



SANDWELL ACADEMY



Managing Low Level Concerns

July 2025

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Introduction

The purpose of the policy is to help create a culture in which the clear values and expected behaviours which are set out in the Code of Conduct are adhered to and regularly monitored and reinforced by all adults working with children; where these adults can be confident about sharing low level concerns, and Sandwell Academy can respond to any perceived breaches of the rules which should help to create a safer and more open culture. Sandwell Academy promotes a culture in which safeguarding students 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.

This policy will provide additional guidance and support as well as highlighting the importance of sharing low-level concerns. This policy works within the range of safeguarding policies in school and adheres to the following statutory Guidance and Legislation:

- Children Act 1989 & 2004
- Education Act 2002
- Data Protection 2018
- Keeping Children Safe in Education 2024
- Working Together to Safeguard Children 2023

Statement of Intent

Sandwell Academy aims to create a culture in which all concerns about adults (including where the threshold for an allegation is not met) are shared responsibly, dealt with appropriately and recorded effectively.

By having an open and transparent culture, we are able to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that all staff/supply staff/ volunteers are clear about professional boundaries and act within them, in accordance with the ethos of our school. This will also help safeguard against malicious allegations.

We recognise the importance of addressing, recording and reporting all safeguarding concerns, regardless of their apparent severity. We understand that, while a concern may be perceived as low-level, it could escalate over time to become a significant safeguarding issue.

All of our staff are expected to adhere to high standards of professional conduct and recognise there may be some cross over with conduct in their personal life. We are fully committed to responding to any concerns that may arise to ensure the safety of our students is prioritised and the risks of any potential harm is reduced.

Differentiation between an Allegation and a Low-Level Concern

Behaviours can exist on a wide spectrum, from the unintentional or thoughtless, through to that which is ultimately intended to enable abuse – see Appendix A.

Concerns should not be limited to Safeguarding but could relate to behaviour which does not meet the code of conduct and professional standards expected from any individual working within this school.

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 accusations that an adult has:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offence against or related to a child and/or;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or

- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

An allegation can also relate to an adult's behaviour outside of work, and their relationships with others, if they have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include;

- an arrest for the possession of a weapon;
- Drug related incident;
- have, as a parent or carer, become subject to child protection procedures;
- are closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/volunteering.

N.B; There is a transferrable risk with behaviours in the workplace, at home or in the community.

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set above. Sandwell Academy understands that many serious safeguarding concerns such as child sexual abuse, can often begin with low-level concerns, e.g. being overly friendly with a child. A concern could be no more than causing a sense of unease or a 'nagging doubt'.

A low-level concern is any concern that an adult working in or on behalf of the Academy may have acted in a way that:

- is not consistent with our Code of Conduct; and/or
- 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; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of inappropriate behaviour that could potentially constitute a low-level concern may include, but are not limited to:

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

Some of the low-level concerns examples listed may meet the harms threshold depending on certain factors, e.g. the age or needs of the child or the type of contact; furthermore, some examples may not be concerns in context, e.g. a pre-reported and approved one-to-one meeting with a child behind a closed door where a robust risk assessment has taken place. The context for all low-level concerns will be considered when determining the response.

Behaviour which raises concerns may not be intentionally inappropriate, but that this does not negate the need to report the behaviour.

Responsibilities of staff

It is important that all staff are clear of the expectations the Academy stipulates from them as contained in the Staff Code of Conduct. This is covered annually by the Designated Safeguarding Lead, and as part of the school's induction for new staff.

It is crucial that any concerns in relation to a staff member's behaviour, including those which do not meet the harm threshold, are shared responsibly with the Headteacher. This should be done without delay. Should there be any doubt regarding whether the behaviour of another adult is appropriate, this should be reported to the Headteacher (or if the concern relates to the Headteacher reported to Chair of Governors) immediately.

Staff members who are concerned about how their behaviour may have been interpreted, or, on reflection, re-evaluate their behaviour as one that may have been in contrary to the Academy's code of conduct and expectations, should self-refer to the Headteacher or the Designated Safeguarding Lead for guidance.

