



# CHATHAM & CLARENDON GRAMMAR SCHOOL

## Managing Allegations Against Staff Including Low Level Concerns

**Agreed by Governors: February 2025**

This Policy should be read in conjunction with the Child Protection Policy and the Staff Code of Conduct. The policy has been formulated in line with KCSIE and WTSC.

### **Contents:**

#### Statement of intent

1. [Legal framework](#)
2. [Scope of this policy](#)
3. [Staff covered by this policy](#)
4. [Roles and responsibilities](#)
5. [Reporting concerns and allegations](#)
6. [Initial response](#)
7. [Confidentiality](#)
8. [Suspension](#)
9. [Supporting those involved](#)
10. [Outcomes](#)
11. [Returning to work](#)
12. [Resignations](#)
13. [Record keeping](#)
14. [References](#)
15. [Non-recent allegations](#)
16. [Monitoring and review](#)

### **Low Level Concerns**

1. [Definitions](#)
2. [Roles and responsibilities](#)
3. [Prevention amongst staff](#)
4. [Reporting concerns](#)
5. [Self-reporting](#)
6. [Evaluating concerns](#)
7. [Acting on concerns](#)
8. [Record keeping](#)
9. [Monitoring and review](#)

## Statement of intent

Chatham & Clarendon Grammar School (**hereafter referred to as CCGS**) takes its responsibility of care for pupils seriously. We will thoroughly and swiftly investigate allegations of abuse against staff – this will be done applying common sense and judgement, in a fair way that does not prejudice either the student or the member of staff, and with effective protection for the student and support for the person subject to the allegation. This policy will apply to concerns or allegations against those working in or on behalf of the school in a paid or unpaid capacity, including supply teachers, volunteers and contractors.

Any investigation of an allegation of abuse will be made in line with this policy and we will provide both the accuser and accused with the support they require during the investigation

### 1 Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Children Act 1989
- Children Act 2004
- Data Protection Act 2018
- Education Act 2002
- Sexual Offences Act 2003
- Safeguarding Vulnerable Groups Act 2006
- Equality Act 2010
- Voyeurism (Offences) Act 2019
- The UK General Data Protection Regulation (UK GDPR)
- DfE (2024) 'Keeping children safe in education 2024'
- DfE (2023) 'Working Together to Safeguard Children 2023'

This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- Disciplinary Policy and Procedure
- Staff Code of Conduct
- Data Protection Policy
- Positive Behaviour Management Policy
- Safer Recruitment Policy
- Staff ICT and Electronic Devices Policy
- Whistleblowing Policy

### 2 Scope of this policy

**NB.** “Child” refers to anyone under the age of 18.

This policy covers the process for dealing with allegations that meet the harms threshold, which are allegations where it is alleged that anyone working in the school, including supply teachers, volunteers and contractors, 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, including transferable risk, i.e. behaviour that may have happened outside of school that might make the individual unsuitable to work with children.

Procedures for managing allegations that do not meet the harms threshold (also known as 'low-level concerns') are also covered in the second half of this policy. The school's Low-level concerns outlines the procedures for dealing with allegations that do not meet the harms threshold.

Low-level concerns will not be viewed as insignificant, but as any concerns that do not meet the harms threshold set out above. A low-level concern is any concern 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.
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LA designated officer (LADO).

If the school has any doubt as to whether information which has been shared about a member of staff as a low-level concern meets the harm threshold, the LADO's advice will be consulted. For the purpose of this policy "**allegation**" refers to allegations that meet the harms threshold.

### **3 Staff covered by this policy**

This policy covers allegations against those working in or on behalf of the school in a paid or unpaid capacity, including members of staff, supply teachers, volunteers and contractors.

In some cases, the school will have to deal with an allegation against an individual not directly employed by them, e.g. supply staff provided by an employment agency, where the school's disciplinary procedures do not fully apply because agencies will have their own procedures.

In these cases, the school will ensure allegations are dealt with properly and will often take the lead in dealing with the allegation as it has access to all of the necessary information. Under no circumstances will the school decide to cease to use a supply teacher due to safeguarding concerns without finding out the facts and liaising with LADO to determine a suitable outcome.

Any supply agencies used by the school will be informed of the school's process for managing allegations. The school will also take account of the agency's policies and their duty to refer to the DBS as personnel suppliers.

If an allegation is made against a governor, the school will follow its local procedures. Where an allegation is substantiated, the school will follow the procedures to consider removing the governor from office.

For the purposes of this policy "**member of staff**" refers to staff, supply staff, volunteers and contractors.

### **4 Roles and responsibilities**

The governing board will be responsible for:

- Ensuring that the school complies with its duties under the above child protection and safeguarding legislation.
- Guaranteeing that all policies, procedures and training opportunities in the school are implemented effectively.
- Ensure that mechanisms are in place to assist staff to understand and discharge their role and responsibilities in regard to safeguarding children.

- Ensuring welfare support is put in place for staff subject to allegations.
- Making the final decision of whether a member of staff subject to an allegation should be suspended.

