Special Partnership Trust

LOW LEVEL CONCERNS
Policy and Guidance
(Surrounding Adults Working With or Around Children)

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1. Introduction

1.1. At The Special Partnership Trust, we aim to create an open and transparent culture where all concerns about all adults involved with our schools are dealt with promptly and appropriately.

1.2. Creating a culture in which all concerns about adults (including those that do not meet the threshold of an allegation) are shared responsibly and with the right person, and recorded and dealt with appropriately, is critical. If implemented correctly, this should encourage a more open and transparent culture; enable individual schools to identify concerning behaviour early; minimise the risk of abuse; and ensure that adults working within our Trust or on behalf of the Trust (including supply teachers, volunteers and contractors) are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of The Special Partnership Trust.

1.3. In line with KCSIE Relationships, Sex and Health Education (RSHE) guidance, The Special Partnership Trust promotes respectful relationships between staff and pupils. All staff are expected to model appropriate boundaries and uphold the principles of RSHE, including personal space, consent, and emotional safety.

1.4. This policy should be read alongside our Safeguarding and Child Protection, Whistleblowing, Grievance, and Staff Code of Conduct Policies.

2. Summary

2.1. It may be possible that a member of staff acts in a way that does not cause risk to children but is however inappropriate. The Special Partnership Trust is committed to cultivating a culture of staff being able to, in a safe and professional manner, challenge behaviours that cause offense or cause an atmosphere of feeling uncomfortable.

2.2. As part of our commitment to having zero tolerance on child on child abuse all school-based staff have attended or been briefed on the importance of respecting each other's personal space (for example using Gweres Kernow's 'Bubbles' training). All staff are requested to utilise their understanding of peer-on peer abuse training and mindset when giving and receiving feedback on behaviour to/from colleagues and how to resolve low level behaviours within our work force.

2.3. Any member of staff who has a concern about the action/s of another member of staff, volunteer or contractor, or who on reflection, recognises that their own actions could have been viewed as concerning should inform the Headteacher. If the concern is relating to the Headteacher then the CEO/Director of the Special Partnership Trust should be informed.

2.4. The Special Partnership Trust recognises that a low-level concern about a member of staff may be raised by an external agency, community or family member. In this instance it will be the Headteacher's responsibility to have an open and honest discussion with the member of staff.

3. Keeping Children Safe in Education September 2026

The following is taken from Keeping Children Safe in Education September 2026 and identifies what may be considered behaviour relating to low level concern:

3.1. <u>What is a low-level concern (LLC)?</u>

506. The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the harm threshold set out in Part four, Section one (paragraph 434 of the KCSIE guidance (and in section four of this policy in the red box). 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 or college may have acted in a way that:

- *is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and*
- *does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.*

3.2. <u>Examples of such behaviour could include, but are not limited to:</u>

- *being over friendly with children;*
- *having favourites;*
- *taking photographs of children on their mobile phone,contrary to school policy,;*
- *engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,*
- *humiliating children*
- *using inappropriate sexualised, intimidating or offensive language.*

3.3. Erosion of Boundaries

507. Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

508. Low-level concerns may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

509. It is crucial that all low-level concerns are shared responsibly and with the right person, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from potential false allegations or misunderstandings.

Under section 514 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.

3.4. At The Special Partnership Trust we have created and maintain a safe environment for our pupils to remain safe from harmful adults. Our Code of Conduct is robust and incorporates all of the above guidance. However, this guidance is to ensure staff/volunteers/partners are responsible for their actions at all times.

Examples that may need to be reported:

- Staff that befriend families online who they have met through their role within The Special Partnership Trust
- Staff that come to mind in Safer Recruitment/Safeguarding training ('flying low of radar')
- Staff who shout or speak disrespectfully to or about children
- Staff who make you feel intimidated and/or make staff feel uncomfortable
- Staff that are impacting negatively on the dynamics of a team (this may include negativity, 'moaning and groaning')
- Staff that adopt risky 'alter egos' online
- Staff that are online' influencers' and use their role within The Special Partnership Trust to meet their own needs (for example, to promote their own business or enterprise)