Reporting

Staff will be given the option of sharing their low-level concern verbally with the Headteacher in the first instance, or by completing a simple low level concerns form, an example of which can be found in Appendix C. Where a low-level concern is provided verbally, the Headteacher will ensure an appropriate record of the conversation is taken.

Where the Headteacher is unavailable, the information can be reported to the Designated Safeguarding Lead (or deputy), i.e. the most senior member of SLT acting in this role.

Where a low-level concern relates to the Headteacher, the concern should be reported to the Chair of Governors. The Chair of Governors will consider the concern within context, seeking appropriate advice (e.g. LADO and/or the TTMAT HR)

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.

The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the relevant personnel, e.g. Headteacher, Designated Safeguarding Lead, Chair of Governors.

Responding to concerns

When the Headteacher (or Chair of Governors as appropriate) has received a low-level concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated.

To evaluate a concern, the Headteacher should:

- speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary, or completed low-level concerns form has been provided;
- review the information and determine whether the behaviour:
 - is entirely consistent with the Academy's Code of Conduct and the law,
 - constitutes a low-level concern,
 - is serious enough to consider a referral to the LADO, or
 - when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified (escalated) as an allegation and referred to the LADO/other relevant external agencies;
- refer to the Designated Safeguarding Lead if required, and where the Safeguarding Lead is in any doubt whatsoever, they should seek advice from the LADO, on a no-names basis if necessary;
- speak to 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);
- make appropriate records of:
 - all internal conversations – including with the person who initially shared the low-level concern (where this has been possible),
 - the adult about whom the concern has been shared (subject to the above), and any relevant witnesses;
 - all external conversations – for example, with the LADO/other external agencies (where they have been contacted, and either on a no-names or names basis)
 - Details of action taken, decisions reached, and the outcome.

The Headteacher/Chair of Governors may need to seek advice from an external source, which they will do whilst adhering Data Protection protocols.

Where it is determined that a low-level concern refers to action that breaches the Staff Code of Conduct and/or the law, the school will respond to this in a sensitive and proportionate manner. Upon evaluation, it may be determined that a low-level concern is more serious, requiring escalation and/or treating as an allegation, e.g. considered more serious alongside previous concerns or meets the harms threshold as stated in the Academy's Safeguarding Policy. Breaches of the Staff Code of Conduct and/or the law will be managed in accordance with the Non-Contractual Disciplinary and Capability procedure and, where appropriate, the Allegations Against Staff policy.

If it is determined upon evaluation that the low-level concern refers to behaviour that does not breach the Staff Code of Conduct or the law, the Headteacher or an appropriate Senior Leader 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.

Record Keeping and Monitoring

The Academy will retain (in accordance with the Data Protection policy) all records of low-level concerns, including those determined not to refer to breaches of the Staff Code of Conduct or the law.

Where a low-level concern is provided verbally, the Headteacher will make an appropriate record of the conversation, either immediately following the discussion or as soon as possible afterwards.

The Headteacher will review the recent low-level concerns log on a termly basis to identify any concerning behaviour patterns amongst staff.

Records of low-level concerns will not be kept in the personnel file of the individuals to whom the concerns pertain. Where a low-level concern is determined to be more serious and is processed as an allegation, records of this will be kept in staff personnel files.

Where a low-level concern is reclassified as a serious concern, all records of low-level concerns about that individual will be moved to the staff personnel file and kept alongside records of the allegation.

The Academy will retain the information for the period of an individual's employment.

Appendix A – Spectrum of Behaviour

Allegation

Behaviour which indicates that an adult who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

