Outcomes First Group

LOW LEVEL CONCERNS POLICY

Hillingdon Manor School

LOW LEVEL CONCERNS POLICY

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Definitions: The terms "our teams" and "team member/s" include everyone working in Outcomes First Group's services in any capacity, including employees, consultants, agency staff and contractors. It applies when working offline, online, on-site and off-site.

1.0 POLICY SCOPE

This policy reflects the statutory requirement for all schools and colleges in England as set out in Section Two of Part Four of Keeping children safe in education (KCSiE) 2025. Outcomes First Group also requires our settings in Wales and Scotland to follow this policy as it provides good practice.

This policy applies to all schools, colleges and education settings in the Group and to all team members.

2.0 PURPOSE OF POLICY

We are committed to ensuring that all of the children and young people we support are effectively safeguarded at all times. A whole school/ college approach is required to ensure safeguarding and child protection are embedded in all decisions, planning, policy and day-to-day operations and activities.

Early identification of any inappropriate behaviours, conduct and attitudes displayed by adults, and the prompt and appropriate management of such concerns, is fundamental to effectively safeguarding our children and young people. Having clear procedures for responding to such concerns is part of creating a culture of openness, transparency and trust where concerns can be identified, raised and openly discussed. This helps to promote an effective and robust safeguarding culture and system to minimise the risk of possible abuse or harm. The procedure for self-reporting or reporting a concern of this nature is referred to as a 'Low Level Concern.'

This policy must be read by all team members, alongside the setting's Safeguarding Policy and the Outcomes First Group's Code of Conduct and Ethics, Managing Allegations Against Staff Procedures and Whistleblowing Policy.

3.0 WHAT ARE LOW-LEVEL CONCERNS?

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/college** may have acted in a way that is inconsistent with the Group's Code of Conduct & Ethics, including inappropriate conduct outside of work, but does not meet the allegations threshold or is not considered serious enough to consider a referral to the Local Authority Designated Officer or local equivalent.

The Headteacher, Principal or equivalent is the ultimate decision maker in respect of low-level concerns. If the concern is about the Headteacher, Principal or equivalent the Regional Director will be the decision maker.

The Regional Director is responsible for maintaining oversight of the low-level concern logs in each of their schools and will review them on a termly basis as a minimum.

4.0 CLARITY AROUND ALLEGATION vs LOW-LEVEL CONCERN

An **Allegation** refers to any adult linked to the school or college who 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 he or she 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.

A **Low-level Concern** refers to any adult linked to our school who has behaved in a way that:

- causes team members to have a 'nagging doubt' about the way in which other adults behave or interact with children, or how their own actions could be viewed should be notified.
- is potentially inconsistent with the Group's *Code of Conduct and Ethics,* 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 Local Authority Designated Officer or local equivalent.

More detailed guidance and case studies on low-level concerns can be found in:
Developing and implementing a low-level concerns policy (farrer.co.uk)

5.0 THE SETTING'S COMMITMENT

We are committed to safeguarding and promoting the welfare of children and young people and expect all team members to share this commitment and be clear about the professional boundaries expected of them.

The school/college is committed to creating an open and transparent culture, which allows team members to raise concerns about other team members, including where the threshold for an allegation is not met. Any concerns can then be shared responsibly with the appropriate person, recorded and dealt with as required in order to help protect children and young people from possible harm and abuse.

6.0 SHARING LOW LEVEL CONCERNS

There may be occasions when an incident occurs which causes a team member to have doubts about the behaviour of another team member towards a child or young person. On other occasions, a team member may identify concerns about their own behaviour in a specific situation, and how this may be misinterpreted by others. Such situations could put the team member in a potentially vulnerable position. Following an incident, they may reflect and identify how they could have acted differently. It is important that such occasions and/or incidents which might give rise to such concerns are reported promptly to the Headteacher or equivalent. In many cases, there is likely to be an innocent and reasonable explanation for what has occurred. However, these concerns must be documented so that any patterns of behaviour can be identified and addressed.

All low-level concerns must be shared with the Headteacher, Principal or equivalent. **The DSL must inform the Headteacher, Principal or equivalent** of any low-level concerns reported to them, in a timely fashion according to the nature of each particular low-level concern. **The Headteacher, Principal or equivalent is the ultimate decision maker in respect of low-level concerns.** If the concern is about the Headteacher, Principal or equivalent, the Regional Director will be the decision maker.

