



***Thinking Schools Academy Trust***  
**“Transforming Life Chances”**

Thinking Schools Academy Trust

Management of Low-Level Concerns (LLC)

This policy was adopted on	
The policy is to be reviewed on	
Review period extended	

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### 1. Introduction

This document must be used by the Headteacher / Principal and Designated Safeguarding Lead (DSL) when a staff member raises a low-level concern against an employee, including supply teachers, other staff, volunteers and contractors.

All staff must refer to this policy should they have a low level concern with regards to Safeguarding.

A low-level concern is any concern, no matter how small or even if no more than a 'nagging doubt' that an adult may have acted in a manner which:

- Is not consistent with the TSAT 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.

Examples but not limited to: -

- Being over friendly with children in public;
- Taking photographs of children without consent;
- Engaging in one-to-one interactions with someone vulnerable in a secluded area;
- Displaying behaviour that doesn't meet a professional organisation's code of conduct, even when off-duty.

Information regarding record keeping is covered on page 4 of this document.

### 2. Policy Statement and Principals

The Trust Board of Directors and the Regional Governing Bodies takes seriously its responsibility under section 175 of the Education Act 2002 to safeguard and promote the welfare of children; and to work together with other agencies to ensure adequate arrangements within our Academy to identify, assess, and support those children who are suffering harm.

We recognise that all adults, including temporary staff, volunteers and governors, have a full and active part to play in protecting our pupils from harm, and that the child's welfare is our paramount concern.

All staff believe that our Academy should provide a caring, positive, safe and stimulating environment that promotes the social, physical and moral development of the individual child.

This policy enables staff to share any concerns – no matter how small, about their own, or another member of staff's behaviour with the Headteacher directly, or via the DSL.

Safeguarding and promoting the welfare of children is everyone's responsibility.

### 3. Policy Purpose

The purpose of this policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the Code of Conduct are constantly lived, monitored and reinforced by all staff.

To achieve this:

- All staff must be clear about, and confident to distinguish, expected and appropriate behaviour from concerning, problematic or inappropriate behaviour – in themselves and others, and the delineation of professional boundaries and reporting lines;
- Empower staff to share any low-level concerns with the Headteacher directly or via the DSL, to help all staff to interpret the sharing of such concerns as a neutral act;
- Address unprofessional behaviour and help the individual to correct behaviour at an early stage;
- Identify any concerning, problematic or inappropriate behaviour, including emerging patterns and, where necessary, seek consultation (anonymised if appropriate) or refer the matter to the Local Authority Designated Officer (LADO).
- Provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and
- Help identify any weaknesses in the organisations safeguarding system.

#### Policy Aims

- To raise the awareness of all staff of the need to safeguard children and provide all staff with the necessary information and guidance allowing them to meet their responsibilities;
- To ensure consistent good practice, emphasising the need for good levels of communication between all members of staff as well as structured procedure which all members of staff will follow in the case of raising a low level concern
- To provide an environment in which staff feel able to share any concern they may have regarding a member of staff's manner.
- To ensure children and young people are within a safe environment in which they feel secure and valued, and able to approach adults if they need help knowing they will be listened to.

#### Definitions

**Staff** refers to all those working for or on behalf of the Academy, full time or part time, temporary or permanent, in either a paid or a voluntary capacity.

**Safeguarding Lead** refers to the Designated Safeguarding Lead.

**KCSIE** refers to the DFE statutory document Keeping Children Safe in Education.

Examples of such behaviour is included in section 4.10 of KCSIE and are as follows but 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.

An **Allegation** is when an alleged person who works with children has:

- Behaved in a way that has harmed a child, or may have harmed a child; or
- 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.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

[Developing and implementing a low-level concerns policy \(farrer.co.uk\)](#)

[KCSIE, 2021](#)

#### The Importance of sharing a low- level concern

As defined above, a low-level concern is any concern about an adult's behaviour towards a child that does not meet the threshold set out above, and therefore may not require a referral to LADO.

Employee's 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 an Employee shares what they believe to be a low-level concern that determination should be made by the Headteacher/ Principal.

It is important to share any concern with the Headteacher / Principal and DSL to ensure the safeguarding of the children and young people within our schools.

#### Reporting a Low-Level Concern

Should an employee have a low-level concern they must share this with the Headteacher / Principal of the school. This must be reported as soon as possible and within 24 hours of becoming aware of the incident. However, it is never too late to share a low-level concern, and staff are encouraged to raise any concerns they may have.

If the low-level concern relates to the behaviour of the Safeguarding Lead, it should be shared with the Headteacher/Principal.

In accordance with paragraph 50 of KCSIE the Safeguarding Lead must then share any low-level concerns with the Headteacher/ Principal.

Should the concern be in relation to the Headteacher / Principal, the concern must be reported to the CEO or the Deputy CEO.

Who is concern relating to?	Report concern to:
A member of staff	Headteacher / Principal

Supply agency worker or contractor	Headteacher / Principal Their employer must be notified as well.
The DSL	Headteacher / Principal
Headteacher / Principal	The CEO or Deputy CEO
The Deputy CEO	The CEO
The CEO	The Chair of the Board

Any low-level concern should be reported in writing. Staff can complete the attached low-level concerns form, found in Appendix 2. Should the concern be reported verbally initially the

Headteacher / Principal must make an appropriate record of the conversation, either at the same time or immediately following the discussion.

If the concern has been raised via a third party, the Headteacher / Principal and DSL should collect as much evidence as possible by speaking directly to the person who raised the concern, unless it has been raised anonymously to the individual involved and any witnesses.

Where a low-level concern relates to a person employed by a supply agency or a contractor to work in an Academy/ the Trust, that concern should be shared with the Headteacher/ Principal, and recorded in accordance with this policy and their employer notified about the concern, so that any potential patterns of inappropriate behaviour can be identified.

#### 4. Responding to a Low-Level Concern

Upon receipt of the low-level concern the Headteacher / Principal or the DSL must then:

- Speak to the member of staff who has raised the concern to gather all information;
- Review the information and determine if the behaviour is:
  - (i) Consistent with the TSAT Code of Conduct
  - (ii) Constitutes a low-level concern
  - (iii) Is serious enough to consider a referral to LADO
  - (iv) If considered with any other previous low-level concerns raised, it may be reclassified as an allegation and referred to LADO/ Other external agencies
- If the Headteacher / Principal / DSL has any doubt, the DSL should seek advice from LADO on a no-name basis if necessary;
- **The Headteacher / Principal / DSL must not speak to any other members of staff without having consulted the Head of Safeguarding and the Trust HR team. If a LADO referral is to be made, the Headteacher / Principal / DSL must not speak to any members of staff without LADO's agreement.**

- Subject to the further information gathered, if appropriate the matter may be managed in accordance with the TSAT Disciplinary Policy or the Management of Safeguarding Allegations Policy.

## **5. Record Keeping**

All low-level concerns should be recorded in writing by the Headteacher / Principal / DSL. The record should include details of the concern (date, time and location of the observed behaviour, full description of what happened, including exactly what was said or done), the context in which the concern arose (type of activity, lesson or setting, names and roles of anyone involved or who witnessed the behaviour), and action taken (who did what and when, any advice sought and from whom). 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 should be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the Safeguarding Lead and, where appropriate, the Trust Head of Safeguarding, should decide on a course of action, either through the Disciplinary procedure or where a pattern of behaviour moves from a concern to meeting the harms threshold, in which case it should be referred to the LADO. Advice should be sought from Thinking Personnel (HR) in regards to disciplinary investigation.

Information regarding low level concerns will be retained in compliance with GDPR and Data Protection Act 201.

## **6. Supporting Staff**

All Academy staff should take care not to place themselves in a vulnerable position with a child. It is always advisable for interviews or work with individual children or parents to be conducted in view of other adults.