Low-Level Concern

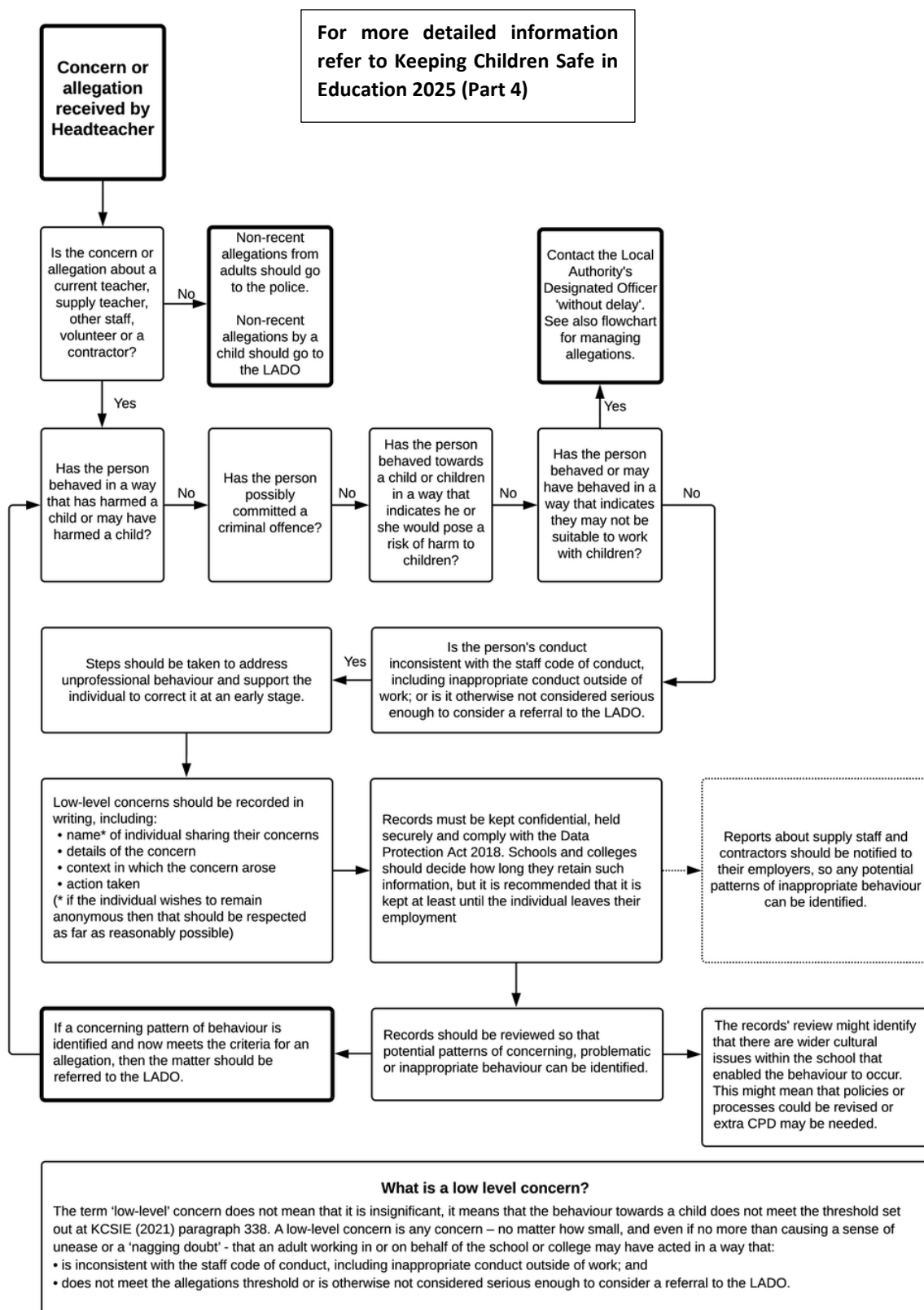
Any concern – no matter how small, even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with an organisation’s Code of Conduct, and/or
- 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.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation’s Code of Conduct, and the law.

Appendix B - Process to follow when a Low-Level Concern is raised



Appendix C –Low Level Concern Form (email to ltomkins@sandwellacademy.com)

Please use this form to share any concern that an adult may have acted in a manner which:

- is not consistent with Sandwell Academy Code of Conduct, and/or
- 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.

Please brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible – of any such concern and relevant incident(s) (and please use a separate sheet if necessary).The record should be signed, timed and dated.

Date of form:

Date of Incident:

Name & Signature:

Position Role:

Description of Concern:

Reported by if different to above: