

## Low-Level Concerns Policy

Policy Code:	HR42
Policy Start Date:	September 2023
Policy Review Date:	September 2026

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 Made Against Adults Policy
- SW5 Safeguarding and Child Protection Policy
- SW13 Intimate Care Policy
- SW17 Safeguarding Adults 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, trainee, learner, 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 and Lincolnshire 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.

## **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 Head of Human Resources.
- 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.

## **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

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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 Director of Safeguarding and/or the Head of HR.

#### **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 case reviews, 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**

##### **Academy staff**

6.1 If staff have any concerns about an adult working with the Trust’s children and young people, they must report this to the Academy Headteacher without delay. The Headteacher will then report this to the Trust DSL (or Head of HR in the DSL’s absence), who will inform the CEO.

6.2 If the concern involves the Trust DSL, the Headteacher will inform the CEO. If the concern involves the CEO, the Trust DSL (or Head of HR in the DSL’s absence) will inform the Chair of Trustees.

6.3 If the concern involves the Headteacher, or they are absent, concerns must be reported to the Trust DSL (or Head of HR in the DSL’s absence).



- 6.4 The Trust DSL and/or Head of HR will, where appropriate, inform the Local Authority Designated Officer (LADO).

### **Central Services (Federation) staff**

- 6.5 If staff from Central Services have any concerns about an adult working with the Trust's children and young people, they must report this to the Trust DSL (or Head of HR in the DSL's absence), who will inform the CEO.
- 6.6 If the concern involves the Trust DSL, then staff must report this to the Head of HR, who will inform the CEO. If the concern involves the Head of HR and the Trust DSL is absent, staff must report their concerns to the CEO. If the concern involves the CEO, the Trust DSL (or Head of HR in the DSL's absence) will inform the Chair of Trustees.
- 6.7 The Trust DSL and/or Head of HR will, where appropriate, inform the Local Authority Designated Officer (LADO).

## **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 Headteacher (or Trust DSL if they are Central Services staff).

## **8 Initial Response**

- 8.1 The Trust DSL and Head of HR will discuss the concern (with the Headteacher if involved). 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 An appropriate individual will speak with the adult about whom the 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 Headteacher/Head of Setting 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 Headteacher/Head of Setting will also speak to the person who shared the 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 Headteacher/Head of Setting what was shared about their behaviour so that they have an opportunity to respond.

9.4 The Headteacher/Head of Setting, working with the Trust DSL and the Head of HR 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; and/or
- 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.

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**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 Made Against Adults Policy will be followed.

## **10 Records**

10.1 A low-level concerns record will be kept centrally by the HR Team. This record will be accessible to the Trust DSL, the Head of HR, the HR Business Partners and the CEO.

10.2 The concerns record will be kept in a chronological order as a running record. Each entry will have the 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 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 in a case 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 Head of HR and the Trust DSL will be responsible for recording any concerns.

## **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**

## **Low-Level Concerns 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.