

<b>Title</b>	Low Level Concerns
<b>Associated Policies</b>	<ul style="list-style-type: none"> <li>• Disciplinary Procedure (TPO/STA/22)</li> <li>• Dealing with Allegations of Abuse against Staff (TPO/STA/21)</li> <li>• Code of Professional and Safe Conduct (TPO/STA/10)</li> <li>• Safeguarding Policy (TPO/HS/05)</li> </ul>

**REVIEWED: NOVEMBER 2024**

**NEXT REVIEW: NOVEMBER 2025**

## 1. Policy Statement

- 1.1 At Brooke Weston Trust, we aim to create an open and transparent culture where all concerns about all adults involved with our Trust are dealt with promptly and appropriately.
- 1.2 We aim to identify any concerning, problematic or inappropriate behaviour early; minimise the risk of abuse: and ensure that adults working in or on behalf of our school are clear about professional boundaries and act within these boundaries, and in accordance with our Trust ethos. This policy should be read alongside our Safeguarding Policy (TPO/HS/05) our Dealing with Allegations of Abuse against Staff Policy (TPO/STA/21) and our Code of Professional and Safe Conduct (TPO/STA/10).
- 1.3 It may be possible that a member of staff acts in a way that does not cause risk to children, but is however inappropriate.
- 1.4 A member of staff who has a concern about another member of staff, volunteer, agency worker or contractor should inform the Principal about their concern using a Low-Level Record of Concern Form. If the Principal cannot be contacted, the Director of Education should be contacted instead.
- 1.5 If on reflection anyone recognises that their actions could have been viewed as a risk they should also inform the Principal about their concern.

## 2. Who does this policy apply to?

- 2.1 For the purposes of this policy, the term and references to ‘adult’ means the following: governing body and trust members, all teaching and support staff (whether or not paid or unpaid, employed or self-employed and whether or not employed directly by the School, external contractors providing services to students on behalf of the School, teacher trainees and other trainees/apprentices, volunteers and any other individuals who work for or provide services on behalf of or for the School.
- 2.2 Employees of external agencies and providers of services (e.g. contract cleaners) will be expected to abide by the provisions of this policy, and it will be a term of their engagement with us that they do so, whilst working on Trust premises. Failure to follow the expectations set out in this policy may result in agency workers being asked to no longer provide their services.

## 3. Who is responsible for carrying out this policy?

- 3.1 The implementation of this policy will be monitored by the Principals and Executive Leadership Team and will remain under constant review by Brooke Weston Trust and with the recognised Trade Unions.

## 4. What are the principles behind this policy?

- 4.1 The following is taken from [Keeping Children Safe in Education](#).
- 4.2 *As part of their whole school approach to safeguarding, schools and colleges should ensure that they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.*

**4.3** *Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold (see Part Four - Section one)) are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should encourage an open and transparent culture; enable schools and colleges to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.*

**4.4 What is a low-level concern?**

*The term ‘low-level’ concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out at paragraph 433 [of KSCIE]. 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 or college may have acted in a way that:*

- *is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and*
- *does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.*

**Examples of such behaviour could include, but are not limited to:**

- *being over friendly with children;*
- *having favourites;*
- *taking photographs of children on their mobile phone;*
- *engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,*
- *using inappropriate sexualised, intimidating or offensive language*

**4.5** *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.*

**4.6** *It is crucial that any such concerns, including those which do not meet the harm threshold (see Part Four - Section one of KCSIE), are shared responsibly and 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 schools and colleges from potential false allegations or misunderstandings.*

**5. Clarity around Allegation vs Low-Level Concern vs Appropriate Conduct**

**5.1 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;
- possibly committed a criminal offence against or related to a child;
- 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

**5.2 Low-Level Concern**

Any concern – no matter how small, even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- -is inconsistent with the Trust Professional and Safe Conduct Policy, including inappropriate conduct outside of work; and
- -does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO

e.g.

- 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.

### 5.3 Appropriate Conduct

Behaviour which is entirely consistent with the Trust Professional and Safe Conduct Policy, and the law.

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

- 6.1 Low-Level Concerns and follow-up information will be stored securely, accessed only by those outlined below. This will be stored in accordance with the Trust's Data Protection Policy (TPO/STA/25).
- 6.2 The staff member(s) reporting the concern must keep the information confidential and not share the concerns with others apart from the Principal or those aware in the Leadership Team.
- 6.3 Low-Level Concerns will not be referred to in references unless they have been formalised into more significant concerns resulting in disciplinary or misconduct procedures.
- 6.4 Low-Level Concerns and follow-up will be stored on a Staff Conduct Log, with access limited to the Principal, Designated Safeguarding Lead and staff nominated by the Principal in each school. Logs will also be accessible to the Head of Safeguarding and Central People Team. Data will be collected by the Central Team in order to identify patterns, trends and emerging needs around training, coaching or further intervention.
- 6.5 Where concerns relate to non-executive members of the Central Team, these will be stored on a Staff Conduct Log maintained by the People Team, accessible only to the People Team, Head of Safeguarding and Executive Leadership Team. Data will be collated by the Central Team termly to identify patterns, trends and emerging needs around training, coaching or further intervention.
- 6.6 Where concerns relate to Principals, members of the Executive Team or Heads of Profession, these will be stored on a Staff Conduct Log maintained by the Head of Safeguarding, accessible to both the Chief Executive Officer, and Head of Safeguarding, and to the Director of Education and/ or Chief Operations and Resources Officer, as appropriate. Data will be shared with the Chair of the Safeguarding Review Group termly to identify patterns, trends and emerging needs around training, coaching or further information.
- 6.7 Where concerns relate to the Head of Safeguarding, these will be recorded and closely monitored by the Chief Executive Officer and Director of Education.
- 6.8 Where Low-Level Concerns relate to the Chief Executive, these will be recorded and closely monitored by the Chair of the Board.
- 6.9 Allegations against staff will also be recorded on Staff Conduct Logs, as outlined above. Allegations will be managed in line with the Dealing with Allegations Against Staff Policy (TPO/STA/21)
- 6.10 Whenever staff leave the Trust, 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

## 7. Process to follow when a low-level concern is raised

- 7.1 Please refer to the diagram in Appendix 1 for a flow chart of the process to follow when a low-level concern is raised.

- 7.2 Low Level concerns should be reported using the reporting form in school (see an example in Appendix 2). Schools should make all staff aware as to where they can get a copy of the form and how they can report in school.
- 7.3 LLC Forms should be passed on to the Principal. If the concern relates to the Principal or a member of the Central Team, then the Director of Education should be contacted. If the concern relates to the Director of Education, the CEO should be contacted. If the Concern related to the CEO then the Chair of the Board should be contacted.
- 7.4 The Principal (or Director of Education / CEO or Chair of the Board) will seek to collect as much evidence as possible by speaking to the person who raised the concern, unless it has been raised anonymously, to the individual involved and any witnesses.

**8. Policy Review**

- 8.1 This policy will be reviewed annually or as required by legislature changes.

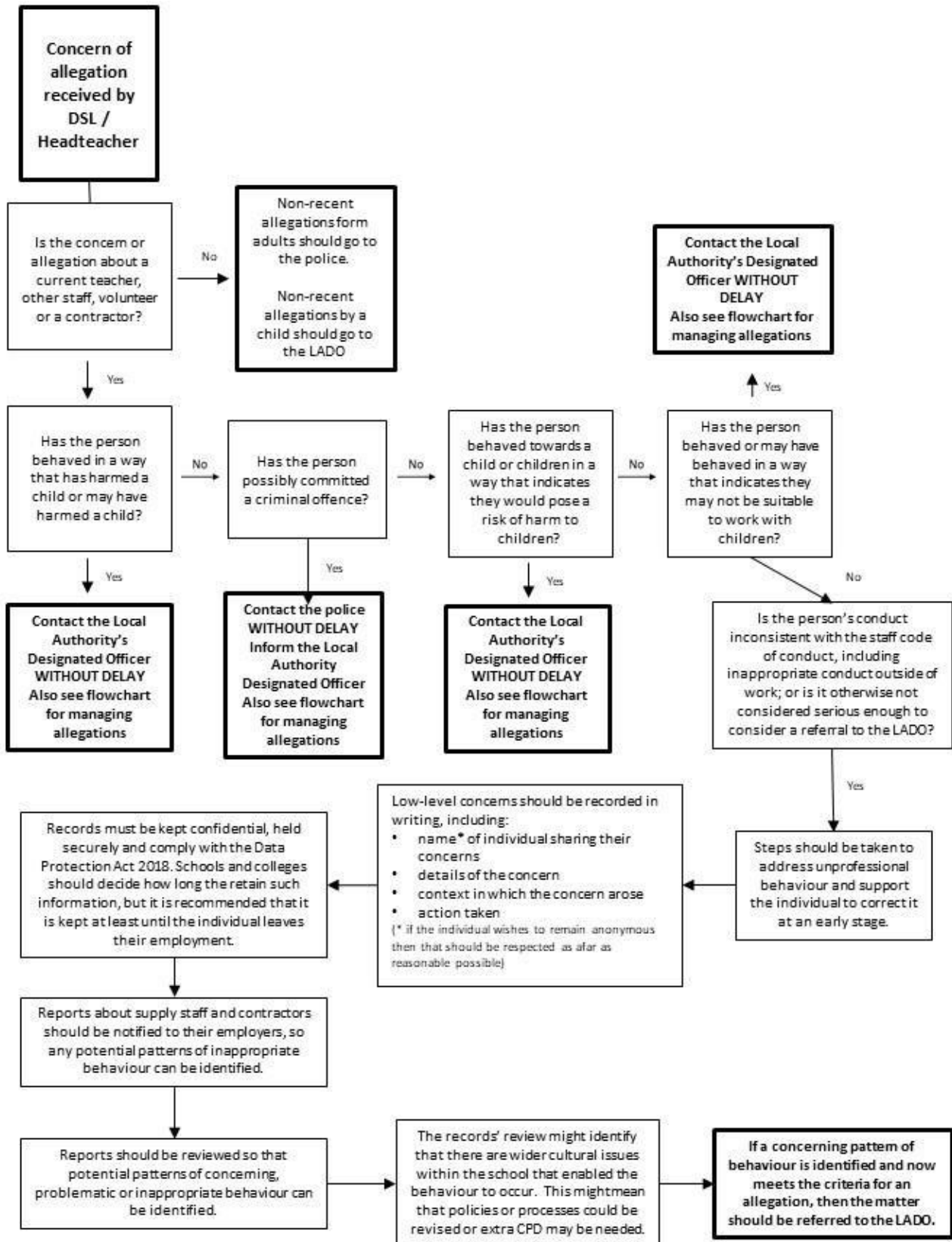
**Document Control**

<b>Date of last review:</b>	November 2024	<b>Author:</b>	KPI
<b>Date of next review:</b>	November 2025	<b>Version:</b>	4
<b>Approved by:</b>	Strategic Delivery Group	<b>Status:</b>	Ratified

**Summary of Main Changes**

- V2: No Changes from version 1
- V3: Lines of reporting in *Process to follow when a low-level concern or allegation is raised* chart
- V4: Clarified recording processes for different staff groups within Section 6 and replaced reference to Executive Principal with Director of Education.**

Appendix 1 – Process to follow when a low-level concern or allegation is raised



**N.B – if the concern relates to:**

- Staff > Report to Principal
- Principal or any member of the Central Team > Report to Andy Burns (Director of Education)
- Member of the Executive Team > Report to Andrew Campbell (Chief Executive)
- Chief Exec > Report to Richard Morrison (Chair of the Board)

Appendix 2 - Low level Concerns Reporting Form

Your details		
Name (optional)		
Role		
Date and time of completing this form		
Details of individual (including yourself for self-reporting) whom the concern is about		
Name		
Role		
Relationship to the individual reporting e.g. manager, colleague		
Details of concern		
<p><b>Please include as much detail as possible. Think about the following:</b> What behaviour and/or incident are you reporting? What exactly happened? Why does the behaviour and/or incident worry you? Why do you believe the behaviour and/or incident is not consistent with our Trust Professional and Safe Conduct Policy?</p>		
Details of any children or young people involved		
Name(s)		
Next Steps		
Are you willing to meet with the headteacher and DSL to discuss your concern? Please circle as appropriate.	Yes	No
Please state any other information that you feel is relevant to the processing of this concern.		
Signature		

<b>For use by Principal/safeguarding team upon receipt of the concern</b>	
<b>Date and time concern received</b>	
<b>Signature</b>	
<b>Role</b>	
<b>Does the concern meet the threshold for referral to the Designated Officer? If so, a referral must be made within one working day.</b>	
<b>Actions to be taken and follow-up. Please include your rationale.</b>	
<b>Has the concern/allegation been logged on the Staff Conduct Log?</b>	