



LOW LEVEL CONCERNS POLICY

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Low Level Concerns Policy

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1. Introduction

At Hurst Education Trust (HET) we take safeguarding very seriously and safeguarding and promoting the welfare of children is everyone's responsibility. This includes ensuring that all adults who work with children do so in a way that is in accordance with the values, ethos and culture of the Trust and schools as set out in the HET and school's values and policies.

It may be possible that a member of staff acts in a way that does not cause risk to children but is however inappropriate.

The purpose of this policy is to enable all staff at the school to share any low-level concerns they might have about their own or another member of staff's behaviour with the headteacher or Designated Safeguarding Lead (DSL).

To achieve this purpose, schools will ensure, through training and other appropriate means, that its staff are:

- Clear about what 'expected and appropriate behaviour' is (as visualised in the Spectrum of Behaviour Diagram below).
- Confident in distinguishing 'expected and appropriate behaviour' from 'concerning, problematic or inappropriate behaviour' – both in themselves and others.
- Empowered to confidentially share any low-level concerns with the headteacher or DSL.
- Able to interpret the sharing of low-level concerns as a neutral act.

Advice can also be obtained from the HET Director of Safeguarding.

2. Aims

This policy is a key part of the Trust's over-arching aim to create and embed a culture of openness, trust, and transparency where our values are lived and the behaviours we expect from all our staff are monitored and reinforced. This policy will help:

- Create a culture (e.g., our ethos, values and behaviours) in which all concerns about adults are shared responsibly with the right person and are recorded and dealt with appropriately.
- Enable the school to identify concerning, problematic or inappropriate behaviour early.
- Minimise the risk of abuse occurring.

- Ensure that adults working in or on behalf of the school are clear about and act within professional boundaries.
- Create an environment where all staff are comfortable to self-refer.

3. Scope

This policy covers the following:

- Teachers (including the headteacher and members of the school's leadership team)
- Support staff
- Supply Teachers
- Volunteers (including governors/trustees)
- Local Authority visiting staff
- HET staff
- Contractors

In this policy document we will generally refer to the "staff" or "school staff" to encompass all of the above.

4. What is a Low-Level Concern?

Source: [Statutory Guidance Keeping Children Safe In Education](#)

The term 'low-level' concern does not mean that it is insignificant. 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 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 harm threshold or is otherwise not serious enough to consider a referral to the Local Authority Designated Officer (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, contrary to school policy.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating pupils.

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.

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.

It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of the schools or HET from becoming the subject of potential false low-level concerns or misunderstandings.

5. Spectrum of Behaviour Diagram

Source: [Developing and implementing a low-level concerns policy](#) by Farrer and Co.

See the Spectrum Of Behaviour Diagram below for more information on how low-level concerns compare to allegations and appropriate conduct.

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.

6. Avoiding Low-Level Concerns

HET recognises that education and regular reinforcement is key to staff avoiding situations where low-level concerns might arise.

Therefore, schools will ensure new staff are clear about what allegations, low-level concerns and appropriate conduct are as set out on the Spectrum Of Behaviour Diagram during their induction.

The school will reinforce messages for all staff through regular education and training sessions that will be underpinned by our policies and procedures, such as:

- Codes of Conduct
- Safeguarding and Child Protection Policy
- The Teachers' Standards
- Behaviour in the Workplace Policy
- Online Safety and Acceptable Use Policies

7. Reporting Low-Level Concerns

Low level concerns about a member of the school's staff (see this policy document's Scope above) should be reported to the headteacher or DSL.

If a low-level concern is initially reported to a DSL, then the DSL should inform the headteacher in a timely fashion according to the nature of each particular low-level concern. The headteacher should be the ultimate decision-maker in respect of all low-level concerns. Although it is recognised that the headteacher may wish to consult with the DSL and take a more collaborative decision-making approach.

The headteacher or DSL may seek advice from the HET Director of Safeguarding.

If the low-level concern is about the headteacher this should be reported to the Chair of the Governing Board.

Low-level concerns about supply staff, contractors, HET staff and local authority staff visiting the school will be reported to their respective employers through the headteacher, so that any potential patterns of inappropriate behaviour can be identified.

Staff are also encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

8. Recording Low-Level Concerns

Where a low-level concern is raised, information about this must be recorded on a [HET Low-Level Concern Form](#). This will usually be completed by staff members and passed to the headteacher or DSL.

Note: if a member of staff wishes they can report a low-level concern verbally but the person receiving the report must record the conversation as soon as possible afterwards in writing.

A low-level concern record will include:

- Details of the low-level concern.
- The context in which the low-level concern arose.
- Details of the investigation undertaken.
- Any actions taken, decisions made and outcomes.

The name of the individual sharing the details of the low-level concern should be noted, although if they wish to remain anonymous then that will be respected as far as reasonably possible.

9. Assessing the Report of a Low-Level Concern

The headteacher or DSL will make an assessment to determine if the matter is a 'low-level concern' or an 'allegation' or actually 'appropriate conduct' and therefore not a concern, see the Spectrum Of Behaviour Diagram above.

The headteacher or DSL should collect as much information as possible by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously, and
- To the individual and any witnesses.

The information will help them to categorise the type of behaviour and determine what further action may need to be taken. This information needs to be recorded in writing along with the rationale for their decisions and action taken.

The school will subsequently do one of the following:

- Allegations that meet the harm threshold will be referred to the LADO for advice.
- Low level concerns that the school feels may need further guidance on will be referred to the HET Director of Safeguarding or LADO for advice.
- Low level concerns that the school feels they can deal with internally will be dealt with through the school's child protection investigation process.
- The school will engage with HET HR Director where it is necessary to undertake further investigation and/or deal with the low-level concern under relevant HR policies and procedures e.g. the Disciplinary policy.
- There will be no further action taken where the concern raised was deemed to be appropriate conduct.

10. Storing and use of Low-Level Concerns and follow-up information

To comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR), records of low-level concerns will be confidential and held securely.

The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Headteacher or DSL.

Low-level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) meets the harm threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

Whenever staff leave any record of low-level concerns which are stored about them will be reviewed as to whether or not that information needs to be kept. Consideration will be given to:

(a) whether some or all of the information contained within any record may have any reasonably likely value in terms of any potential historic employment or abuse claim so as to justify keeping it, in line with normal safeguarding records practice; or

(b) if, on balance, any record is not considered to have any reasonably likely value, still less actionable concern, and ought to be deleted accordingly.

11. Reviewing Low-Level Concerns

The school's low-level concern records will be reviewed by the headteacher so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

If a pattern of concerning, problematic or inappropriate behaviour is identified, the headteacher will decide on the appropriate action to take. For example:

- Take advice from the HET HR Director.
- Undertake a disciplinary investigation and/or proceedings.

- Make recommendations for the member of staff concerned to receive training.
- Where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, the headteacher will make a referral to the LADO.
- Review policies and training.
- Review the wider organisational culture at the school to determine if any action needs to be taken to minimise the risk of a similar pattern of concerning, problematic or inappropriate behaviour happening again.

12. Monitoring arrangements

This policy will be reviewed by the Trust every three years.

At every review, the policy will be approved by the Trust Board.

Document History:

Low-Level Concerns Policy	
Policy Type:	Statutory – Trust Policy
Policy Source:	WSCC Model / Hurst College Policy
Model Policy Approval:	HET Trust Board
Review period:	3 Years

Date Reviewed	Amendments Made	Date Model Approved by Trust Board	Next Review Due
July 2024	New Trust Policy	19 th July 2024	July 2027

Hurst Education Trust Low-Level Concern Form



Reason for Concern

Name of person(s) raising concern	
Name of person the concern is about	
Date the concern was raised	
Nature of the concern	
Any evidence that supports the concern	
Concern received by	

Investigation of the concern

Name of person(s) investigating	
Date of conversation	
Persons present in the meeting	
Investigation notes (continue on separate sheet)	

Action(s) taken

1.	
2.	
3.	
Recommendations	
Any other relevant information	
Any wider cultural issues that enabled the behaviour to occur; any actions to minimise the risk of it happening again	
Date to be reviewed	