosphere of the boarding area, after-school activity or off-site residential setting.

During School activities that take place off the School site or out of School hours or at the weekend, a more relaxed discipline or informal dress and language code may be acceptable. However, staff remain in a position of trust and need to ensure that their behaviour cannot be interpreted as seeking to establish an inappropriate relationship or friendship.

Where out of School activities include overnight stays, careful consideration needs to be given to sleeping arrangements. Pupils, staff and parents should be informed of these prior to the start of the trip.

Health and Safety arrangements require members of staff to keep colleagues/employers aware of their whereabouts, especially when involved in an out of School activity.

This means that staff should:

- always have another adult present in out of School activities, unless otherwise agreed with senior staff in the School;
- undertake a risk assessment;
- have parental consent to the activity;
- ensure that their behaviour remains professional at all times.

Communication with pupils (including the use of technology)

Communication between pupils and adults, by whatever method, should take place within clear and explicit professional boundaries. This includes the wider use of technology such as mobile phones, text messaging, emails, digital cameras, videos, web-cams, websites, social networking sites, online gaming and blogs. They should not request, or respond to, any personal information from the pupil, other than that which might be appropriate as part of their professional role. Adults should ensure that all communications are transparent and open to scrutiny.

Adults should also be circumspect in their communications with pupils so as to avoid any possible misinterpretation of their motives or any behaviour which could be construed as grooming. They should not give their personal contact details to pupils including email, home or mobile telephone numbers. Email or text communications between an adult and a pupil outside agreed protocols may lead to disciplinary and/or criminal investigations. This also includes communications through internet based web sites, such as social networking, instant messaging or gaming.

Staff must recognise that as a result of their knowledge, position and authority in their role they have been placed in a position of trust. Their relationship with pupils has been developed with an imbalance of power, and therefore that relationship can never be one between equals. This imbalance remains after they leave school and the advice from our local authority is that a minimum of 5 years should pass, before friendships (including social network links) are established with ex-pupils.

Staff should always maintain appropriate professional boundaries, avoid behaviour which could be misinterpreted by others and report and record any such incident. Be aware that actions that bring the School into disrepute could lead to disciplinary procedures being taken.

This means that staff should:

- not give their personal contact details to pupils, including their mobile telephone number;
- communicate with pupils in an appropriate and professional manner, making sure that parents have given permission for this form of communication to be used;
- only make contact with pupils for professional reasons;
- not use internet or web-based communication channels to send personal messages to a pupil
- not have images of pupils stored on personal cameras, devices or home computers;
- not make images of pupils available on the internet, other than through the school network/website, without permission from parents and senior teachers;
- not contact socially ex-pupils for a minimum of 5 years after they have left the School, as there is still a professional relationship.

Confidentiality

Members of staff may have access to confidential information about pupils in order to undertake their everyday responsibilities. In some circumstances staff may be given additional highly sensitive or private information. They should never use confidential or personal information about a pupil or her family for their own or others' advantage. Information must never be used to intimidate, humiliate, or embarrass the pupil.

Confidential information about pupils should never be used casually in conversation or shared with any person other than on a need to know basis. In circumstances where the pupil's identity does not need to be disclosed, the information should be used anonymously. Staff should never discuss a pupil with another pupil or about a pupil to another's parents/guardians.

There are some circumstances in which a member of staff may be expected to share information about a pupil, for example when abuse is alleged or suspected. In such cases, individuals have a duty to pass information on without delay, but only to those with designated safeguarding responsibilities.

If a member of staff is in any doubt about whether to share information or keep it confidential he or she should seek guidance from a senior member of staff. Any media or legal enquiries should be passed to the Director of Marketing and Admissions and the Bursar, respectively.

Adults need to be aware that although it is important to listen to and support pupils, they must not promise confidentiality or request pupils to do the same under any circumstances.

Additionally concerns and allegations about adults should be treated as confidential and passed to the Headmistress without delay.

For further details please refer to the School's Confidentiality Policy.

This means that staff:

- are expected to treat information they receive about pupils in a discreet and confidential manner;
- in any doubt about sharing information they hold or which has been requested of them should seek advice from a senior member of staff;
- need to be cautious when passing information to others about a pupil;
- need to know to whom any concerns or allegations should be reported;
- are expected to treat with caution and discretion School and pupil information available on laptops taken off-site, email accessed on smartphones and data retrieved onto personal laptops via 'RemoteApp'. All of these should be treated with the same care and confidentiality as if they are on site.

Curriculum

Many areas of the curriculum can include or raise subject matter which is sexually explicit, or of an otherwise sensitive nature. Care should be taken to ensure that resource materials cannot be misinterpreted and clearly relate to the learning outcomes identified by the lesson plan. This plan should highlight particular areas of risk and sensitivity.

The curriculum can sometimes include or lead to unplanned discussion about subject matter of a sexually explicit or otherwise sensitive nature. Responding to pupils' questions can require careful judgement and staff may wish to take guidance in these circumstances from a senior member of staff.

Care should also be taken to abide by the governing body's required policy on relationships and sex education and the wishes of parents. Parents have the right to withdraw their children from all or part of any relationships and sex education provided (but not from the biological aspects of human growth and reproduction necessary under the science curriculum).

This means that staff should have a clear written lesson plan.

Dress and Appearance

Staff should consider the manner of dress and appearance appropriate to their professional role. The School requires pupils to be smart in their uniform. Smart and professional appearance is expected at all times, for all staff. Staff should ensure they are dressed decently, safely and appropriately for the tasks they undertake.

Those who dress or appear in a manner which could be considered as offensive or inappropriate (which might include tattoos or piercings, very short skirts, low-cut or strappy tops) could render themselves vulnerable to criticism or allegation. Appropriate personal presentation is expected of staff.

This means that staff should ensure their appearance and clothing:

- promote a positive and professional image, including ensuring that for male staff facial hair is either well shaved or trimmed and neat;
- are appropriate to their role;
- are not likely to be viewed as offensive, revealing, or sexually provocative;
- do not distract, cause embarrassment or give rise to misunderstanding;
- are free of any political or otherwise contentious slogans.