The Chair of Governors will be responsible for acting as the case manager for allegations relating to the headteacher.

The headteacher will be responsible for acting as the case manager for allegations, (or delegated to a member of the SLT), unless the allegation relates to them or there would be a conflict of interest if they were the case manager.

The case manager will be responsible for:

- Conducting a basic enquiry as soon as an allegation is reported.
- Leading investigations into allegations.
- Working with the LADO when dealing with allegations.

The DSL will be responsible for:

- Making referrals to children's social work services (CSWS) and/or the police where necessary. **Kent Integrated Children's Services/ Children's Social Work Services - Kent Integrated Children's Services Portal – select 'urgent' if there is an immediate risk/concern**
- Looking after the welfare of pupils involved in an allegation and ensuring they are not at risk.

The LADO will provide advice and guidance to the school when considering allegations. Their role is not to investigate the allegation, but to ensure that an appropriate investigation is carried out.

## 5 Reporting concerns and allegations

Staff must report allegations without delay, in line with the following reporting lines:

- Allegations regarding another member of staff will be reported to the headteacher
- Allegations regarding the headteacher will be reported to the Chair of Governors

Where there is a conflict of interest in reporting the allegation to the headteacher, staff will report the concern directly to the LADO. The LADO can be contacted via a referral on the **Kent Integrated Children's Services Portal**

Where a pupil makes a disclosure to a member of staff about the behaviour of another member of staff, staff must follow the reporting lines above.

Once an allegation has been made, a case manager will be assigned to lead the investigation. The case manager will be the headteacher or delegated to a member of the SLT, where the headteacher is the subject of an allegation, the chair of governors.

## 6 Initial response

Where an allegation has been made that a child has been harmed, there may be an immediate risk of harm to a child, or an emergency situation has arisen, the CSWS and, as appropriate, the police will be contacted immediately. These reports will be made in line with the school's Child Protection and Safeguarding Policy.

When responding to an allegation the school will ensure that it considers the following aspects:

- Looking after the welfare of the child
- Investigating and supporting the person subject to the allegation

Before contacting the LADO, the case manager will conduct a basic enquiry in line with local procedures to establish the facts to help them determine whether there is any foundation to the allegation. During this basic enquiry, the case manager will ensure they collect any information that will be required by the LADO and will be careful not to jeopardise any potential future police investigation.

Once the case manager has conducted the basic enquiry, they will contact the LADO and will discuss the nature, content and context of the allegation to decide if:

- No further action is needed.
- A strategy discussion should take place.
- There should be involvement from the police and/or CSWS.

Where the case manager is concerned about the welfare of other children in the community or the staff member's family, they will discuss these concerns with the DSL and conduct a risk assessment of the situation. Where necessary, the DSL will make a referral to CSWS.

If the allegation is about physical contact, e.g. restraint, the strategy discussion or initial evaluation with the LADO will take into account that teachers and other staff are entitled to use reasonable force to control or restrain children in certain circumstances, including dealing with disruptive behaviour.

Where the allegation includes behaviour outside of school, an assessment of transferable risk to children with whom the person works will be undertaken where appropriate; advice will be sought from the LADO where there is any doubt.

### **No further action**

Where the initial assessment leads to no further action, the case manager and LADO will:

- Record the decision and justification for it.
- Agree on what information should be put in writing to the individual concerned and by whom.

### **Strategy discussion**

If there is cause to suspect a child is suffering, or is likely to suffer, significant harm, a strategy discussion involving the police and/or CSWS will be convened. Strategy discussions will take place in line with the '[Working Together to Safeguarding Children](#)' statutory guidance. For allegations regarding physical contact, e.g. restraint, the right to use reasonable force in line with the school's Physical Intervention Policy will be taken into account.

CSWS will convene a meeting to determine the child's welfare and plan rapid future action if there is reasonable cause to suspect the child is suffering or likely to suffer significant harm. A representative of the school may be invited to the meeting.

The discussion will be used to:

- Seek, share and analyse available information.
- Agree the conduct and timing of any criminal investigation.
- Decide whether enquires under section 47 of the Children Act 1989 must be undertaken.

### **Investigation**

Where it is clear than an investigation by the police or CSWS is unnecessary the LADO will discuss the next steps with the case manager.

Where further enquiries are required to enable a decision about how to proceed, the LADO and case manager will discuss how the investigation will be undertaken and who should conduct it. In most cases, the investigation will be undertaken by a senior member of staff at the school.

Where there is a lack of appropriate resources within the school to conduct the investigation, or the nature or complexity of the allegation requires it, the allegation will be conducted by an independent investigator.

The case manager will monitor the progress of the investigation to ensure that it is dealt with thoroughly, fairly and as quickly as possible. The first review will take place no later than four weeks after the initial assessment where possible. Dates of subsequent reviews will be set at the review meeting if the investigation continues and will be conducted at least at **fortnightly** intervals.