Examples of circumstances in which a team member should make a low-level concern are as follows:

- any incident where s/he feels that his/her actions or behaviour towards a child/young person could be misinterpreted
- any incident which a team member is aware of actions of a colleague towards a child young person which could be misinterpreted
- any incident of which a team member is aware that the interactions of another team member with a child/ young person are not appropriate to the child's age or developmental need at that time
- inadvertent email, messaging, use of social media sites or other communication between a team member and children/young people outside agreed protocols
- any unsupervised contact with a child/young person other than in the context of a one-to-one lesson or discussion about academic, extracurricular or pastoral issues or other situations which fall within expected boundaries of professional conduct
- any incident where a team member has been alone with a child young person or transporting children or young people in a vehicle where this has not been authorised in advance
- any inadvertent and potentially inappropriate social contact with children or young people outside of school or college (such as restaurants or pubs)
- if a child or young person uses a team member's home address, mobile or home phone number, or private e-mail address
- one-to-one contact with a child/young person on a school trip [residential / non-residential] which falls outside expected boundaries of professional conduct
- use of inappropriate or concerning language around children and young people or to other team members

This is not intended to be an exhaustive list but representative. Anything which causes team members to feel concerned about the way in which other adults behave or interact with children and young people, or how their own actions could be viewed should be notified. This is in order to protect both children/young people and the team members involved.

7.0 LOW LEVEL CONCERNS PROCESS

The purpose of a low-level concerns process is to protect both children/ young people and the team members working with them. It provides a system for recording observations or situations where there are concerns that do not meet the threshold criteria for referral to the Local Authority Designated Officer or local equivalent.

The Headteacher, Principal or equivalent must maintain a confidential record log of any low-level concerns received which must be monitored regularly and reviewed by the Regional Director/Operational Director both on site and as part of governance meetings. The log should be used to identify any potential patterns of concerning, problematic or inappropriate behaviour. Any concerns about the Headteacher, Principal or equivalent will be monitored and reviewed by the Regional Director.

Where there are three or more recorded low-level concerns in relation to the same team member, the Headteacher, Principal or equivalent must notify HR peopleadvice@ofgl.co.uk so the collective concerns can be reviewed and further action taken as required. Advice and support can also be sought from safeguarding@ofgl.co.uk. All reviews must be clearly recorded on HR file and on the low-level concern log.

Low-level concerns which are shared about supply staff and contractors should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

If there is any doubt as to whether the information which has been shared about a team member as a low-level concern in fact meets the harm threshold, they should consult with their Local Authority Designated Officer or local equivalent and notify the safeguarding@ofgl.co.uk

7.1 Procedure following report of a low-level concern

Following receipt of a concern, the Headteacher, Principal or equivalent will gather information as required depending on the concern being raised. All information received will be documented in writing. Records will be kept confidential and shared only with the relevant team members, if and when the threshold criteria is met. They will be kept separately from the team member's personnel record and not referred to in references.

A team member who raises a low-level concern in good faith will suffer no detriment as a result of raising a concern. However, failure to make a low-level concern notification could constitute misconduct and lead to the implementation of the Group's Disciplinary Policy and Procedure.

The team member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Headteacher, Principal or equivalent and DSL. There may be instances where behaviour and conduct are witnessed by multiple team members. All team members are responsible for addressing and reporting low level behaviour concerns as individuals and not as a group.

The Headteacher, Principal or equivalent will determine what action must be taken following the concerns being raised; This may involve speaking to the team member the concern has been raised about, which may include:

- what changes need to be made
- agree a support plan and /or additional training if required
- consequences of repeated behaviour/actions

The team member/s will be directed not to discuss with colleagues or attempt to investigate where the reported concern came from.

Unprofessional behaviour must be addressed, and the individual supported to correct it at an early stage. Where there is clear evidence that a team member's conduct has breached the Group's Code of Conduct & Ethics, the Disciplinary Policy and Procedure must be followed. Contact HR Operations for advice: peopleadvice@ofgl.co.uk

8.0 STORING AND HANDLING OF LOW-LEVEL CONCERNS INFORMATION

Low-level concerns must be recorded and retained so they can be evaluated over time to identify any concerning patterns of behaviour. A record of any discussions with a team member about the low-level concerns must also be kept and retained. These discussions will be stored securely, separately from the team member's personnel record within the school's/college's safeguarding systems, with access only by the Headteacher, Principal or equivalent and DSL.

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. Should the team member leave the school/ college, any record of low-level concerns which are stored about them will be reviewed by the Headteacher, Principal or equivalent as to whether or not that information needs to be kept. The Regional Director will make the decision if there are any low-level concerns about the Headteacher/Principal or equivalent.

Secure arrangements must be in place for the internal handover of this information if the Headteacher, Principal or equivalent leaves the school/college, are off on long-term sick leave etc.

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 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.

Records will be stored in accordance with the Group's GDPR and Data Protection policies. The Group's Legal Team can be consulted for advice.

The treatment of personal data for the purpose of personnel files and references is important. The school/college must retain a copy of all substantiated, unsubstantiated or false allegations on a team member's personnel file but should refer only to substantiated allegations in references.

Low-level concerns which do not individually or collectively meet the threshold for referral will be retained in a confidential, school/college safeguarding file but not on personnel files or used on references.

The recording of information should be done following the exercise of sound professional judgement as to what information is necessary for safeguarding purposes. That information, once recorded, must be stored safely and securely only the Headteacher, Principal or equivalent and DSL should have access to it. Individuals can request access to information held on them in line with GDPR.

