

## Low-Level Concerns Policy

Policy Code:	HR42
Policy Start Date:	September 2020
Policy Review Date:	September 2023

Please read this policy in conjunction with the policies listed below:

HR6 Data Protection Policy  
HR9 Positive Handling and Safe Touch  
HR16 DBS and Safeguarding  
HR23 Whistleblowing Policy  
HR24 Allegations of Abuse Against Adults policy  
SW5 Safeguarding and Child Protection Policy  
SW13 Intimate Care Policy  
Trust's Code of Conduct and Dress Code

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## **1 Policy Statement**

- 1.1 The policy outlines the Trust's approach to managing concerns about adults which do not meet the allegation threshold nor are considered serious enough to consider a referral to LADO (please refer to HR24 Allegations of Abuse Against Adults for further information).
- 1.2 For the purpose of this policy, the term 'staff' will refer to any adult associated with the Trust, i.e. whether working for or with the Trust, engaged as a paid employee, worker or self-employed contractor, volunteer, Agency staff, governor or Trustee.
- 1.3 References to the Trust or Academy within this policy specifically include all primary, secondary and special academies within the Trust, as well the Early Years setting at the Priory Witham Academy, Priory Training, Priory Apprenticeships, Lincolnshire Teaching School Alliance and Lincolnshire Teaching School Alliance SCITT.
- 1.4 This policy does not form part of any member of staff's contract of employment and it may be amended at any time.
- 1.5 The Trust is committed to leading a mentally healthy organisation, which includes a commitment to and promotion of emotional wellbeing and mental health. Therefore, all Trust policies and procedures ensure this commitment is incorporated in order to support all staff and students. Members of staff are encouraged to speak to their line managers, and students are encouraged to speak to any member of staff, if they feel any part of this policy would affect their emotional wellbeing and mental health. Any such comments should be passed to the Trust's HR department (via [FederationHR@prioryacademies.co.uk](mailto:FederationHR@prioryacademies.co.uk)) for appropriate consideration at the next available point in the policy review cycle.

## **2 Roles, Responsibilities and Implementation**

- 2.1 The Pay, Performance and HR Committee has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Human Resources Director.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all staff are responsible for supporting colleagues and ensuring its success. The Trust is committed to safeguarding and promoting the welfare of children and young people and expects all to share this.

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### **3 Aims**

- 3.1 To ensure that all concerns about adults can be identified and spoken about openly with the appropriate safeguarding team.
- 3.2 To ensure that all concerns about adults are recorded and dealt with appropriately.
- 3.3 To create an open and transparent culture which enable settings to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working for or with the Trust are clear about professional boundaries and act within them, in accordance with the ethos and values of the Trust.

### **4 Definition**

- 4.1 A low-level concern is any concern – no matter how small, and even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:
  - a) is not consistent with the Trust’s Code of Conduct; and/or
  - b) 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.
- 4.2 Staff do not need to be able to determine in each case whether their concern is a low-level concern, or if it is in fact serious enough to consider a referral to the LADO, or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern that determination should be made by the Designated Safeguarding Lead (DSL) and the Director of Student Welfare.

### **5 The Importance of Sharing Low-Level Concerns**

- 5.1 Information sharing is essential for effective safeguarding and promoting the welfare of children and young people. It is a key factor identified in many serious case reviews (SCRs), where poor information sharing has resulted in missed opportunities to take action that keeps children and young people safe (*Information sharing; Advice for practitioners providing safeguarding services to children, young people, parents and carers*). All concerns, no matter how small, must be reported.

### **6 Reporting a Low-Level Concern**

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- 6.1 In line with HR24 Allegations of Abuse Against an Adult Policy any concerns should be raised first with the Academy Headteacher. In the absence of the Academy Headteacher the concern should be raised with the Academy DSL. The Headteacher will inform the Trust's DSL (or Deputy DSL) and the Human Resources Director.
- 6.2 If the concern is about a member of the Federation central staff, the Academy DSL or Headteacher will inform the Trust DSL (or Deputy DSL) who will then inform the Chief Executive Officer (CEO) and the Human Resources Director.
- 6.3 Concerns about a Headteacher must be reported to the Trust's DSL (or Deputy DSL), who will inform the CEO and the Human Resources Director.
- 6.4 Concerns about a governor must be reported first with the Academy Headteacher. In the absence of the Academy Headteacher the concern should be raised with the Academy DSL. Concerns about a Trustee must be reported to the CEO, who will inform the Trust's DSL (or Deputy DSL).
- 6.5 Concerns about the CEO must be reported to the Trust DSL (or Deputy DSL), who will inform the Chair of the Trust and the Human Resources Director.
- 6.6 If a concern is reported to the Academy DSL, as opposed to the Academy Headteacher, the Academy DSL must inform the Academy Headteacher at the earliest opportunity.
- 6.6 In the absence of the Human Resources Director the Senior HR Business Partner will be informed.