### **Informing the member of staff**

The decision of when to inform will be considered carefully on a case-by-case basis, considering guidance from the LADO as required and CSWS and the police if involved. The member of staff subject to an allegation should be informed of the allegation and given as much information as possible, unless there are good reasons not to. In cases where the allegation needs to be reported to CSWS and/or the police, the case manager will seek advice from the LADO, CSWS and police as appropriate regarding what information can be shared.

### **Supply staff**

Where an allegation relates to a member of supply staff, the agency will be fully involved and cooperate with any enquiries from the school, LADO, police and/or CSWS. In these cases, the school will usually take the lead as the agency will not have direct access to the required information.

The school will not decide to stop using a member of supply staff due to safeguarding concerns without first finding out the facts and liaising with the LADO to determine a suitable outcome. The school will ensure that the allegations management meeting, which is often arranged by the LADO, addresses issues such as information sharing, to ensure that any previous concerns or allegations known to the agency or agencies are taken into account by the school during the investigation.

### **Organisations or individuals using school premises**

Where the school receives an allegation relating to an incident that happened when an individual or organisation was using the premises for the purposes of running activities for children, e.g. community groups or sports associations, the school will inform the LADO and ensure appropriate steps are taken to keep pupils safe and ensure that the allegation is subject to a proper investigation.

## **7 Confidentiality**

The case manager and LADO will discuss what information will be shared and with whom, alongside which actions will be taken to manage any possible breaches of confidentiality or press interest.

Reporting restrictions under the Education Act 2002 will be observed. Information regarding an allegation will only be shared with necessary parties. Every effort will be made to protect the privacy of all parties involved in an allegation. Confidentiality will also be maintained to ensure a fair investigation can be undertaken.

All parties involved in an allegation will be made aware of the requirement to maintain confidentiality and guard against unwanted publicity about any allegations made against teachers whilst investigations are in progress.

In circumstances where the school needs to make parents aware about an allegation, it will ensure parents and others are aware that there are restrictions on publishing information.

Breaches in confidentiality will be taken seriously and may warrant a separate investigation. The school will not provide the media with any information regarding an allegation.

## **8 Suspension**

The school will ensure that suspension will never be an automatic response when an allegation is reported, and all options to avoid suspension will be considered prior to taking that decision.

The case manager will carefully consider whether the circumstances warrant suspension from contact with children at the school, or until the allegation is resolved. Suspension will be considered only in cases where there is cause to suspect a pupil or other pupil at the school is/are at risk of harm, or the case is so serious that it might be grounds for dismissal.

The case manager will seek advice from the school's HR provider and the LADO, as well as the police and CSWS where they have been involved. The following options will be considered by the case manager before suspending a member of staff:

- Redeploying the member of staff within the school so that they do not have direct contact with the pupil or pupils concerned
- Providing an assistant to be present when the individual has contact with pupils
- Redeploying the member of staff to alternative work in the school so the individual does not have unsupervised access to pupils
- Moving the pupil or pupils to classes where they will not come into contact with the member of staff – this decision will only be made if it is in the best interests of the pupil or pupils involved and takes account of their views
- Temporarily redeploying the member of staff to another role in a different location, e.g. to an alternative school, where available

The governing board will make the final decision on whether the member of staff should be suspended. Where a strategy discussion, or initial assessment, concludes that there should be enquiries by CSWS, and/or an investigation by the police, the LADO will seek the views of the police and CSWS regarding whether the member of staff should be suspended from contact with children. Police involvement does not make it mandatory to suspend a member of staff. The decision to suspend will be made on a case-by-case basis following a risk assessment of whether the person poses a risk of harm to children.

If immediate suspension is considered necessary, the case manager will record the rationale and justification for this decision, alongside the alternatives to suspension that were considered and why they were rejected.

Where suspension is deemed necessary, written confirmation will be given to the member of staff within one working day where possible, which will provide as much detail as appropriate for the reasons for the suspension. The member of staff will be told immediately who their named contact is within the school for the period of their suspension.

Where an allegation relates to a member of supply staff, the governing board will discuss with the supply agency or agencies where the member of staff is working across a number of schools, whether it is appropriate to suspend the individual, or redeploy them to another part of school, whilst an investigation is carried out.

Where the school is made aware that the Secretary of State has made an interim prohibition order, in respect of an individual who works at the school, immediate action will be taken by the school to ensure the individual does not carry out work in contravention of the order, i.e. not carrying out teaching work, pending the findings of the TRA investigation.

Pay arrangements for the member of staff who has been suspended, will be made in accordance with the school's Pay Policy.

## 9 Supporting those involved

### Pupils and parents

The welfare of the pupils involved in an allegation will be paramount and the school will ensure that pupils involved are fully supported in line with the Child Protection and Safeguarding Policy.

The parents of any pupils involved in an allegation will be formally informed about the allegation as soon as possible if they do not already know about it, unless notifying the parents would put the pupil at further risk. The case manager will work with the LADO to agree who should be informed about the allegation.

Parents will be made aware of the requirement to maintain confidentiality and guard against unwanted publicity about any allegations made against teachers whilst investigations are in progress.

Parents will be kept informed about the progress of the allegation, including the outcome and any action taken.

### Staff

The school will ensure that all staff feel equipped and supported to report any allegations or concerns.

The school is fully aware of its duty of care to their employees and will:

- Manage and minimise the stress caused by the allegation.
- Inform the member of staff as soon as possible about the allegation, explaining the likely course of action, guided by the LADO, and the police where necessary.
- Advise the member of staff to contact their trade union representative, or a colleague for support.
- Appoint a named representative to keep the staff member informed about the progress of the case.
- Provide access to counselling or medical advice where appropriate.
- Not prevent social contact with work colleagues and friends, when staff are suspended, unless there is evidence to suggest this may prejudice the gathering of evidence.

The school will ensure that any information regarding an allegation is kept confidential and will not ordinarily be shared with other staff or with pupils or parents who are not directly involved in the investigation.

## 10 Outcomes

The following definitions will be used when determining the outcome of an allegation:

- **Substantiated:** There is sufficient evidence to prove the allegation



- **Malicious:** There is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation
- **False:** There is sufficient evidence to disprove the allegation
- **Unsubstantiated:** There is insufficient evidence to either prove or disprove the allegation
- **Unfounded:** There is no evidence or proper basis which supports the allegation being made

The options available to the school will depend on the nature and circumstances of the allegation and the evidence and information available.

### **Referral to the (Disclosure and Barring Service) DBS**

If an allegation is found to be substantiated and the member of staff is dismissed, resigns or otherwise ceases to provide their services to the school, or the school ceases to use the person's services, the school will comply with its legal duty to make a referral to the DBS. For members of teaching staff at the school, the case manager will consider whether to refer the matter to the TRA to consider prohibiting the individual from teaching.

The school will also make a referral to the DBS where it is considered an individual has engaged in conduct that harmed, or is likely to harm, a child, or if they otherwise pose a risk of harm to a child.

### **Criminal investigations**

The school is aware that some allegations may result in a criminal investigation taking place and understands that the police will inform the school and the LADO when:

- A criminal investigation and any subsequent trial are complete.
- It is decided to close an investigation without charge.
- It is decided not to continue to prosecute after the person has been charged.

The case manager and LADO will discuss whether any further action against the member of staff is appropriate, including disciplinary action.

### **Unsubstantiated, unfounded, false or malicious allegations**

If an allegation is determined to be unsubstantiated, unfounded, false or malicious, the LADO and the case manager will consider whether the pupil and/or the person who has made the allegation is in need of help or may have been abused by someone else and this is a cry for help. If this is the case, the DSL will decide whether a referral to CSCS needs to be made.

If a report is shown to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate against the individual who made it, in line with the Disciplinary Policy and Procedure (for staff reporters) or Behaviour Policy (for pupil reporters).

Following an allegation concluded to be either unfounded, false, malicious or unsubstantiated, the case manager, in liaison with the LADO if they were involved, will consider the facts and determine whether any lessons can be learnt and if improvements can be made to the school's procedures.

## **11 Returning to work**

Where a member of staff has been suspended and it is decided on conclusion of the case that they can return to work, the case manager will decide on the best course of action to facilitate the return to work, seeking advice from the school's HR provider and the LADO where

necessary.

The individual's circumstances will be taken into account, and options such as a phased return and the provision of a mentor to provide assistance and support in the short term considered where appropriate.

The case manager will also consider how the staff member's contact with the child who made the allegation can best be managed if they are still attending the school.

The member of staff will be provided with support, including welfare support, during their return to work.

## **12 Resignations**

If the member of staff leaves, resigns or ceases to provide their services during an investigation, the school will not stop the investigation and will ensure its completion.

The staff member subject to the allegation will be given a full opportunity to answer the allegation and make representations about it. The process of recording the allegation and supporting evidence and reaching a judgement on the allegation will continue even if the member of staff does not cooperate. The member of staff concerned will be notified of the conclusion of the allegation and sanctions that may be posed.

### **Settlement agreements**

The school will not use settlement agreements (also known as compromise agreements) where there are allegations that indicate a person is a risk or poses a risk of harm to children or is deemed not suitable to work with children.

In limited circumstances, it may be appropriate to use settlement agreements to end the employment relationship on agreed terms. Where a settlement agreement is used, this will not prevent the school from:

- Fulfilling its legal duty to refer cases to the DBS where the referral criteria are met.
- Providing a fair, accurate and truthful reference that is not misleading to potential employers when requested.
- Considering whether to make a referral to the Teaching Regulation Agency (TRA) where the criteria are met.

## **13 Record keeping**

Any details of allegations that are found to be malicious or false will be removed from the staff member's personnel record, unless they give their consent for the information to be retained. For all other allegations, the following information will be kept on the staff member's personnel file:

- A clear and comprehensive summary of the allegation
- Details of how the allegation was followed up and resolved
- Details of any action taken, decisions reached and the outcome
- A copy provided to the person concerned, where agreed by CSWS or the police
- A declaration on whether the information will be referred to in any future reference

The school will retain records which contain information about allegations of sexual abuse for the Independent Inquiry into Child Sexual Abuse (IICSA), for the term of the enquiry. All other records will be retained until the staff member subject to the allegation has reached normal

pension age or for a period of 10 years from the date of the allegation, whichever is longer. All records will be managed in line with the school's Data Protection Policy.

