

# Tornedale Infant Academy



## LOW-LEVEL CONCERNS POLICY

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## 1. INTRODUCTION

As part of our whole school approach to safeguarding, at Tornedale Infant Academy we will promote an open and transparent culture in which **all** concerns about all adults working in or on behalf of the school (including supply teachers, volunteers, and contractors) are dealt with promptly and appropriately.

We will create a culture in which **all** concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately in line with UK GDPR. This will:

- enable us to identify inappropriate, problematic or concerning behaviour early
- minimise the risk of abuse
- ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with our ethos and values.

## 2. WHAT IS A LOW-LEVEL CONCERN?

At Tornedale Infant Academy we understand that the term 'low-level' concern does not mean that it is insignificant. 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 harm threshold or is otherwise not serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs 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.

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.

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.

We will ensure that all low-level concerns are shared responsibly 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 from becoming the subject of potential false low-level concerns or misunderstandings.

## 3. STAFF CODE OF CONDUCT AND SAFEGUARDING POLICIES

At Tornedale Infant Academy we will ensure that our staff code of conduct, behaviour policy and safeguarding policy and procedures are implemented effectively and ensure that appropriate

action is taken in a timely manner to safeguard children and facilitate a whole school approach to dealing with **any** concerns.

Please see other policies linked to staff conduct and safeguarding policies below which are available on our website:

- Code of Conduct
- Safeguarding Policy

We will ensure that we can achieve the purpose of our low-level concerns policy by:

- ensuring our staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others
- empowering staff to share any low-level safeguarding concerns
- addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- handling and responding to such concerns sensitively and proportionately when they are raised, and
- helping identify any weakness in the school's safeguarding system.

#### **4. SHARING LOW-LEVEL CONCERNS**

At Tortedale Infant Academy all low-level concerns are shared with the Headteacher. The Headteacher will be the ultimate decision maker in respect of all low-level concerns (unless the concern is regarding the Headteacher in which case it will be the Chair of Governors). The Headteacher may consult with the Assistant Headteacher and take a more collaborative decision-making approach.

Low-level concerns which are shared about supply staff and contractors will 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 has been shared about a member of staff as a low-level concern in fact meets the harm threshold, we will consult with the LADO.

Tel: 01302 737332

Email: [LADO@doncaster.gov.uk](mailto:LADO@doncaster.gov.uk)

- See Appendix 1: LADO Thresholds

At Tortedale Infant Academy we will create an environment where staff are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

#### **5. RECORDING LOW-LEVEL CONCERNS**

At Tortedale Infant Academy all low-level concerns will be recorded in writing. The record will include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns will also be noted, if the individual wishes to remain anonymous then that will be respected as far as reasonably possible.

- See Appendix 2: low-level concern form

Records will be kept confidential, held securely and will comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

Records will be reviewed so that potential patterns of inappropriate, problematic, or concerning behaviour can be identified. Where a pattern of such behaviour is identified, a course of action will be decided upon, either through disciplinary procedures or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, in which case it will be referred to the LADO. Consideration will also be given to whether there are wider cultural issues within school that enabled the behaviour to occur and where appropriate policies may be revised, or extra training delivered to minimise the risk of it happening again.

Records will be kept until the individual leaves their employment.

## **6. REFERENCES**

Only substantiated concerns/allegations (including a group of low-level concerns about the same individual) that meet the harm threshold will be disclosed in references. Concerns will not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference.

## **7. RESPONDING TO LOW-LEVEL CONCERNS**

At Tortedale Infant Academy the Headteacher will collect as much evidence as possible following a perceived low-level concern being raised by a third party. They will do this by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously, and
- to the individual involved and any witnesses.

The information collected will help the Headteacher to categorise the type of behaviour and determine what further action may need to be taken. This information will be recorded in writing along with the rationale for their decisions and action taken.

Further guidance can be found in:

[Keeping children safe in education - GOV.UK](#)

[Developing and implementing a low-level concerns policy: a guide for organisations which work with children \(farrer.co.uk\)](#)

## **8. REVIEW DATE**

This Low-Level Concerns Policy will be reviewed and updated annually. Any important updates throughout the year will be added and the policy re-issued.

When reviewing this policy Tortedale infant Academy will refer to the latest DfE guidance on policies required by law.