- Staff who share, endorse, or engage with online content that includes misinformation, disinformation, conspiracy theories, or extremist views. This includes reposting or 'liking' material that undermines safeguarding, equality, or the reputation of the Trust
- Staff who 'like' or 'share' inappropriate/extreme material or opinions on social media (for example, making, liking or sharing derogatory comments about individuals or groups with protected characteristics)
- Staff that are unable to safeguard their own children
- Staff who display coercive/controlling behaviour outside or inside the workplace
- Staff that do not role model the ethos of modern Safeguarding in Education
- 'Personality' cannot be an excuse; as this is also a potential sign of grooming. For example, 'It is just person X they are always like that'

3.5. Staff have a right to a private life. However, off-duty conduct may be reviewed if it undermines safeguarding, breaches the Staff Code of Conduct, or impacts the Trust's reputation. Examples include coercive behaviour, inappropriate online personas, or public commentary that contradicts the ethos of safeguarding in education.

3.6. Staff should be assured that The Special Partnership Trust understands that dynamics/relationships within families, neighbours and friendship groups can break and our Headteachers will be mindful of assessing delicate personal details. Concerns of this nature will be handled with respect alongside your human right to have a 'personal life' and to be protected from malicious allegations. However, off-duty conduct may be reviewed if it undermines safeguarding, breaches the Staff Code of Conduct, or impacts the Trust's reputation. Examples include coercive behaviour, inappropriate online personas, or public commentary that contradicts the ethos of safeguarding in education.

4. Clarity around Allegation vs Low-Level Concern vs Appropriate Conduct

Allegation:
Any adult linked to our school 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 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.

Low Level Concern:

Any adult linked to our school who has behaved in a way that:

*Is inconsistent with the staff code of conduct and ethos of The Special Partnership Trust 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 LADO.

Appropriate:

*Behaviour which is entirely consistent with our school's Code of Conduct, and the Law.

4.1. Behaviour that discriminates against or undermines individuals with protected characteristics (as defined by the Equality Act 2010) will be treated as a low-level concern or allegation depending on severity. This includes verbal, written, or online conduct that is derogatory, exclusionary, or intimidating.

5. Storing and use of Low-Level Concerns and Follow-up Information

5.1. Low Level Concerns (LLC) information will in the first instance be informal. However, if once a staff member has challenged low level behaviour and it continues, the Headteacher will address the behaviour/conduct. A record of these informal and escalated discussions will be stored securely within the school's safeguarding systems, with access only by the Headteacher and DSL. All adults will be shown how to record and report low level concerns during their induction to school.

5.2. This will be stored in accordance with the school's GDPR and data protection policies.

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

5.4. 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 staff leave The Special Partnership Trust, any record of low-level concerns which are stored about them will be reviewed as to whether or not that information needs to be kept.

5.5. 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 so as 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.

5.6. In accordance with UK GDPR and the Employment Rights Bill (2025), staff have the right to access records held about them. Any record of low-level concerns will be retained only where there is a lawful basis and safeguarding justification. Records will be reviewed periodically to ensure compliance with data minimisation and retention principles.

6. Process to Follow when a Low-Level Concern is Raised

6.1. The Headteacher (or designated SLT/DSL/DDSL) will discuss reported concerns with the member of staff. It may not be necessary to name the complainant unless the concern is escalated to formal proceedings. (see relevant policy – Safeguarding; Grievance; Complaint; Staff Code of Conduct; Disciplinary procedure; Whistleblowing)

6.2. The Headteacher (or designated SLT/DSL/DDSL) will discuss

- what changes need to be made
- agree a support plan if required
- any further action
- consequences of repeated behaviour/actions
- time scale (normally immediate)

6.3. The Headteacher will be mindful of disguised compliance, where the staff member says what is required but minimises said behaviours/actions and little changes.

6.4. The member of staff will be directed not to discuss with colleagues and attempt to investigate where the reported concern came from.

6.5. Where multiple low-level concerns are raised about the same individual, the Headteacher/DSL must consider whether the cumulative pattern meets the threshold for referral to the LADO. Advice should be sought if there is any doubt.

6.6. Please note where repeated low-level concerns take place without improvement, this may be an indication of a more serious concern and LADO advice would be sought.

Please remember this policy is focused at keeping children, community, and staff safe.

7. Examples From Cases – Two Serious Case Reviews

Nigel Leat was a classroom teacher who taught at a first school in Somerset for fifteen years. A disclosure by a child to her mother in 2010 led to the discovery of his abuse. It is now known that 20 pupils were witnesses to or possible victims of sexual abuse by Nigel Leat. At a court hearing in May 2011 Nigel Leat pleaded guilty to 36 sexual offences, including 22 counts of sexually assaulting a child under 13 and eight counts of sexual assault by penetration of a child under 13.