Staff should refer to the Staff Handbook for further details regarding dress code.

Duty of Care

All staff are accountable for the way in which they exercise authority, manage risk, use resources, and protect pupils from discrimination and avoidable harm.

All staff, whether paid or voluntary, have a duty to keep young people safe and to protect them from physical and emotional harm. This duty is in part exercised through the development of respectful, caring and professional relationships between staff and pupils and behaviour by staff that demonstrates integrity, maturity and good judgement.

There are legitimate high expectations about the nature of the professional involvement of staff in the lives of pupils. When individuals accept a role that involves working with children and young people, they need to understand and acknowledge the responsibilities and trust inherent in that role.

Employers have a duty of care towards their employees which requires them to provide a safe working environment for staff and guidance about safe working practices.

This means that staff should:

- understand the responsibilities, which are part of their employment or role, and be aware that sanctions will be applied if these provisions are breached;
- always act, and be seen to act, in the child's best interests;
- avoid any conduct which would lead any reasonable person to question their motivation and intentions;
- take responsibility for their own actions and behaviour.

Equality

Professional standards should always be maintained when dealing with both staff and students regardless of culture disability, gender, language, race, religion and/or sexual identity. You must treat all members of our community equally and with respect. (This is reinforced by our Equality, Diversity and Inclusion Policy.)

First Aid and Administration of Medication

The School has an Administration of Medicine Policy, which must be adhered to at all times.

When administering first aid staff should explain to the pupil what is happening and ensure that another adult is present or is aware of the action being taken. The treatment must meet the School's health and safety at work rules and intimate care guidelines, and parents, guardians or carers should be informed.

Gifts

Staff should be aware of the school's policy regarding arrangements for the declaration of gifts received and given.

Staff need to take care that they do not accept any gift that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when pupils or parents wish to pass small tokens of appreciation to staff, for example at Christmas or as a thank-you, and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. Any member of staff concerned about whether they or their colleagues may be at risk of giving or receiving a bribe (financial or otherwise) should contact the Bursar.

Any member of staff receiving gifts or entertainment valued at more than £100 must disclose this to the Bursar and record it on the Gifts Register.

Members of staff may not give personal gifts to pupils. It is acceptable for staff to offer prizes of small value in certain tasks or competitions.

Further details can be found in the School's Bribery and Anti-corruption Policy.

This means that staff should:

- ensure that gifts received or given in situations which may be misconstrued are declared;
- ensure that gifts of significant value are declared (value greater than £100);
- generally, only give gifts to an individual young person as part of an agreed reward system;

- where giving gifts other than as above, ensure that these are of insignificant value and given to all pupils equally;
- not accept an unusually generous gift or lavish hospitality offered by a third party (greater than £250);
- not give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that an advantage for Heathfield School will be received, or to reward an advantage already received;
- not accept payment from a third party that they know or suspect is offered with the expectation that it will obtain an advantage for them;
- not accept a gift or hospitality from a third party if they know or suspect that it is offered or provided with an expectation that a business advantage will be provided by Heathfield School in return;
- not accept a gift or hospitality from a third party which might adversely affect the School's reputation;
- not accept a gift or hospitality from a third party who is tendering for a contract to be awarded to the School and for a period of three months after the award of the contract;
- not turn a blind eye to any of the above;

Infatuations and “crushes” from pupils

All Staff need to be aware that it is not uncommon for pupils to be strongly attracted to a member of staff and/or develop an infatuation or “crush”. Staff should be aware that such circumstances always carry a high risk of words or actions being misinterpreted and for allegations to be made against staff.

A member of staff who becomes aware that a pupil may be infatuated with themselves or a colleague should discuss this at the earliest opportunity with the Designated Safeguarding Lead (DSL) so that appropriate action can be taken. In this way, steps can be taken to avoid hurt and distress for all concerned.

This means that staff should:

- report to DSL any indications (verbal, written or physical) that suggest a pupil may be infatuated with a member of staff;
- Mention it to the DSL first rather than the member of staff involved.
- be mindful if they are alone in a room with a pupil. Leave the door open if necessary.

Internet Use

Heathfield School has a clear policy about access to and the use of the Internet. More details can be found in the School's IT Acceptable Use Policy.

Under no circumstances should adults in the School access inappropriate images. Accessing child pornography or indecent images of children on the internet, and making, storing or disseminating such material, is illegal and, if proven, will invariably lead to the individual being barred from work with children and young people.

Using School equipment to access inappropriate or indecent material, including adult pornography, would normally lead to disciplinary action, particularly if as a result pupils might be exposed to inappropriate or indecent material.

This means that staff should report any behaviour by colleagues that raises concern to the Headmistress.

Intimate Care

All pupils have a right to safety, privacy and dignity when contact of an intimate nature is required (for example assisting with toileting or removing wet/soiled clothing). A care plan should be drawn up and agreed with parents for all pupils who require intimate care on a regular basis.

Pupils should be encouraged to act as independently as possible and to undertake as much of their own personal care as is practicable. When assistance is required, staff should ensure that another appropriate adult is in the vicinity and is aware of the task to be undertaken.

Additional vulnerabilities that may arise from a physical disability should be considered with regard to individual teaching and care plans for each pupil. As with all arrangements for intimate care needs, agreements between the pupil, her parents and the organisation must be negotiated, agreed and recorded.

This means that staff should:

- make other staff aware of the task being undertaken;
- explain to the pupil what is happening;
- consult with colleagues where any variation from agreed procedure/care plan is necessary;
- record the justification for any variations to the agreed procedure/care plan and share this information with parents.