## **7 Self-Reporting**

- 7.1 Occasionally an individual might find themselves in a situation which could be misinterpreted, or might appear compromising to others. Equally, an individual may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the Code of Conduct. In these instances an individual may wish to self-report and this is encouraged. This can be positive for a number of reasons:
- it enables a potentially difficult issue to be addressed at the earliest opportunity;
  - it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived; and
  - it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.
- 7.2 Any individual who wishes to self-report should speak with their setting's DSL.

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## **8 Initial Response to a Low-Level Concern**

- 8.1 In the event that a low-level concern is raised, the Academy DSL and Trust DSL will discuss the concern with the Headteacher and the Human Resources Director. The information will be reviewed to determine whether the behaviour:
- i. is entirely consistent with the Trust's Code of Conduct and the law;
  - ii. constitutes a low-level concern;
  - iii. is serious enough to consider a referral to the LADO; or
  - iv. when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO/other relevant external agencies.
- 8.2 Where necessary, the Trust will seek the advice of the LADO (maintaining the anonymity of the individual where possible).
- 8.3 The appropriate DSL will speak with the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).

## **9 Outcomes**

### **The behaviour is entirely consistent with the Trust's Code of Conduct**

- 9.1 The individual in question will be informed by the appropriate DSL what was shared about their behaviour so that they have an opportunity to respond. The individual in question will be informed that their behaviour is entirely consistent with the Trust's Code of Conduct.
- 9.2 The DSL will also speak to the person who shared the low-level concern to provide them with feedback about how and why the behaviour is consistent with the Code of Conduct and the law.

### **The current concern is low-level**

- 9.3 The individual in question will be informed by the appropriate DSL what was shared about their behaviour so that they have an opportunity to respond.
- 9.4 The appropriate DSL, working with the Trust DSL and the Human Resources Director will determine the most suitable response. This may include:
- A conversation with the individual about their behaviour and why it was deemed to be a low-level concern
  - Training
  - Mentoring from an appropriate individual, e.g. a line manager
  - Any support as identified by the individual themselves

- 9.5 In the event that the concern becomes a disciplinary matter, the Trust's HR12 Staff Disciplinary Policy will be followed.

**The current concern is sufficiently serious enough to warrant a referral to the LADO or when considered with any other low-level concerns that have been shared about the same individual, should be reclassified as an allegation**

- 9.6 In the event that the current concern should be referred to the LADO or reclassified as an allegation, the Trust's HR24 Allegations of Abuse Against Adults Policy will be followed.

## **10 Records**

- 10.1 A low-level concerns record will be kept centrally by the Human Resources Director. This record will be accessible to the Trust's DSL and Deputy DSL, the Human Resources Director and the CEO.
- 10.2 The concerns record will be kept in a chronological order as a running record. Each entry will have the time and date recorded, along with the name of the individual who has made the record and the outcome of the concern. The records will be kept confidential and will be held securely.
- 10.3 The records will be held centrally so that they can be easily reviewed by the Trust DSL and Deputy DSL and any potential patterns of concerning, problematic or inappropriate behaviour spotted.
- 10.4 If a low-level concern in and of itself is deemed to be serious enough to consider a referral to the LADO, the records relating to the low-level concern will be placed on the individual's personnel file.
- 10.5 If a low-level concern (or group of concerns) is re-classified as an allegation, all previous records of low-level concerns relating to the same individual should be moved from the central low-level concerns file to the individual's personnel file.
- 10.6 If the low-level concern is raised about an individual who works with the Trust, but is not a member of staff, e.g. Agency Staff/Contractor, then any records relating to the concern will be shared with the individual's employer. If necessary, advice will be sought from the LADO on what can be shared and with whom.
- 10.7 The Human Resources Director, the Trust DSL and the Trust Deputy DSL will be responsible for recording any concerns.

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## **11 Policy Change**

- 11.1 This policy may only be amended or withdrawn by the Priory Federation of Academies Trust.



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# **The Priory Federation of Academies Trust**

## **Discretionary Policy**

This Policy has been approved by the PP&HR Committee:

Signed..... Name..... Date:

Trustee

Signed..... Name..... Date:

Chief Executive Officer

Signed..... Name..... Date:

Designated Member of Staff

Please note that a signed copy of this agreement is available via Human Resources.