## **14 References**

References will be provided in line with the school's Safer Recruitment Policy and Reference Policy.

The school will ensure that any information provided confirms whether they are satisfied with the applicant's suitability to work with children, and only provide the facts and outcome of any substantiated safeguarding concerns or allegations that meet the harm threshold within any employment references. References will not include opinions, and cases will not be included where an allegation was found to be false, unfounded, unsubstantiated or malicious; this applies for repeated concerns or allegations found to be false, unfounded, unsubstantiated or malicious.

## **15 Non-recent allegations**

If a former pupil makes an allegation to the school that they were abused as a child, they will be advised to report the allegation to the police. Non-recent allegations made by a pupil will be reported to the LADO in line with the LA's procedures for dealing with non-recent allegations.

All pupils and staff will be made aware that abuse can be reported no matter how long ago it happened.

## **16 Monitoring and review**

Throughout the process in handling allegations and at conclusion of a case in which an allegation is substantiated, the LADO will review the circumstances of the case with the case manager to determine whether there are any improvements to be made to the school's procedures to help prevent similar events in the future.

# **Low Level Concerns**

## **1 Definitions**

For the purposes of this policy, a low-level concern is defined as any concern had about an adult's behaviour towards, or concerning, a child that does not meet the harms threshold (see below) or is otherwise not serious enough to consider a referral at the time of its reporting.

The term 'low-level' concern does not mean that it is insignificant – a low-level concern is any concern that suggests 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.
- Does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Low-level concerns are differentiated from concerns that can cause harm. The harms

threshold is the point at which a concern is no longer low-level and constitutes a threat of harm to a child. This threshold is defined as allegations that an adult 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 in a way that indicates they may pose a risk of harm to children.
- Behaved in a way or may have behaved in a way that indicates they may not be suitable to work with children.

While low-level concerns are less serious than concerns which meet the harms threshold, the school understands that many serious safeguarding concerns often begin with low-level concerns, e.g. being overly friendly with children. The school will ensure that all staff are aware of the importance of recognising concerns before they have an opportunity to escalate from low-level to serious.

## **2 Roles and responsibilities**

The governing board will be responsible for:

- Ensuring that the school complies with its duties under child protection and safeguarding legislation.
- Ensuring that policies, procedures, and training opportunities with regard to reporting safeguarding concerns are compliant and effective.
- Guaranteeing that there is an effective Staff Code of Conduct that outlines behavioural expectations.
- Ensuring that a suitably trained DSL has been appointed, alongside deputy DSLs where appropriate.
- Ensuring that there are robust reporting arrangements, including inter-agency collaboration.
- Ensuring that there are appropriate procedures in place to handle allegations and low-level concerns reported against members of staff.

The headteacher will be responsible for:

- Being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level.
- Assessing whether safeguarding concerns about staff members meet the threshold for being termed an allegation, or whether they are low-level concerns.
- Implementing this policy, and all related policies, throughout the school, and ensuring that staff adhere to it at all times.
- Safeguarding pupils' wellbeing and maintaining public trust in the teaching profession.
- Ensuring that all staff have undertaken safeguarding training.
- Ensuring that all staff have an ongoing awareness of low-level concerns and reporting procedures.

The DSL will be responsible for:

- Being a point of contact for all staff when they have safeguarding concerns, whether serious or low-level.
- Assessing whether safeguarding concerns about staff members meet the threshold for being termed an allegation, or whether they are low-level concerns.
- Following all procedures outlined in this policy for acting upon low-level concerns.
- Liaising with the headteacher, staff members, the governing board and all relevant agencies to act upon concerns, where necessary.
- Keeping detailed, accurate and secure records of all low-level concerns and keeping records of decisions made regarding safeguarding concerns, including the rationale for those decisions.

Staff will be responsible for:

- Adhering to all the relevant policies and procedures, including acting within the Staff Code of Conduct at all times.
- Interacting with pupils in a way that is respectful and appropriate for their level of authority and has due regard to the power imbalance between pupils and staff members.
- Understanding the importance of reporting low-level safeguarding concerns.
- Reporting any and all safeguarding concerns they may have about pupils immediately.
- Reporting any and all safeguarding concerns they may have about the behaviour of a member of staff immediately.

### **3 Prevention amongst staff**

#### **Appropriate and inappropriate behaviour**

The school will ensure that all staff members are aware of the standards of appropriate behaviour expected towards pupils.

Staff will ensure that they pay due regard to the fact that:

- They are in a unique position of trust, care, responsibility, authority, and influence in relation to pupils.
- There is a significant power imbalance in the pupil-staff dynamic.
- There are more stringent expectations on their behaviour with regard to pupils due to their position as a public professional.

Staff will remain aware of the fact that all pupils under the age of 18, regardless of the phase and year group they are at within the school, are children by law – resultantly, staff will ensure that they do not assume maturity on behalf of a pupil and do not engage with pupils as they would with their own peers. Staff will be aware that where there is any doubt regarding whether the behaviour of another adult is appropriate, this should be reported to the DSL, headteacher or other nominated person immediately.

Inappropriate behaviour can exist on a wide spectrum, from inadvertent or thoughtless behaviour to behaviour which is ultimately intended to enable abuse. Examples of inappropriate behaviour that would constitute a low-level concern that should be reported to the DSL include, but are not limited to:

- Being overly friendly with children – this could include, but is not limited to, communicating with a child through personal social media or allowing inappropriate conversations or enquiries to occur with pupils, e.g. conversations that are about a staff member's personal life or are of a sexual nature.
- Having favourites – this could include, but is not limited to, calling pupils by pet names or terms of endearment or buying pupils gifts.
- Taking photographs of children on their mobile phones, contrary to school policy.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating children.

Staff will be aware that some of the above low-level concerns may meet the harms threshold depending on certain factors, e.g. the age or needs of the child or the content of exchanged messages, and that some of the above incidents may not be concerns in context, e.g. a pre-approved, one-to-one meeting with a child behind a closed door between the child and a school counsellor who has received all appropriate safety checks.

Staff will also be made aware that behaviour which raises concerns may not be intentionally inappropriate, and that this does not negate the need to report the behaviour. Staff members who engage in low-level inappropriate behaviour in relation to pupils inadvertently will be made aware and supported to correct this behaviour in line with the Staff Code of Conduct. The headteacher will also evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff cohort as a whole where low-level concerning behaviour is seen more widely.

### **School culture**

The school understands that spotting the early signs of harmful behaviour towards children can be difficult, and that many will be hesitant to report concerns they have about their colleagues' behaviour, particularly the behaviour of their superiors. Staff are encouraged to maintain an attitude that recognises that abuse can happen anywhere, in any setting, and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc.

The school will ensure that all staff members have received training as part of their induction that outlines appropriate behaviour towards pupils for staff members. All staff will read, understand, and adhere to the Appropriate and inappropriate behaviour subsection of this policy, as well as the Staff Code of Conduct.

Staff will address any questions they have regarding safeguarding to the DSL. The school will work to foster an environment where personal and professional boundaries are clearly set and respected for all individuals in the school community, e.g. pupils are not treated as friends and an appropriate professional distance is maintained by staff.

The school will ensure that all staff are sufficiently trained surrounding the reporting of safeguarding concerns as part of their induction, and that refresher training is conducted as necessary. The school will ensure that all staff understand how to recognise and report safeguarding concerns. Staff will be trained to identify inappropriate, concerning, or problematic behaviour towards pupils that may indicate a safeguarding concern, and how to identify signs of abuse or harm in pupils.

### **Evaluating school culture following concerns**

The school will ensure that appropriate consideration is given to the school's culture and whether or not it has enabled the inappropriate behaviour to occur. The headteacher will review whether any changes need to be made to relevant policies or training programmes in

light of any evaluations of the school's culture, in order to achieve an open and transparent culture that deals with all concerns promptly and appropriately.

#### **4 Reporting concerns**

The school will promote a culture in which safeguarding pupils is the uppermost priority, beyond any perceived professional loyalties to colleagues, ensuring that staff are actively encouraged to report concerns, regardless of their relationship with the staff member.

Staff will report all safeguarding concerns they have to the headteacher, DSL, or deputy immediately in line with the procedures laid out in the Child Protection Policy. Staff members will report concerns without undue delay. Where the report concerns a specific incident, staff members will report their concerns no later than 24 hours after the incident where possible. Staff members will be aware that concerns are still worth reporting even if they do not seem serious.

Where the DSL is informed of low-level concerns, they will inform the headteacher in a timely fashion according to the nature of the concerns. The headteacher will be the ultimate decision maker in respect of all low-level concerns; however, they may take a more collaborative approach with the DSL to make a decision.

Staff members will report their concerns to the headteacher or deputy headteacher verbally, or by submitting a [Low-level Concern Reporting Form](#). When submitting concerns, staff will take care to ensure that they observe the Confidentiality Policy and the Allegations of Abuse Against Staff Policy and protect the identity of all individuals to which the concern pertains as far as possible.

Staff members may request anonymity when reporting a concern, and the school will endeavour to respect this as far as possible. The school will not, however, promise anonymity to staff members who report concerns in case the situation arises where they must be named, e.g. where it is necessary for a fair disciplinary hearing. In line with the Whistleblowing Policy, staff will be protected from potential repercussions caused by reporting a genuine concern.

Where a low-level concern relates to the headteacher, it should be reported to the Chair of Governors.

Where a low-level concern relates to a person employed by a supply agency or a contractor to work in the school, staff will also be required to report this to the headteacher, who will, in turn, inform the employer of the subject of the concern.

All concerns reported to the headteacher will be documented in line with the **Records Management Policy**.

In line with the [Evaluating concerns](#) section of this policy, if the school receives an allegation of a low-level safeguarding concern regarding an organisation that has hired the school premises, the school will follow its usual safeguarding procedures and process for managing allegations.

#### **5 Self-reporting**

On occasion, a member of staff may feel as though they have acted in a way that:

- Could be misinterpreted.
- Could appear compromising to others.
- They realise, upon reflection, falls below the expected professional standards set out in the Staff Code of Conduct.

The school will ensure that an environment is maintained that encourages staff members to self-report if they feel as though they have acted inappropriately or in a way that could be construed as inappropriate upon reflection. The headteacher and DSL will, to the best of their abilities, maintain a culture of approachability for staff members, and will be understanding and sensitive towards those who self-report.

Staff members who self-report will not be treated more favourably during any resulting investigations than staff members who were reported by someone else; however, their self-awareness and intentions will be taken into consideration.

## 6 Evaluating concerns

Where the headteacher is notified of a safeguarding concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated, e.g. where a child is at immediate risk of harm. When deciding if a concern is low-level, the headteacher will discuss the concern with the DSL and the deputy headteacher, and will seek advice from the LADO where there is any doubt about whether the concern in fact meets the harm threshold. When seeking external advice, the headteacher will ensure they adhere to the Data Protection Policy, and the information sharing principles outlined in the Child Protection and Safeguarding Policy, at all times.

To evaluate a concern, the headteacher and DSL will:

- Speak to the individual who raised the concern to determine the facts and obtain any relevant additional information.
- Review the information and determine whether the behaviour displayed by the individual about whom the concern was reported is consistent with the Staff Code of Conduct and the law.
- Determine whether the concern, when considered alongside any other low-level concerns previously made about the same individual, should be reclassified as an allegation and dealt with alongside the Allegations of Abuse Against Staff Policy.
- Consult with, and seek advice from, external agencies when in doubt over the course of action to follow.
- Speak to the individual about whom the concern has been raised to inform them of the concern and to give them an opportunity to respond to it.

## 7 Acting on concerns

### Where the concern is unfounded

If it is discovered upon evaluation that the low-level concern refers to behaviour that was not considered to be in breach of the Staff Code of Conduct and the law, the headteacher will speak to the individual about whom the concern was made to discuss their behaviour, why and how the behaviour may have been misconstrued, and what they can do to avoid such misunderstandings in the future. The headteacher will also speak to the individual who shared the concern, outlining why the behaviour reported is consistent with school standards



and the law. The headteacher will take care to ensure that conversations with individuals who reported concerns that transpired to be unfounded do not deter that individual from reporting concerns in the future.

The headteacher will discuss the concern with the DSL (and if they have been involved, the LADO) to discern whether the behaviour, and the reporting of this behaviour, is indicative of ambiguity in the school's policies or procedures, or the training it offers to staff. Where such ambiguity is found, the DSL and headteacher will work together to resolve this with input from other staff members, as necessary.

If a concern has been raised via a third party, the headteacher will 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 the concern is low-level**

Where the headteacher determines that a concern is low-level, the school will respond to this in a sensitive and proportionate manner. The following procedure will be followed:

- The DSL will hold a meeting with the individual about whom the concern was reported, during which they will:
  - Talk to the individual in a non-accusatory and sympathetic manner.
  - Inform them of how their behaviour was perceived by the individual who reported the concern (without naming them, where possible).
  - Clearly state what about their behaviour was inappropriate and problematic.
  - Discuss the reasons for the behaviour with the individual.
  - Inform the individual clearly what about their behaviour needs to change.
  - Discuss any support that the individual may require in order to achieve the proper standards of behaviour.
  - Allow the individual the opportunity to respond to the concern in their own words.
- The DSL will ask the individual to re-read the Staff Code of Conduct depending on the nature of the concern.
- The DSL and the headteacher will consider whether the individual should receive guidance, supervision or any further training.
- Where considered appropriate in the circumstances, the headteacher will develop an action plan, with input from the individual, that outlines ongoing and transparent monitoring of the individual's behaviour and any other support measures implemented to ensure the staff member's behaviour improves.
- Where it is necessary to undergo an investigation into the behaviour, this will be done discreetly, and information will only be disclosed to individuals on a need-to-know basis.
- Where any pupil or other individual has been made to feel uncomfortable by the individual's behaviour, they will be offered pastoral support, where appropriate.

The headteacher will ensure that all details of the low-level concern, including any resultant actions taken, are recorded and securely stored in line with the **Records Management Policy** and the Data Protection Policy. The headteacher will ensure that these records are kept organised and up-to-date, and that it is easy to refer back to them if any other concerns are reported about the same individual.

The specific approach to handling low-level concerns will be adapted on a case-by-case

basis. It is unlikely that a low-level concern will result in disciplinary procedures; however, individuals may be given warnings in line with the Disciplinary Policy and Procedure where behaviour does not improve once it is brought to their attention. Where behaviour does not improve over a longer period of time, the concerns will be escalated and dealt with in line with the Allegations of Abuse Against Staff Policy.

### **Where the concern is serious**

The headteacher may decide upon evaluation that a concern is more serious than the reporter originally thought, e.g. when viewed in conjunction with other evidence or other concerns made about the same individual. Where this decision is made, the concern will be escalated, and dealt with as an allegation. The headteacher will then follow the procedures laid out in the Allegations of Abuse Against Staff Policy.

## **8 Record keeping**

The school will retain all records of low-level concerns, including those that were found to be unfounded. The headteacher will ensure that all records include the most accurate and up-to-date information and **will store them in the electronic low-level concerns file**. The headteacher will ensure that all low-level concerns are stored together, in an organised and consistent manner, to ensure they can be easily reviewed and analysed where necessary

Records will include:

- A clear and comprehensive summary of the concern.
- The context in which the concern arose.
- Details of how the concern was followed up and resolved.
- A note of any action taken, decisions reached, and the outcome.
- The name of the individual sharing concerns – if the individual wishes to remain anonymous, this will be respected as far as reasonably possible.
- The rationale for decisions made regarding any concerns.

The DSL will periodically review the recent low-level concerns made to ensure that they are being appropriately dealt with and to check for any concerning behaviour patterns amongst the staff cohort as a whole. The DSL will keep records of these reviews.

Where any concerning patterns of behaviour have been identified with regard to a member of staff, the DSL will consult with the headteacher to decide on a course of action. Where a pattern of behaviour has become so concerning that it meets the harms threshold, this will be referred to the LADO as soon as practicable. It should be considered whether there are any wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies, including this one, could be revised, or extra training provided to staff to decrease the risk of it happening again.

Records of low-level concerns will not be kept in the personnel file of the individuals to whom the concerns pertain, unless there have been multiple low-level concerns made about the same individual. Where a concern is thought to be serious and is processed as an allegation, records of this will be kept in staff personnel files. Where multiple low-level concerns have been made about the same individual, these will be kept together, and in chronological order.

Where an allegation is made about an individual who has previously been subject to such allegations, or where a low-level concern is reclassified as a serious concern after meeting the harms threshold, all records of low-level concerns about that individual will be moved to

the staff personnel file and kept alongside records of the allegation.

In line with the Data Protection Policy, records will be kept confidentially and held securely to comply with the Data Protection Act 2018 and the UK GDPR. The school will consider how long information needs to be retained; however, it will be retained at least until the individual leaves their employment.

When providing employment references, the school will ensure that any information provided confirms whether they are satisfied with the applicant's suitability to work with children, and only provide the facts of any substantiated safeguarding concerns or allegations, including a group of low-level concerns about the same individual, that meet the harm threshold. Any repeated low-level safeguarding concerns or allegations which do not meet the harm threshold which have been found to be false, unfounded, unsubstantiated, or malicious will not normally be included in any reference.

The headteacher will decide in exceptional circumstances if a reference cannot be provided or if certain questions asked by the prospective employer cannot be answered, with HR advice sought when appropriate.

### **Kent LADO Education Safeguarding Advisory Service (LESAS) – Support for Kent Children's Workforce**

### **Local Authority Designated Officer (LADO) - Kent Safeguarding Children Multi-Agency Partnership**

**To speak to the LADO regarding an allegation against a member of staff, complete a referral on the Kent Integrated Children's Services Portal.**

## **9 Monitoring and review**

This policy will be reviewed **annually** by the headteacher and DSL, and in response to any new safeguarding requirements or concerns surrounding the wider cultural issues in the school. The next scheduled review for this policy is **January 2026**.

## Appendix A - Low-level Concern Reporting Form

Thank you for reporting your concerns to the safeguarding team; we are grateful to you for taking the safety and welfare of our pupils seriously. Please fill in the below form, including as much detail as you can, and return it directly to the headteacher or DSL. Please refrain from discussing this concern with anyone other than the headteacher or DSL until the matter has been dealt with. We ask that you keep all details, including the name staff member to whom the concern pertains, confidential.

Your details			
Name (optional)			
Role			
Date and time of completing this form			
Details of individual whom the concern is about			
Name			
Role			
Relationship to the individual reporting the concern, 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 Staff Code of Conduct?</p>			
Details of any children or young people involved			
Name(s)			
Do you believe there is a risk of harm to the above children or young people, either now or in the future, as a result of the individual's behaviour? Explain your answer.			
Next steps			
What would you like to see happen in response to your concern?			
Are you willing to meet with the headteacher and DSL to discuss your concern? Please circle as appropriate.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center; padding: 5px;">Yes</td> <td style="width: 50%; text-align: center; padding: 5px;">No</td> </tr> </table>	Yes	No
Yes	No		

<b>Please state any other information that you believe is relevant to the processing of this concern.</b>	
<b>Signature</b>	
<b>For use by safeguarding team upon receipt of concern</b>	
<b>Date and time concern received</b>	
<b>Signature of DSL or deputy DSL</b>	
<b>Actions to be taken</b> (e.g. no action, investigation, reclassification as allegation meeting the harms threshold.)	
<b>Rationale for deciding on actions above</b>	

Date of Review – January 2026