Language

Staff should use appropriate language at all times. Staff should:

- avoid words or expressions that have any unnecessary sexual content or innuendo; avoid displays of affection either personally or in writing (e.g. messages in birthday cards, text messages, emails etc.);
- avoid any form of aggressive or threatening words;
- avoid any words or actions that are over-familiar;
- not swear, blaspheme or use any sort of offensive language in front of students;
- avoid the use of sarcasm, discriminatory or derogatory words when punishing or disciplining students and avoid making unprofessional personal comments about anyone. Any sanctions should be in accordance with the School's behaviour and discipline policies; and
- be aware that some parts of the curriculum may raise sexually explicit subject matters. Care should be taken in subjects where rules / boundaries are relaxed (e.g. drama or art). Staff should have clear lesson plans and should take care to avoid overstepping personal and professional boundaries.

Low Level Concerns

Heathfield promotes an open and transparent culture in which all concerns about any adults working in or on behalf of the School (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately. As part of our whole school approach to safeguarding, we will still deal with any concerns (including allegations) that do not meet the harm threshold as detailed in Part Four, Section 2, Paragraph 423-428 of KCSIE (2022). These concerns (including allegations) are termed as 'low level' concerns. However, this does not mean that they are not significant. Indeed, the School recognises that in a low level concern, no matter how small and even if no more than causing a sense of unease or a 'nagging doubt', 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 allegations threshold or is otherwise not considered serious enough to be considered for a referral to the LADO.

Low level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken. Any concerns which arise will be recorded and appropriate action will be taken to safeguard the children in our care.

Where a low-level concern has been raised by a third party, the Head or DSL will collect as much evidence as possible, speaking to the person who raised the concern (if possible), to any individuals involved and any witnesses.

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.

Staff are aware that any low level concern/s should be reported to the Headmistress or the DSL. Where a low-level concern is raised about the Headteacher it should be shared with the Chair of Governors. Reports about supply staff and contractors should be raised with the Headmistress and their employers, to allow potential patterns of inappropriate behaviour to be identified.

All low level concerns will be recorded by the Headmistress. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

Records are kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Any such records passed onto the Headmistress are regularly reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of behaviour is identified, the school will decide on an appropriate course of action, which could include:

- internal disciplinary procedures;
- referral to the LADO (if the Harms Threshold is met).

In these circumstances, the school will consider if there were any wider contextual issues in school that enabled the behaviour to occur. If this is found to be the case, relevant policies will be reviewed, and extra training put in place to minimise the risk of recurrence. Detailed records will be kept of any Low Level Concern Record Reviews. (See Low Level Concern Policy, Appendix 1)

Should an allegation meet the harm threshold we will deal with any such allegation quickly and in a fair and consistent way in line with our policies that provide effective child protection while also supporting the individual who is the subject of the allegation.

One to One Situations

Staff working in one to one situations with children and young people are more vulnerable to allegations. Every attempt should be made to ensure that the safety and security needs of both staff and pupils are met. Teachers and others should recognise this possibility and plan and conduct such meetings in the following ways:

- when working alone with a pupil is an integral part of your role, conduct and agree full risk assessments with the Designated Safeguarding Lead;
- use a room that has sufficient windows onto a corridor so the occupants can be seen, or keep the door open and ensure that colleagues are aware that the lesson / meeting is taking place;
- arrange the meeting during normal school hours when there are plenty of other people about;
- do not continue the meeting for any longer than is necessary to achieve its purpose;
- avoid sitting or standing in close proximity to the pupil, except as necessary to check work;
- avoid using "engaged" or equivalent signs on doors or windows;
- avoid idle discussion;
- avoid all unnecessary physical contact and apologise straight away if there is accidental physical contact;
- avoid any conduct that could be taken as a sexual advance;
- report any incident that causes you concern to the Designated Safeguarding Lead under the School's Safeguarding Children and Child Protection Policy and procedures, and make a written record (signed and dated); and
- report any situation where a pupil becomes distressed or angry to the Designated Safeguarding Lead.

Pre-arranged meetings with pupils away from the School premises should not be permitted unless approval is obtained from their parents and the Headmistress or Designated Safeguarding Lead.

Personal Living Space

No pupil should be in, or invited into, the home of an adult who works with them, unless the reason for this has been firmly established and agreed with parents and senior leaders or the home has been designated by the organisation or regulatory body as a work place e.g. child-minders, foster carers.

It is accepted that children of staff (whether in School accommodation or not) may at times invite their friends to their homes. In these instances, staff are reminded to comply with this Code of Conduct, and must ensure that the Designated Safeguarding Lead is informed.

Any overnight visit must be agreed in advance by the Designated Safeguarding Lead and is subject to a written risk assessment.

Where staff live on site, pupils must be made aware that they must not enter the staff member's accommodation without the staff member's permission. Pupils may only enter the designated public areas of the private living quarters (living room or kitchen) of the Staff member at the invitation of and with the express permission of the Staff member for pastoral, academic or medical reasons.

Staff should respect the living spaces of pupils and always knock and wait before entering a dormitory, and must not just walk in.

This means that staff should:

- be vigilant in maintaining their privacy and mindful of the need to avoid placing themselves in vulnerable situations;
- be mindful of the need to maintain professional boundaries;
- ensure they are not on their own with a pupil in any part of staff accommodation, other than the main living area.

Photography, Videos and other Creative Arts

Many School activities involve recording images. These may be undertaken as part of the curriculum, out of School activities, for publicity, or to celebrate achievement.

Staff need to be aware of the potential for these aspects of teaching to be misused for pornographic or 'grooming' purposes. Careful consideration should be given as to how these activities are organised and undertaken.

Under no circumstances should staff be expected or allowed to use their personal equipment to take images of pupils at or on behalf of the school or setting.

Using images of children for the School's publicity purposes has already had the consent of parents through the Admissions Parent Contract Agreement. Images should not be displayed on other websites, personal social media sites, in publications or in a public place without consent.

This means that staff should:

- be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded;
- ensure that a senior member of staff is aware that the photography/image equipment is being used and for what purpose;
- ensure that all images are available for scrutiny in order to screen for acceptability;
- be able to justify images of children in their possession;
- avoid making images in one to one situations.