[Academy trust governance guide - Guidance - GOV.UK \(www.gov.uk\)](#)



City of  
Doncaster  
Council



DONCASTER  
SAFEGUARDING  
CHILDREN  
PARTNERSHIP

### **Introduction**

This document provides guidance to agencies about when a referral should be made to the Local Authority Designated Officer (LADO) following an allegation about an adult in paid or voluntary employment / activities with children.

DONCASTER SAFEGUARDING CHILDREN PARTNERSHIP – online procedures for responding to allegations against staff, carers or volunteers, can be found at:

[Allegations against people who work with children - Doncaster Safeguarding Children Partnership](#)

The Doncaster online LADO Referral form can be found at:

<https://www.doncaster.gov.uk/doitonline/safeguarding-concern-lado-local-authority-designated-officer-referral-form>

All LADO enquiries should be sent to the LADO inbox: [LADO@doncaster.gov.uk](mailto:LADO@doncaster.gov.uk)

## LADO REFERRALS THRESHOLD DOCUMENT

The procedures for dealing with allegations need to be applied using your professional judgement.

Not all allegations, incidents and concerns will fit exactly in the example boxes below. Some cases will not meet the criteria set. Many cases will either not meet the criteria set, or may do so without the need for a police investigation / enquiries by Doncaster Children's Services. In these cases, local arrangements should be followed. Some allegations may require immediate intervention by Children's Services and/or South Yorkshire Police, it is your responsibility to contact Doncaster MASH, Emergency Social Services Team and/or the Police in these circumstances.

The LADO should be informed within 24hrs of all allegations that come to an organisation's attention that appear to meet the criteria set out below. If once the referral has been made, the LADO's view is that the Police, Children's Services and/or any regulatory body should be consulted, LADO will advise as to who is responsible for making the relevant referrals.

Suspension should be considered in any case where there is cause to suspect a child/ren is at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. People must not be suspended automatically, or without careful thought. Employers must consider whether the circumstances of a case warrant a person being suspended from contact with children as part of their role until the allegation is resolved. NB. Neither the local authority, the Police, nor Children's Social Care can require an employer to suspend a member of staff or a volunteer. The power to suspend is vested in the employer alone.

Where an organisation is confident that LADO referral criteria is **not** met, they should maintain a record of the incident/information received and any actions they have taken internally as a result (in case further information comes to light which calls into question why no formal LADO referral was made). The matter should be dealt with by the employer through their HR/ internal management procedures.

In all cases where a referral to LADO is made, irrespective of the outcome, it is the responsibility of the employer to inform the employee/volunteer of the outcome of the referral and/or LADO process. An employer will be advised as to when this information is able to be shared with the employee/volunteer, so as not to prejudice any ongoing investigations. In the case of manager-less organisations, the LADO will agree who the best person is to keep the person subject to the LADO process informed.

## Conduct

| Threshold Not Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Threshold Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>This list is not exhaustive - examples could include:</p> <ul style="list-style-type: none"> <li>Complaint made by a parent or carer or a comment made by a child that does not seem to have any corroborating evidence. There is no presentable evidence and/or witness accounts do not corroborate the allegation.</li> <li>Member of staff alleged to have acted or reacted in a way considered inappropriate but not harmful.</li> <li>Parental or child complains about an incident to outside agency e.g. Ofsted, who have referred to LADO for further enquiries; allegation made but manager believes at this point they can deal with this internally.</li> </ul> | <p>This list is not exhaustive - examples could include:</p> <ul style="list-style-type: none"> <li>Allegation made with credible corroborating evidence, where a child has been placed at risk of harm due to the actions/behaviour of the professional/volunteer.</li> <li>A residential worker drags a child/young person out of the room during an incident. Appropriate restraint techniques were not used. The child was not in immediate danger at the time.</li> <li>A Supervising Social Worker (SSW) has formed an inappropriate (non-sexual) relationship with a Foster Carer. The SSW purposefully fails to report a safeguarding incident involving the Foster Carer and the child in placement, due to the over-friendly relationship she has with the Carers.</li> </ul> |