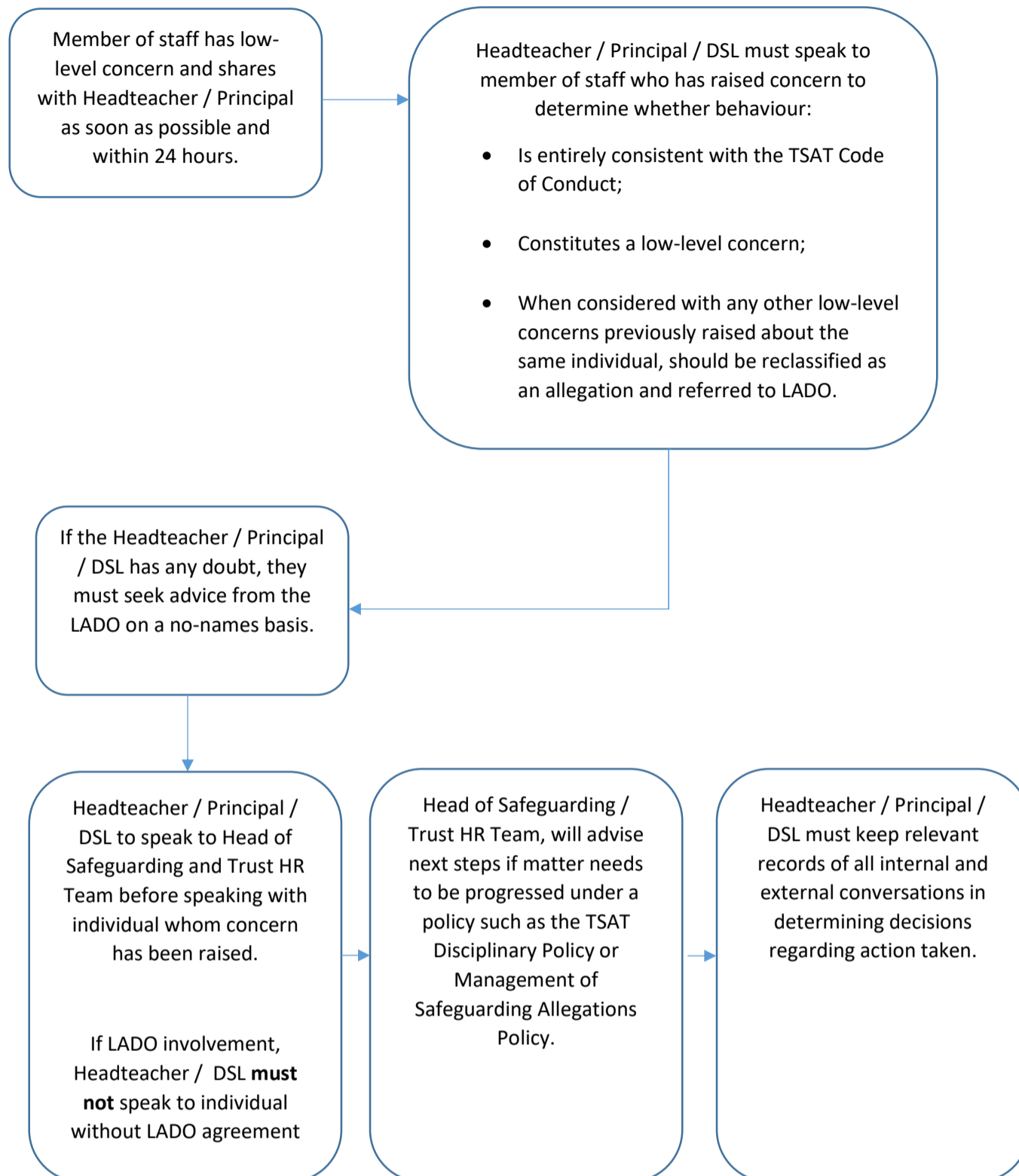
## **7. References**

In accordance with part three of KCSIE, only substantiated safeguarding allegations should be referred to in references. Low-level concerns must 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) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

## Appendix 1

### Flow map for raising a low-level concern



**Appendix 2**

**Low-Level Concern Form**

Please use this form to share 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 the TSAT 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.

Please provide a concise record, including brief context in which the low-level concern arose, the details in a chronologic order, and as precise and accurate as possible. Please use a separate sheet if necessary.

This record should be signed, timed and dated.

Name of Employee:	Role: School:
Details of Concern:	

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Signed:	Time & Date:
Received by:	At (Time): On (Date):
Action Taken:	