This means that staff should not:

- use their own personal phones to take images of pupils;
- take photos of pupils without their permission;
- have images of pupils stored on personal cameras, devices or home computers;
- make images of pupils available on the internet, other than through the School network/website with permission from parents and senior teachers.

Please refer to the separate Taking, Storing and Using Images of Pupils Policy

Physical Contact

Physical contact with a pupil may be necessary and beneficial in order to demonstrate a required action, or a correct technique in, for example, singing and other music lessons or during PE, sports and games.

Contact under these circumstances should be for the minimum time necessary to complete the activity and take place in an open environment. Staff should remain sensitive to any discomfort expressed verbally or non-verbally by the pupil.

This means that staff should:

- consider alternatives, where it is anticipated that a pupil might misinterpret any such contact, perhaps involving another member of staff, or a less vulnerable pupil in the demonstration;
- ensure that the door is open and if you are in any doubt, ask a colleague or another student to be present during the demonstration;
- ensure the physical contact continues for as short a time as possible;
- not proceed with the action if the student appears to be apprehensive or reluctant, or if you have other concerns about the student's likely reaction; and
- always explain to a pupil the reason why contact is necessary and what form that contact will take unless their safety is at immediate risk.

A 'no touch' approach is impractical for most staff and may in some circumstances be inappropriate. When physical contact is made with pupils it should be in response to their needs at the time, of limited duration and appropriate.

Staff should use their professional judgement at all times about the appropriateness of any physical contact.

Physical contact should never be secretive, or for the gratification of the adult, or represent a misuse of authority. If a member of staff believes that an action could be misinterpreted, the incident and circumstances should be made clear to senior staff.

Physical contact which occurs regularly with an individual pupil is likely to raise questions unless the justification for this is part of a formally agreed plan (for example in relation to pupils with SEND or physical disabilities). Any such contact should be the subject of an agreed and open school procedure and subject to review.

This means that staff should:

- be aware that even well intentioned physical contact may be misconstrued by the pupil, an observer or by anyone to whom this action is described;
- never touch a pupil in a way which may be considered indecent;
- always be prepared to explain actions and accept that all physical contact is open to scrutiny.

This means that Heathfield School should:

- ensure there is a system in place for recording serious incidents and the means by which information about incidents and outcomes can be easily accessed by the Senior Leadership Team;
- provide staff, on a "need to know" basis, with relevant information about vulnerable pupils in their care.

Power and Positions of Trust

All adults working with pupils in education settings are in positions of trust in relation to the young people in their care. A relationship between a member of staff and a pupil cannot be a relationship between equals. There is potential for exploitation and harm of vulnerable young people; staff have a responsibility to ensure that an unequal balance of power is not used for personal advantage or gratification.

Staff should always maintain appropriate professionalism and wherever possible, they should avoid behaviour which might be misinterpreted by others, and report and record any incident with this potential.

Where a person aged 18 or over is in a position of trust with a child under 18, it is an offence for that person to engage in sexual activity with or in the presence of that child, or to cause or incite that child to engage in or watch sexual activity. Where a person aged 18 or over is in a position of trust

established with a person who has only recently left the School (e.g. within the last 1 – 2 years), any attempt to engage in sexual activity with that person will be a cause for concern and will be treated as a breach of trust established in that prior relationship.

This means that staff should not:

- use their position to gain access to information for their own advantage and/or a pupil's or family's detriment;
- use their power to intimidate, threaten, coerce or undermine pupils;
- use their status and standing to form or promote a relationship with a pupil, which is of a sexual nature;
- attempt to initiate a relationship with a recent ex-pupil, which is of a sexual nature.

Prevent Duty

In accordance with the Department for Education Statutory guidance 2015: Prevent Duty, Heathfield School recognises its duty to have due regard to the need to prevent pupils and staff from being drawn into terrorism and adopts appropriate protocols to minimise the risk. While a separate Prevent Policy has been written, outlining the School's approach to the Prevent Duty, a précis is included in the Staff Code of Conduct.

The Designated Safeguarding Lead is also the Designated Prevent Duty Lead responsible for coordinating action within the School and liaising with external agencies. The School has assessed the risk to be low, but will implement prevention measures such as applying appropriate restrictions to internet sites likely to promote terrorist and extremist measures (see separate IT Acceptable Use Policy), discussing these dangers with pupils when appropriate, through PSHE, assemblies and other suitable forums and undertaking Prevent awareness staff training periodically to ensure that staff are able to identify pupils at risk and know how to intervene. The School will work with the LCSB over such matters and the level of risk will determine the most appropriate referral.

This means that staff should:

- be aware of the signs of radicalisation;
- know who to report to with any concerns that pupils or staff may be vulnerable.

This means that Heathfield School should:

- ensure we have a system in place for recording concerns;
- have a regular opportunity to carry out risk assessments relating to staff or pupils;
- provide staff, on a "need to know" basis, with relevant information about vulnerable pupils in their care.

Propriety and Behaviour

All staff have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of pupils. They should adopt high standards of personal conduct in order to maintain the confidence and respect of their peers, pupils and the public in general.

An individual's behaviour, either in or out of the workplace, should not compromise their position within the work setting so it is important to exercise due care and attention when outside of the School environment.

Membership of organisations whose goals are in conflict with the values and equality policies of the School is not acceptable.

This means that staff should not:

- behave in a manner which would lead any reasonable person to question their suitability to work with pupils or act as a role model;
- drink alcohol with current under-age pupils in public or private places, nor purchase alcohol for those pupils.

In social situations within School or at a restaurant, staff may drink alcohol in the company of 6th Form pupils, but only with the Headmistress's or other senior member of staff's permission.

There may be exceptional circumstances where a member of staff may be personal friends with a parent which mean that normal social life will bring the pupil into social contact with a member of staff. However, generally, if a member of staff finds themselves in a pub or other meeting place in which current pupils are drinking, the member of staff should not join the pupils and may need to draw the attention of bar staff to the age of the pupils. It is difficult to determine exact regulations in this area; if a member of staff feels that there are exceptional reasons why the general restriction on drinking alcohol with pupils should not apply, they should discuss the matter with a senior member of staff.

Staff should not:

- drink alcohol when supervising pupils or on School trips in the UK or abroad. This applies even when there are no pupils present, as the member of staff may be called to act if an emergency occurs;
- make inappropriate remarks to a pupil (including email, text messages, phone or letter etc.);
- discuss their own sexual relationships with or in the presence of pupils;
- discuss a pupil's sexual relationships in inappropriate settings or contexts;
- make (or encourage others to make) unprofessional personal comments in any form of communication (email, conversations or social networking comments).

Staff must be aware that their behaviour in their personal lives may impact upon their work with pupils.

Pupils in Distress

There may be occasions when a distressed pupil needs comfort and reassurance. This may include age-appropriate physical contact. Staff should remain self-aware at all times in order that their contact is not threatening, intrusive or subject to misinterpretation.

Where a member of staff has a particular concern about the need to provide this type of care and reassurance, they should seek further advice from a senior manager.

This means that staff should:

- consider the way in which they offer comfort to a distressed pupil;
- always tell a colleague when and how they offered comfort to a distressed pupil;
- record situations which may give rise to concern.

School Property

Staff must take proper care when using School property and must not use School property for any unauthorised use or for private gain.

Security

Staff should keep their passwords confidential and not allow unauthorised access to equipment.

Staff should wear their School lanyards at all times and not hand these to pupils or contractors at any point. The passes have access rights and therefore should only be restricted to the individual they have been issued to.

Staff should not reveal keypad door codes to pupils, visitors or parents.

Staff should ensure external doors and ground floor windows are closed when vacating a room to prevent intruders accessing the School.

Sexual Contact with Pupils

Any sexual behaviour by a member of staff with or towards a pupil is considered gross misconduct and it is both inappropriate and illegal. Pupils are protected by the same laws as adults in relation to non-consensual sexual behaviour. They are additionally protected by specific legal provisions regardless of whether the child or young person consents or not. This includes the prohibition on adults in a position of trust.

The sexual activity referred to does not just involve physical contact including penetrative and non-penetrative acts. It may also include non-contact activities, such as causing children to engage in or watch sexual activity or the production of pornographic material.

There are occasions when adults embark on a course of behaviour known as 'grooming' where the sole purpose is to gain the trust of a child, and manipulate that relationship so sexual abuse can take place. Staff should be aware that conferring special attention and favour upon a child might be construed as being part of a 'grooming' process, which is an offence.

It should be noted, however, that forming inappropriate relationships with children or young people who are pupils or pupils at another school may also be regarded as gross misconduct and is illegal. Such behaviour tends to bring the School into disrepute and give rise to concern that the staff involved cannot be trusted to maintain professional boundaries with pupils and pupils at this School. Heathfield takes its safeguarding responsibilities extremely seriously.

This means that staff should:

- not pursue sexual relationships with children and young people either in or out of School;
- avoid any form of communication with a child or young person which could be interpreted as sexually suggestive or provocative i.e. verbal comments, letters, notes, electronic mail, phone calls, texts, physical contact.

Sharing Concerns and Recording Incidents

All staff should be aware of the School's child protection and safeguarding procedures, including procedures for dealing with allegations against staff. Staff who are the subject of allegations are advised to contact their professional association.

In the event of an incident occurring, which may result in an action being misinterpreted and/or an allegation being made against a member of staff, the relevant information should be clearly and promptly recorded and reported to the Designated Safeguarding Lead. Early discussion with a parent could avoid any misunderstanding.

Members of staff should feel able to discuss with their line manager any difficulties or problems that may affect their relationship with pupils so that appropriate support can be provided or action can be taken.

This means that staff should:

- be familiar with Heathfield School's Safeguarding procedures
- take responsibility for recording any incident, and passing on that information where they have concerns about any matter pertaining to the welfare of an individual in the school or workplace.

Showers and Changing

Young people are entitled to respect and privacy when changing clothes or taking a shower. However, there needs to be an appropriate level of supervision in order to safeguard pupils, satisfy health and safety considerations, and ensure that bullying or teasing does not occur. This supervision should be appropriate to the needs and age of the pupils concerned and sensitive to the potential for embarrassment.

Staff therefore need to be vigilant about their own behaviour, ensure they follow agreed guidelines, and be mindful of the needs of the pupils.

This means that staff should:

- avoid any physical contact when pupils are in a state of undress;
- avoid any visually intrusive behaviour and where there are changing rooms, not remain in the room when groups are changing;
- ensure that sensitive pupils are offered the opportunity to change privately.

This means that staff should not:

- change in the same place as pupils;
- shower with pupils.

Social Contact

Staff should not establish or seek to establish social contact with pupils, or their families, for the purpose of securing a friendship or to pursue or strengthen a relationship. Even if a young person seeks to establish social contact, or if this occurs coincidentally, the member of staff should exercise their professional judgement in making a response but should always discuss this with a senior leader. Staff must be aware that social contact, in certain situations, could be misconstrued as grooming.

Staff must recognise that as a result of their knowledge, position and authority in their role they have been placed in a position of trust. Their relationship with pupils has been developed with an imbalance of power, and therefore that relationship can never be one between equals. This imbalance remains after they leave school and the advice from our authority is that a minimum of 5 years should pass, before friendships are established with ex-pupils.

Staff should not give their personal details such as their home or email address, social network sites, gamer tags or web pages to pupils unless the need to do so is agreed with senior leadership. If pupils do become aware of your gamer tag you must change it.

This means that staff should:

- have no secret social contact with pupils;
- consider the appropriateness of the social contact according to their role and nature of their work;
- always approve with senior colleagues, any planned social contact, for example when it is part of a reward scheme or pastoral care programme;
- advise senior leadership of any regular social contact they have with a pupil or parent which may give rise to concern;

- report and record any situation which they feel might compromise the School or their own professional standing.

Social Networking Sites and Online Gaming

Heathfield School staff may use social networking sites for personal use. However, the School requires that profile and photos of the member of staff are 'locked down' as private so that pupils or parents do not have access to your personal data or images.

Staff must deny current or recent pupils (for a minimum of 5 years after they have left Heathfield) access to their profile so they do not put themselves in a vulnerable position.

Staff should be aware that they leave themselves open to a charge of professional misconduct if images of a member of staff in a compromising situation are made available on a public profile by anyone. If a pupil does gain access to the profile of a member of staff by fraudulent means (impersonation or hacking) a member of the Senior Leadership Team should be informed immediately.

Where relationships exist between staff and those who are also parents at the School, or personal friends who are parents at the School, social networking is acceptable but caution must be exercised so that professional standards are maintained and staff do not compromise themselves or the School.

As soon as a member of staff becomes aware that they are in an online game or chat with a pupil of Heathfield School, the member of staff should cease online communication with that pupil and should not enter any games containing that player as part of the group.

Under no circumstances should staff seek out pupils and/or share their own gamer tags/ID with pupils, or use school equipment to play online games.

Transporting Pupils

In certain situations, for example out of School activities, staff or volunteers may agree to transport pupils. A designated member of staff should be appointed to plan and provide oversight of all transporting arrangements and respond to any difficulties that may arise.

Wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles. The School has Occasional Business Use Insurance which covers staff personal cars for use on School business and trips. If using their own car, staff must ensure their vehicles is covered by a valid MOT certificate and they have a current driving licence for use in the UK. If possible, there should be at least one adult additional to the driver acting as an escort. Pupils are not permitted to sit in the passenger seat next to the driver in any vehicle.

Please refer to the School Vehicle and Mini Bus Policy for useful advice on what to do if a vehicle is involved in an accident, as well as general dos and don'ts when driving.

Staff should ensure that their behaviour is safe and that the transport arrangements and the vehicle meet all legal requirements. They should ensure that the vehicle is roadworthy and appropriately insured and that the maximum capacity is not exceeded.

This means that staff should:

- plan and agree arrangements with all parties in advance, responding sensitively and flexibly to disagreements;
- ensure that if they are alone with a pupil it is the minimum time possible;
- be aware that the safety and welfare of the pupil is their responsibility until this is safely passed over to a parent/carer;

- report the nature of the journey, the route and expected time of arrival in accordance with agreed procedures;
- ensure that their behaviour and all arrangements ensure vehicle, passenger and driver safety;
- take into account any specific needs that the pupil may have.

Use of premises

Staff must not carry out any work or activity on School premises other than pursuant to their terms and conditions of employment without the prior permission of the Headmistress.

Whistleblowing

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. More details can be found in the School's separate Whistleblowing Policy.

Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of senior leadership and/or relevant external agencies. This is particularly important where the welfare of children may be at risk.

Related Policies

- Administration of Medicine Policy
- Positive Behaviour Policy
- Bribery and Anti-corruption Policy
- Curriculum Policy
- Data Protection Policy
- Disciplinary Policy
- Educational Visits Policy
- Equal Opportunities Policy
- IT Acceptable Use Policy
- Low Level Concerns Policy
- No Smoking Policy – Staff and Visitors
- PREVENT policy
- Safeguarding Children and Child Protection Policy
- Taking, Storing and Using Images of Pupils Policy
- Whistleblowing Policy

Appendix 1 –



HEATHFIELD SCHOOL

LOW LEVEL CONCERNS POLICY & GUIDANCE

Policy Area:	Safeguarding
Relevant Statutory Regulations:	ISSR 2014 Part 3 NMS Part D, Children Act 1989 Children Act 2004 Education Act 2002 Data Protection Act 2018 DfE Keeping Children Safe in Education 2022 DfE Teaching standards July 2011 (introduction updated June 2013, terminology updated July 2021) DfE Working together to Safeguard Children (July 2018) Guidance for Safer Working Practice 2022 The Independent School Standards: Guidance for Independent Schools (April 2019)
Key Contact Personnel in School	
Nominated Member of Leadership Staff Responsible for the policy:	Deputy Head (Pastoral and Boarding)
Governors' committee:	Council
Version:	2022.01
Date updated:	01 November 2022
Date of next review:	01 November 2024

This policy will be reviewed biannually, and/or following any concerns.

(This policy has been written in conjunction with the Farrer & Co Low Level Concerns guidance:

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concerns-guidance-2021.pdf>

Appendix C sets out some examples of low level concerns and how they should be dealt with. Low level concerns scenarios are included in the School safeguarding training which all staff complete every year).

Context

The overarching aim of the School's low-level concern policy and guidance is to facilitate a culture in which the School's values and expected behaviours which are set out in the Code of Conduct for all staff are lived, constantly monitored and reinforced by all staff. The intention of this statement is to:

- Maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines.
- Ensure staff feel empowered to raise any low-level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct for all staff.
- Provide for responsive, sensitive and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst on the other hand protecting staff from false allegations or misunderstandings.
- Ensure all those who work with children behave appropriately, and the early identification and prompt and appropriate management of concerns about
- Creating a culture in which all concerns about adults (including allegations that do not meet the harm threshold) are shared responsibly and with the right person, and recorded and dealt with appropriately, is crucial

Keeping Children Safe in Education (2022) states that “Governing bodies and proprietors should have policies and processes to deal with concerns which do not meet the threshold (as set out in Part Four Section Two of KCSIE, 2022).” This policy will help to promote an open and transparent culture in which all concerns about any adults working for, or on behalf of the School, are dealt with promptly and appropriately.

The aims of this policy are to:

- Empower staff to feel confident in distinguishing between what is expected and appropriate behaviour is from concerning and problematic behaviour, in themselves and others;
- Empower staff to share low level concerns with the Head or DSL;
- Address unprofessional behaviour and support the individual to correct it at an early stage;
- Provide a responsive, sensitive and proportionate handling of such concerns when they are raised;
- Help identify any weaknesses in the School safeguarding system and address these needs with further training and / or information.

This policy applies to all adults who work at the School (and for Heathfield Summer School), contractors, volunteers and any visitors.

What is a low-level concern?

A low-level concern for this purpose is any concern, no matter how small and even if a 'niggling doubt', that an adult may have acted in a manner inconsistent with the School's Code of Conduct for all staff or simply – even if not linked to a particular act or omission – a sense of unease as to the adult's behaviour particularly towards or around children. While they do not necessarily warrant further investigation initially – they may form the basis of a wider concerning picture. KCSIE (2022) gives examples of such behaviour as:

- Being over friendly towards 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
- Using inappropriate language – sexualised, intimidating or offensive language
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The last bullet point above includes behaviour that may have happened outside of school, that might make an individual unsuitable to work with children, this is known as transferable risk. Where appropriate an assessment of transferable risk to children with whom the person works should be undertaken. If in doubt seek advice from the local authority designated officer (LADO).

From time to time an individual may find themselves in a situation which might appear compromising to others or which could be misconstrued. It is recognised that this could be through no fault of their own. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct. Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such the School sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

What should I do if I have a low level concern?

Where a low-level concern arises it should be reported to a the Head or the DSL. It is essential that the culture of reporting low-level concerns is established, therefore all our safeguarding team are ambassadors for our transparent culture, offering staff the confidence to speak out on a day-to-day basis. They will listen to and respond appropriately to staff concerns. They can provide un-judgemental advice, as people who staff feel comfortable in talking to. It is vital that the Safeguarding team work together to support the early identification and prompt and appropriate management of concerns. All concerns are reported to the DSL and Head immediately and action will be decided upon within 24 hours of becoming aware of it (where the concern relates to a particular incident).

How will my low-level concern be handled?

Whoever has received the low level concern will discuss the content with the Head (and or the DSL) as soon as possible and in any event within 24 hours of becoming aware of it.

Staff do not need to be able to determine in each case whether their concern is a low -level concern, or if it is not serious enough to consider a referral to the LADO, or whether it 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 Head in discussion with the DSL. Should the Low Level Concern be of a more serious nature (this will be ultimately determined by the Head), it will be shared with the LADO (as required by KCSIE 2022) and a suitable pathway discussed (see below).

The circumstances in which a low-level concern might be reclassified and it is agreed that the threshold for an allegation has been reached are: where:

- The threshold is met for a higher-level concern/allegation (as set out in KCSIE 2022, Part 4, section 1)
- There is a pattern of low-level concerns which collectively amount to a higher-level concern/allegation
- There is other information which when taken into account leads to a higher-level concern/allegation.

Where the Head and/or the DSL are in any doubt whatsoever, advice will be sought from the LADO, if necessary on a no-names basis. Should the concern be related to a pupil the LADO will always be notified.

Having established that the concern is low-level, the Head will discuss the next steps forward. This may involve speaking with the individual who has raised it and taking any other steps to investigate it as necessary. It may also involve having discussions with HR (this may be done by having a “no names” conversation), the DSL to see what might be the most appropriate way forward and which would be the most helpful and supportive for the individuals concerned. Most low-level concerns, by their very nature, are likely to be minor and will be dealt with by means of management guidance, training or any other relevant intervention. There is a flow chart in Appendix A which outlines the process.

Concerns about reporting

All staff should be reassured that reporting a low level concern could just indicate that a member of staff requires extra training or isn't aware that their actions could result in allegations. By bringing your concern forward you could do much to help an individual in their professional development and learning as well as helping to prevent a false allegation from occurring.

If will be possible for your identity to be kept anonymous, provided the allegation does not cross any safeguarding thresholds.

If any individual feels unhappy with any stage of the process, and particularly that they are not being

listened to and their low level concern is not being heard, they may contact the Chair of Governors.

What records will be kept?

Where a low-level concern has been communicated, a confidential record will be kept in the Staff instance of MyConcern which is overseen by the Head. This is necessary to enable any patterns to be identified. However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either (a) the concern (or group of concerns) has been reclassified as a higher level concern as above or (b) the concern (or group of concerns) is sufficiently serious to result in formal action under the School's grievance, capability or disciplinary procedure.

These records of concern will also assist the School in monitoring which boundaries are adhered to in every respect in which staff perform their role are likely to ensure the School remains a safe environment for children.

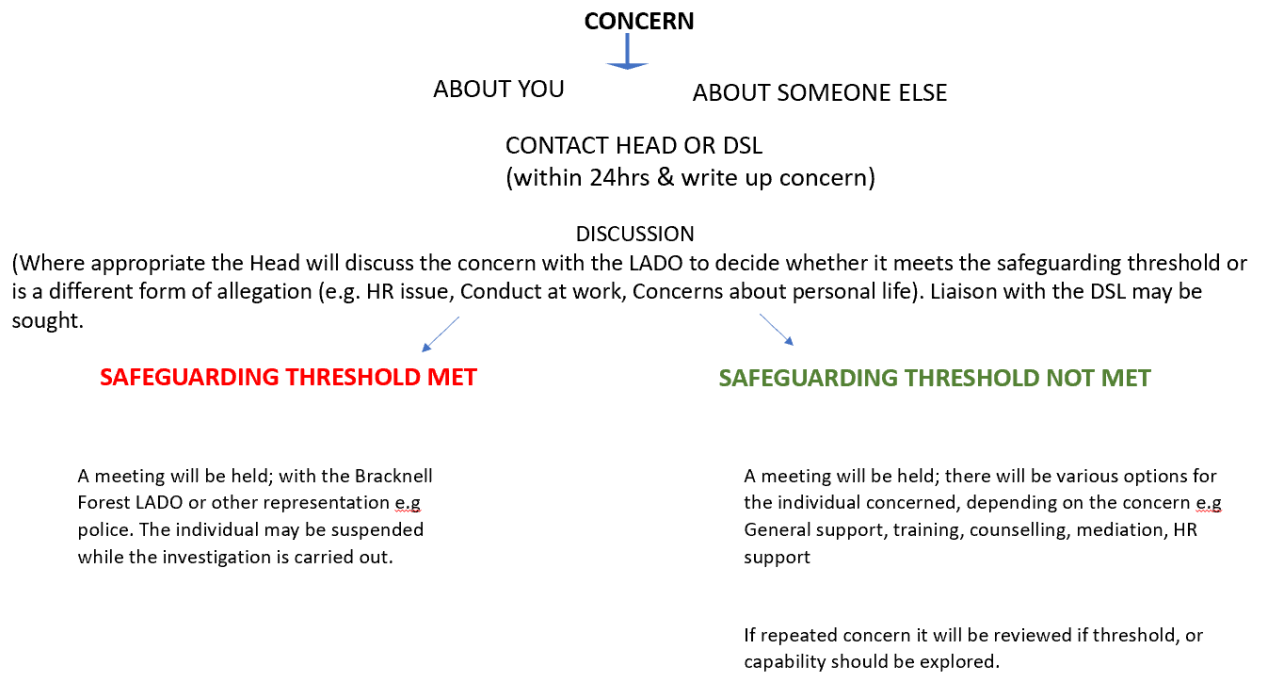
The confidential record will include details of the concern, the context in which the concern arose and any action taken. The name of the individual sharing the concern is noted. Records are reviewed annually to ascertain any potential patterns of concerning or inappropriate behaviours – whether this be regards an individual or the School culture as a whole. The review will be presented to the Governing Board meeting at the Safeguarding review with any recommendations as to whether further or revised training should be implemented as a result.

The record of an individual will be kept for the duration that the individual is employed at the School and for 5 years thereafter.

Related policies

- Code of conduct for all staff
- Grievance Policy
- Safeguarding and Child Protection Policy
- Social Media Policy for Staff
- Whistleblowing Policy

APPENDIX A



**APPENDIX B
LOW LEVEL CONCERNS INITIAL FORM**

**LOW LEVEL CONCERN
REPORT**

Use this form to report any concern, no matter how small and even if a 'niggling doubt', that an adult may have acted in a manner inconsistent with the staff Code of Conduct.

This record will be stored in the 'Low Level Concerns' staff instance of MyConcern and will be kept confidential. A copy of this record will not be kept on an individual personnel file or submitted in a reference unless a higher-level concern or allegation is required.

Details of concern

Name of staff member: Department & Role:

Details of concern. Please include as much detail as possible (use separate sheet if necessary):

Signed: Date:

Received by at (time) **on:** (date)

Action taken/No further action taken (specify):

Signed: Date:

APPENDIX C – Further information

Further advice from Farrer & Co.

Safeguarding Children: dealing with low-level concerns about adults
Adele Eastman and Katie Rigg, May 2017

<https://www.icmec.org/wp-content/uploads/2017/08/Low-Level-Concerns-Article-May-2017-finalversion-.pdf> <https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concerns-guidance2020.pdf>

Two Serious Case Reviews:

Nigel Leat was a classroom teacher who taught at a first school in Somerset for fifteen years. A disclosure by a child to her mother in 2010 led to the discovery of his abuse. It is now known that 20 pupils were witnesses to or possible victims of sexual abuse by Nigel Leat. At a court hearing in May 2011 Nigel Leat pleaded guilty to 36 sexual offences, including 22 counts of sexually assaulting a child under 13 and eight counts of sexual assault by penetration of a child under 13.

William Vahey was a history teacher who taught at ten international schools in nine different countries between 1972 and 2014. Vahey committed suicide in March 2014 following the discovery by a maid of indecent images of children on his computer. It is now known that he drugged and abused at least 54 students at an independent international day school in London where he taught for four years.

In both cases a number of staff, parents and pupils discussed concerns with each other or a member of the senior management team. A number of these concerns, taken in isolation, were not treated by the school as meeting the threshold for reporting to the LADO at the time. For example, Vahey "undermined other staff and was disrespectful to junior staff," and "gave out chocolates and sweets in class [and] cookies linked to games during evening activities." Leat "had favourite pupils within his class [who were] invariably girls, and were variously described by staff members as pupils who were less academically able, emotionally needy or vulnerable and pretty;" "had been taking photographs of children using his mobile phone," and "getting changed for PE in his class [which was] used as a thoroughfare by staff and pupils." Many concerns were not reported to anyone. In the case of Leat, only 11 of the 30 recorded incidents were reported to the school. All staff interviewed for the Serious Case Review said that it was common knowledge amongst school staff that Leat allowed pupils to be over familiar with him, and "spoke to and joked with his pupils in a manner which was inappropriate to his role."

As the Serious Case Review explains, staff were sufficiently concerned about Leat's behaviour to attempt to ensure that pupils identified as likely favourites of his were allocated to other classes on the basis that remaining in Leat's class might be emotionally harmful to them. However, these staff did not report their concerns to the school child protection officer or Head Teacher at the time. Neither school had a formal mechanism for reporting, recording or

handling these low-level concerns. As a result, when they were reported, the concerns were shared with different people and each concern was dealt with in isolation. No one person was aware of all of the concerns, and no-one was therefore able to 'join the dots' and identify a pattern of concerning behaviour. Concerns, therefore, were either dismissed or, where they were investigated, they were viewed as isolated incidents and the staff member's explanation was accepted. These and numerous other cases illustrate the importance of sharing, recording and handling low level concerns, so that concerning patterns of behaviour can be identified as soon as possible and appropriate action be taken swiftly in response.

Appendix D

Diagram 1: Spectrum of behaviour

Allegation

Behaviour which indicates that an adult who works with children 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 they 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.

Low-Level Concern

Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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 may have acted in a way that:

- is inconsistent with an organisation's staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold, or is otherwise 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.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

Ref:

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/low-level-concerns-guidance-2021.pdf>