William Vahey was a history teacher who taught at ten international schools in nine different countries between 1972 and 2014. Vahey committed suicide in March 2014 following the discovery by a maid of indecent images of children on his computer. It is now known that he drugged and abused at least 54 students at an independent international day school in London where he taught for four years.

In both cases a number of staff, parents and pupils discussed concerns with each other or a member of the senior management team. A number of these concerns, taken in isolation, were not treated by the school as meeting the threshold for reporting to the LADO at the time. For example, Vahey *"undermined other staff and was disrespectful to junior staff,"* and *"gave out chocolates and sweets in class [and] cookies linked to games during evening activities"*. Leat *"had favourite pupils within his class [who were] invariably girls, and were variously described by staff members as pupils who were less academically able, emotionally needy or vulnerable"; "had been taking photographs of children using his mobile phone,"* and *"getting changed for PE in his class [which was] used as a thoroughfare by staff and pupils."*

Many concerns were not reported to anyone. In the case of Leat, only 11 of the 30 recorded incidents were reported to the school. All staff interviewed for the Serious Case Review said that it was common knowledge amongst school staff that Leat allowed pupils to be over familiar with him, and *"spoke to and joked with his pupils in a manner which was inappropriate to his role."* As the Serious Case Review explains, staff were sufficiently concerned about Leat's behaviour to attempt to ensure that pupils identified as likely favourites of his were allocated to other classes on the basis that remaining in Leat's class might be emotionally harmful to them. However, these staff did not report their concerns to the school child protection officer or Headteacher at the time.

Neither school had a formal mechanism for reporting, recording or handling these low-level concerns. As a result, when they were reported, the concerns were shared with different people and each concern was dealt with in isolation. No one person was

aware of all of the concerns, and no-one was therefore able to 'join the dots' and identify a pattern of concerning behaviour. Concerns, therefore, were either dismissed or, where they were investigated, they were viewed as isolated incidents and the staff member's explanation was accepted.

These and numerous other cases illustrate the importance of sharing, recording and handling low level concerns, so that concerning patterns of behaviour can be identified as soon as possible and appropriate action be taken swiftly in response.

8. Guidelines for Headteachers/SLT/DSLs

8.1. **Implementation** - the way in which the policy is communicated to staff is key. Carefully designed training that is engaging and includes scenario-based discussions should encourage buy-in from staff and volunteers and help to achieve the policy's objectives. In contrast, poor communication of the policy can create suspicion, confusion and toxicity which could be highly damaging to the organisational culture, decreasing rather than increasing reporting.

8.2. **Allegations v Concerns** - the relationship between low level concerns and allegations should be made clear. For example, the Headteacher/DSL receiving the low-level concern must always consider whether it meets the threshold for reporting to the designated officer of the local authority as an allegation. If they are in any doubt they should contact the designated officer for advice. Equally, a series of low-level concerns may cumulatively meet the threshold and need to be treated as such.

8.3. **Reporting Lines** – ideally all concerns should be reported to one person so that patterns can be identified.

8.4. **Handling Concerns** – handling concerns appropriately and proportionately will strengthen confidence of staff and volunteers. In contrast, handling concerns disproportionately or inappropriately will decrease rather than increase reporting. The way in which concerns are handled, and the identity of the person handling them, will necessarily depend on the context and nature of the concern being raised.

8.5. **Retention and Recording Concerns** - the treatment of personal data for the purpose of personnel files and references is important. KCSIE requires schools to retain a copy of all substantiated, unsubstantiated or false allegations on a staff member's personnel file but to refer only to substantiated allegations in

references. Low-level concerns which do not individually or collectively meet the threshold for referral to the LADO will be retained in a confidential, school 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, itself must be carefully treated, in terms of who has access to it, and who needs to know, oversee and review its contents (remembering that individuals have the right to access these records about them under data protection law).

8.6. **Oversight and Review** - the regular review of low-level concerns by the Headteacher and DSL/DDSL 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 behaviour are spotted.

8.7. Getting these points right should create a solid foundation to a transparent culture in which all concerns are shared openly and acted on appropriately. By contrast it can be hard to retrieve a situation if these areas are not considered carefully at the outset.

9. Flowchart – Decision Making for Reporting of Low-Level Concerns