Regular review and oversight of low-level concerns by the Headteacher, Principal or equivalent is required to ensure that the concerns are being handled appropriately and proportionately, that no concerns meet the threshold of an allegation, and that any subtle patterns of concerning behaviour are spotted.

8.1 Oversight and Governance

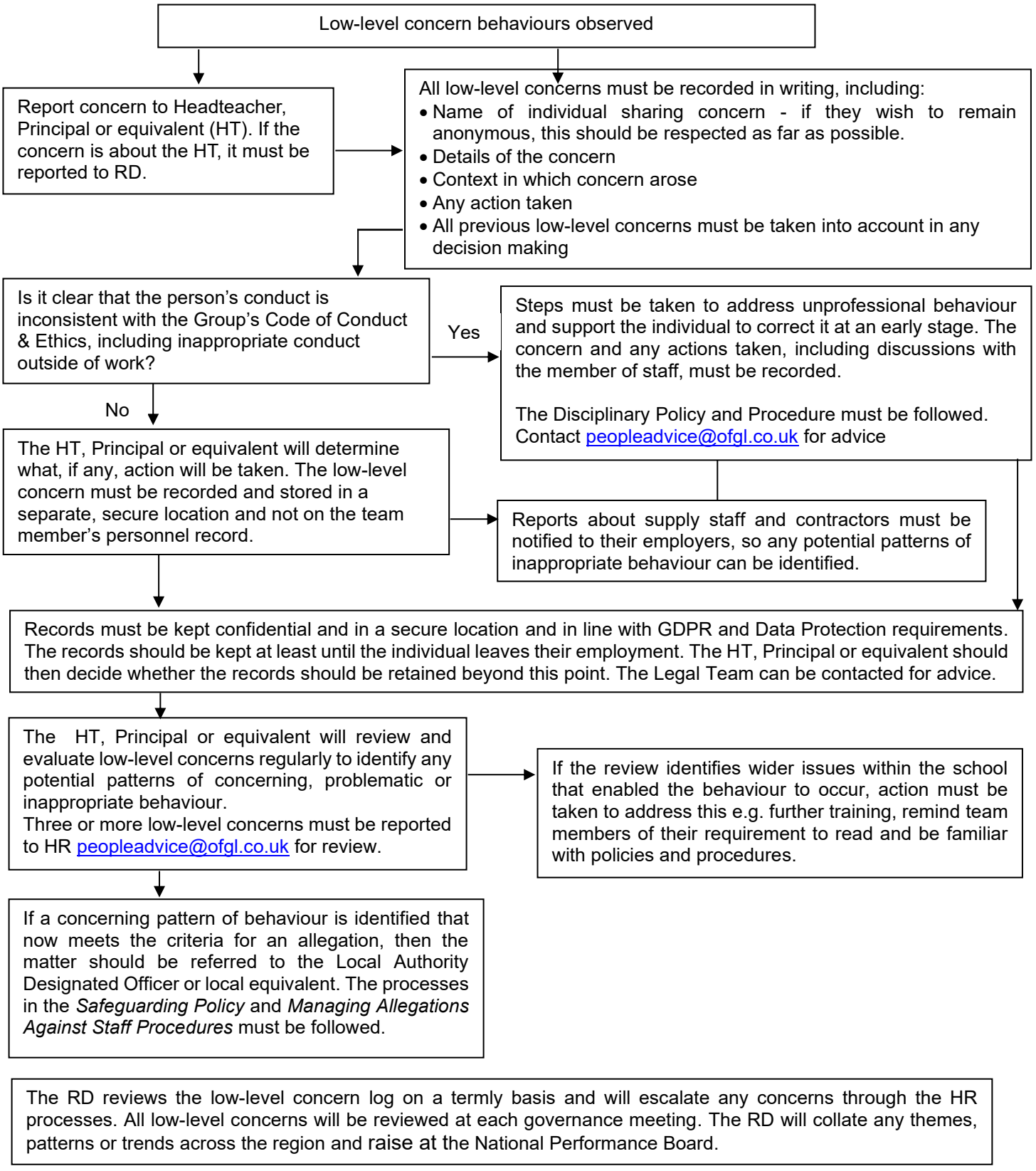
The Regional Director is responsible for maintaining oversight of the low-level concern logs in each of their schools and will review them on a termly basis as a minimum.

Where the Regional Director has any significant concerns about a member of staff due to information in the log, they will ensure escalation through the appropriate Human Resources process. (Please refer to Human Resources policies and/or seeking advice from the Human Resources Advisor peopleadvice@ofgl.co.uk).

All low-level concerns should be reviewed at each governance meeting where the Regional Director will collate any themes, patterns or trends across the region to be raised at the National Performance Board.

9.0 APPENDIX A – Low Level Concerns Flowchart

This process should be followed when there is a concern, but it does not meet the threshold for referral to the Local Authority Designated Officer or local equivalent.



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