## Physical Harm / Abuse

| Threshold Not Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Threshold Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>This list is not exhaustive - examples could include:</p> <ul style="list-style-type: none"> <li>A young person in a children's home is involved in a confrontation, subsequently making accusations of physical harm where there were several witnesses and there is evidence that the incident/allegation could not have happened.</li> <li>A child accuses a Teacher of pushing them, when it appears they were being guided away from a situation (covered by 'Use of Reasonable Force' DfE 2013).</li> <li>A nursery worker is seen by a parent to be pulling a child away from a situation; parent considers this is done roughly but the worker claims it was to remove the child from a confrontation where they may have been harmed/ may have harmed another child and there is evidence to support this.</li> </ul> | <p>This list is not exhaustive - examples could include:</p> <ul style="list-style-type: none"> <li>A disclosure by a child or young person that uses the word 'hit' or 'hurt.' There is conflicting or lack of evidence to disprove the allegation.</li> <li>Intentional use of non-restraint that has caused an injury to the child being restrained.</li> <li>An incident witnessed where there is a physical exchange between staff and child or young person. It is unclear whether self-defence or retaliation was involved. The matter needs full investigation.</li> </ul> |

| Sexual Harm / Abuse                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Threshold Not Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Threshold Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>This list is not exhaustive – examples could include:</p> <ul style="list-style-type: none"> <li>• A young person tells their teacher that another teacher 'makes her feel funny when he looks at her' but no evidence that there is harmful intent.</li> <li>• A professional or volunteer makes a remark of a sexual nature that is not aimed at an individual child or group of children but is considered unprofessional, without any evidence of harmful intent.</li> <li>• A residential worker shows her holiday photos to some young people and accidentally shows a picture of her in a bikini. There is no evidence of harmful intent.</li> </ul> | <p>This list is not exhaustive – examples could include:</p> <ul style="list-style-type: none"> <li>• A child alleges that a professional has touched them inappropriately.</li> <li>• A teacher is communicating with a child on an online platform and there is communication that could be interpreted as sexual or an act of grooming.</li> <li>• Professional or volunteer meets or attempts to meet a child outside the work environment, for the purpose of sexual activity.</li> </ul> |

| Emotional Harm/Abuse                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Threshold Not Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Threshold Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>This list is not exhaustive – examples could include:</p> <ul style="list-style-type: none"> <li>• A child is upset because a teacher has shouted at them in the classroom.</li> <li>• A foster carer does not buy a child in placement some sweets as punishment for their behaviour.</li> <li>• A taxi driver refuses to let a child out of the car until they have paid the fare. The taxi driver contacts switchboard immediately for support in resolving the situation.</li> </ul> | <p>This list is not exhaustive – examples could include:</p> <ul style="list-style-type: none"> <li>• Making deliberate targeted and derogatory remarks to a child, for example regarding the child's ethnicity.</li> <li>• A member of residential staff refuses to allow a child to have planned telephone contact with their parent as a means of punishment.</li> <li>• A dance teacher calls a child 'fat' and constantly punishes them for making mistakes during rehearsals.</li> </ul> |

| Neglect                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Threshold Not Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Threshold Met                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p>This list is not exhaustive – examples could include:</p> <ul style="list-style-type: none"> <li>• A nursery worker leaves the room for a short period of time, leaving the room understaffed and outside of staffing ratios.</li> <li>• A young person complains that their Foster Carer has bought them second-hand shoes for school.</li> <li>• An overnight carer accidentally falls asleep for ten minutes whilst on shift. The person being cared for is unharmed.</li> </ul> | <p>This list is not exhaustive – examples could include:</p> <ul style="list-style-type: none"> <li>• A foster carer receives complaints against them about poor practice and standards of care, including children in their care presenting as not always clean or appropriately dressed.</li> <li>• A Social Worker's own child is placed on a Child Protection Plan for neglect.</li> <li>• A football coach intentionally fails to seek medical attention for a young person who is injured whilst playing, despite them presenting as significantly unwell.</li> </ul> |

## Appendix 2 Low-level concern form

### Low-Level concern Form

Please use this form to share any concern – no matter how small, and even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with Tornedale Infant 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.

You should provide a concise record – including 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.

|                              |                   |
|------------------------------|-------------------|
| <b>Name of Staff member:</b> | <b>Role:</b>      |
| <b>Details of concern:</b>   |                   |
| <b>Signed:</b>               | <b>Date/Time:</b> |
| <b>Received by:</b>          | <b>Date/Time:</b> |

**Action Taken: (specify)**

**Signed:**

**Name and Role:**

**Date/time:**

This record will be held securely in accordance with the low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but Tornedale Infant Academy may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigation.