

ALLEGATIONS AGAINST STAFF (INCLUDING LOW-LEVEL CONCERNS) POLICY

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WHAT TO DO IF YOU HAVE A CONCERN ABOUT A MEMBER OF STAFF, INCLUDING TRAINEE TEACHER, TRUSTEE/GOVERNOR, VOLUNTEER OR CONTRACTOR

Why are you concerned? A staff member has:

- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child/ren in a way that indicates they 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, including behaviour both inside and outside of the Federation that might make an individual unsuitable to work with children.

Or you have a 'low-level concern' about a staff member, for example:

- A nagging doubt that they have acted in a way that is inconsistent with the Federation Safer Care Code of Conduct.
- Inappropriate conduct outside of work.
- Being overly friendly with children or having favourites.
- Taking photographs of children on their mobile phone.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating students.



Report concerns to the Executive Principal or relevant Head of School. If the concern is about the Executive Principal, report your concern to the Chair of Trustees. Report concerns as soon as possible, and ideally in writing.



The LADO will be notified and advice sought to agree a course of action.



If the concern meets harm threshold:

Ongoing liaison with LADO.
Cooperation with external agencies' (e.g. police, social care) investigations.
The case may be dealt with under the Federation Disciplinary Policy where external agencies take no further action.



If the concern does not meet the harm threshold:

May be investigated and dealt with under the Federation Staff Disciplinary Policy, if relevant.
The LADO may be consulted if there is a pattern of concerning behaviour or if there is any doubt whether the concern may meet the harm threshold.



Low-level concerns:

Most low-level concerns are likely to be minor and will not cause any ongoing concern or require further action.

Some may be appropriately dealt with by management guidance and/or training; in some cases the Federation Disciplinary Policy may be used.

They are recorded on the low-levels concern log and reviewed by the Executive Principal so potential patterns of concerning behaviour can be identified.

If you are unhappy with the response, follow the Federation's Whistle-Blowing Policy, available online at www.rutlandfederation.com/policies

1 INTRODUCTION

- 1.1 Within this policy, 'we' and 'us' means the Federation.
- 1.2 At all times we will follow the Department for Education's statutory guidance as set out within Keeping Children Safe in Education, and the Disqualification under the Childcare Act 2006.

2 MAKING/RECEIVING AN ALLEGATION

- 2.1 All allegations of abuse defined in paragraph 3.2 or low-level concerns made against a person must be reported immediately to either the Executive Principal or the relevant Head of School.
- 2.2 Where an allegation of abuse and/or a low-level concern is reported to a Head of School, the Head of School must not discuss the allegation with the accused person prior to reporting the matter to the Executive Principal.
- 2.3 In the event of an allegation against the Executive Principal, the Chair of Trustees will undertake the role assigned to the Executive Principal throughout this policy.
- 2.4 The Executive Principal/Head of School must make a written record (timed and dated) of what has been reported. If possible, the allegation or low-level concern should be written by the student, or the person to whom the allegation was first made.
- 2.5 Total confidentiality must not be promised to the person making the allegation or disclosure. The person against whom the allegation has been made will have a right to know the substance of the allegation if disciplinary or legal action is to be taken.
- 2.6 When dealing with allegations, the Federation will:
 - Apply common sense and judgement.
 - Deal with allegations quickly, fairly and consistently.
 - Provide effective protection for the child and support the person subject to the allegation.

3 SECTION 1: ALLEGATIONS THAT MAY MEET THE HARM THRESHOLD

- 3.1 This section is about managing cases of concerns/allegations that might indicate a person would pose a risk of harm, as defined by the Disclosure and Barring Service harm test, if they continue to work in their present position, or in any capacity with children in a school or college. In this section the reference is made to 'allegation' for ease.

- 3.2 This applies to all cases in which it is alleged that a current member of staff, including a supply teacher, trainee teacher, trustee/governor, volunteer or contractor, 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 they 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 – this includes behaviour taking place both inside and outside of the Federation that might make an individual unsuitable to work with children; this is known as transferable risk.
- 3.3 Where appropriate, an assessment of transferable risk to children with whom the person works should be undertaken. If in doubt, advice will be sought from the Local Authority Designated Officer (LADO).
- 3.4 If there is any doubt as to whether a concern meets the harm threshold, the LADO will be consulted.
- 3.5 A 'case manager' will lead any investigation. This will be the Executive Principal or a senior leader delegated by them, or the Chair of Trustees where the Executive Principal is the subject of the allegation.
- 3.6 The Executive Principal should inform the Chair of Trustees that an allegation relating to a member of staff has been referred to the LADO. At this stage, the Executive Principal should not describe the circumstances of the allegation to the Chair of Trustees.

4 PROCEDURE FOR DEALING WITH ALLEGATIONS:

- 4.1 In the event of an allegation that meets the criteria outlined at paragraph 3 (section 1), the case manager will take the following steps:
- Conduct basic enquiries in line with KCSIE and Federation policy, to establish the facts to help determine whether there is any foundation to the allegation before carrying on with the steps below.
 - Discuss the allegation with the LADO at the local authority. This is to consider the nature, content and context of the allegation and agree a course of action, including whether further enquiries are necessary to enable a decision on how to proceed, and whether it is necessary to involve the police and/or local authority children's social care services. (The case manager may, on occasion, consider it necessary to involve the police *before* consulting the LADO – for example, if the accused individual is deemed to be an immediate risk to children or there is evidence of a possible criminal offence. In such cases, the case manager will notify the LADO as soon as practicably possible after contacting the police).

- When to inform the accused individual of the concerns or allegations and likely course of action should be considered carefully on a case-by-case basis, with guidance as required from the LADO, and, if they are involved, local authority children's social care and the police.
- Where appropriate (in the circumstances described above), carefully consider whether suspension of the individual from contact with children at the Federation is justified or whether alternative arrangements such as those outlined above can be put in place. Advice will be sought from the LADO, police and/or local authority children's social care services, as appropriate.
- Where the case manager is concerned about the welfare of other children in the community or the individual's family, they will discuss these concerns with the DSL and make a risk assessment of the situation. If necessary, the DSL may make a referral to local authority children's social care.
- **If immediate suspension is considered necessary**, agree and record the rationale for this. The record will include information about the alternatives to suspension that have been considered, and why they were rejected.
- **If it is decided that no further action is to be taken** in regard to the subject of the allegation or concern, record this decision and the justification for it. Determine what information should be put in writing to the individual and by whom, as well as what action should follow both in respect of the individual and those who made the initial allegation.
- **If it is decided that further action is needed**, take steps as agreed with the LADO to initiate the appropriate action and/or liaise with the police and/or local authority children's social care services as appropriate.
 - Where further enquiries are required to enable a decision about how to proceed, the case manager and LADO should discuss how and by whom the investigation will be undertaken.
 - The LADO will provide advice and guidance to the case manager when considering allegations against adults working with children. The role of the LADO is not to investigate the allegation, but to ensure that an appropriate investigation is carried out, whether that is by the police, local authority children's social care, the Federation, or a combination of these.
 - The case manager should monitor the progress of cases to ensure that they are dealt with as quickly as possible in a thorough and fair process. Wherever possible, the first review should take place no later than four weeks after the initial assessment.

- Dates for subsequent reviews, ideally at fortnightly (and no longer than monthly) intervals, should be set at the review meeting if the investigation continues.
 - Inform the parents or carers of the child/children involved about the allegation as soon as possible if they do not already know (following agreement with local authority children's social care services and/or the police, if applicable). The case manager will also inform the parents or carers of the requirement to maintain confidentiality about any allegations made against teachers (where this applies) while investigations are ongoing, as set out in section 141F of the Education Act 2002. Any parent or carer who wishes to have the confidentiality restrictions removed in respect of a teacher will be advised to seek legal advice.
 - Keep the parents or carers of the child/children involved informed of the progress of the case (only in relation to their child – no information will be shared regarding the staff member).
- 4.2 In line with the Childcare Disqualification Act 2006, we will inform Ofsted of any allegations of serious harm or abuse by any person looking after children at the premises (whether the allegations relate to harm or abuse committed on the premises or elsewhere), and any action taken in respect of the allegations. This notification will be made as soon as reasonably possible.
- 4.3 Where the police are involved, wherever possible the Federation will ask the police at the start of the investigation to obtain consent from the individuals involved to share their statements and evidence for use in the Federation's disciplinary process, should this be required at a later point.
- 4.4 We will not cease our investigation if the allegation is substantiated and the person leaves, resigns or ceases to provide their services. It is important that every effort is made to reach a conclusion in all cases of allegations with a bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate.
- 4.5 Wherever possible, the accused should be given full opportunity to answer the allegation and make representations about it. The process of recording the allegation and any supporting evidence and reaching a judgement about whether it can be substantiated or otherwise on the basis of all the information available, should continue even if the accused does not cooperate. We will follow guidance set out in Keeping Children Safe in Education in this regard.

5 SUSPENSION OF THE ACCUSED UNTIL THE CASE IS RESOLVED

- 5.1 Suspension is not an automatic response when an allegation is reported. Options to avoid suspension will be considered prior to taking that step. The case manager will consider carefully whether the circumstances warrant suspension from contact with children at the Federation, until the allegation is resolved.
- 5.2 Any suspension of staff must be authorised by the Executive Principal.
- 5.3 It will only be considered in cases where there is cause to suspect a child/children at the Federation is/are at risk of harm, or the case is so serious that there might be grounds for dismissal. If in doubt, the case manager will seek views from their HR adviser and the LADO, as well as the police and local authority children's social care where they have been involved.
- 5.4 If the Federation is made aware that the Secretary of State has made an interim prohibition order, in respect of a member of staff, they should take immediate action to ensure the individual does not carry out work in contravention of the order. This means that pending the findings of the Teaching Regulation Agency (TRA) investigation, the individual must not carry out teaching work.
- 5.5 Based on advice from the Federation's HR provider and/or a risk assessment drawn up with the LADO, the following alternatives should be considered by the case manager before suspending a member of staff:
- Redeployment within the Federation so that the individual does not have direct contact with the child/children concerned.
 - Redeploying to alternative work in the Federation so the individual does not have unsupervised access to children.
 - Moving the child/children to classes where they will not come into contact with the member of staff, but this decision should only be made if it is in the best interests of the child or children concerned and takes account of their views. It should be made clear that this is not a punishment and parents have been consulted.
 - Temporarily redeploying the member of staff to another role in a different location, for example to an alternative school or college or where available.
- 5.6 These alternatives allow time for an informed decision regarding the suspension; this will, however, depend upon the nature of the allegation. The case manager should consider the potential permanent professional reputational damage to employees that can result from suspension where an allegation is later found to be unfounded, unsubstantiated, malicious, or false.

- 5.7 Where it has been deemed appropriate to suspend the person, written confirmation should be given within one working day, giving as much detail as appropriate for the reasons for the suspension. It is not acceptable for an employer to leave a person who has been suspended without any support. The person should be informed at the point of their suspension who their named contact is within the organisation and provided with their contact details.
- 5.8 Police involvement does not make it mandatory to suspend a member of staff; this decision should be taken on a case-by-case basis having undertaken a risk assessment about whether the person poses a risk of harm to children.

6 SUPPORTING THOSE INVOLVED

- 6.1 The welfare of a child is paramount, and this will be the prime concern in terms of investigating an allegation against a person in a position of trust. However, we recognise that when an allegation or safeguarding concern is being investigated it is likely to be a very stressful experience for the adult subject to the investigation.
- 6.2 Information is confidential and should not ordinarily be shared with other staff or with children or parents who are not directly involved in the investigation.
- 6.3 We recognise the sensitivity of the situation and will endeavour to manage and minimise stress caused by the allegation, for example by:
- Informing the individual as soon as possible, explaining the likely course of action, guided by the LADO, and the police where necessary.
 - Advising the individual to contact their trade union representative, or a colleague for support.
 - Appointing a named representative to keep the person informed about the progress of the case.
 - Providing access to counselling or medical advice where appropriate.
 - Not preventing social contact with work colleagues and friends, when staff are suspended, unless there is evidence to suggest this may prejudice the gathering of evidence.

7 CONCERNS OR ALLEGATIONS MADE AGAINST SOMEONE NOT DIRECTLY EMPLOYED BY THE FEDERATION

- 7.1 If there are concerns or an allegation is made against someone not directly employed by the Federation, such as a contracted staff member provided by a third party, we will take the actions below in addition to our standard procedures.
- We will not decide to stop using an individual due to safeguarding concerns without finding out the facts and liaising with our LADO to determine a suitable outcome.
 - We will discuss with the third party whether it is appropriate to suspend the individual, or redeploy them to another part of the Federation, while the third party carries out their investigation
 - We will involve the third party fully, but the Federation will take the lead in collecting the necessary information and providing it to the LADO as required.
 - We will address issues such as information sharing, to ensure any previous concerns or allegations known to the third party are taken into account (we will do this, for example, as part of the allegations management meeting or by liaising directly with the third party where necessary)
- 7.2 When using a third party, we will inform them of our process for managing allegations, and keep them updated about our policies as necessary, and will invite the agency's HR manager or equivalent to meetings as appropriate.
- 7.3 If we receive an allegation of an incident happening while an individual or organisation was using the Federation premises to run activities for children, we will follow our safeguarding policies and procedures and inform the LADO.

8 TIMESCALES

- 8.1 We will deal with all allegations as quickly and effectively as possible and will endeavour to comply with the following timescales, where reasonably practicable:
- Any cases where it is clear immediately that the allegation is unsubstantiated or malicious should be resolved within 1 week
 - If the nature of an allegation does not require formal disciplinary action, appropriate action should be taken within 3 Federation days
 - If a disciplinary hearing is required and can be held without further investigation, this should be held within 15 Federation days
- 8.2 However, these are objectives only and where they are not met, we will endeavour to take the required action as soon as possible thereafter.

9 ALLEGATION OUTCOMES

9.1 Definitions for outcomes of allegation investigations:

- **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 to cause harm to the 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 (this does not imply guilt or innocence).
- **Unfounded:** to reflect cases where there is no evidence or proper basis that supports the allegation being made.

9.2 As well as using the outcomes detailed above, the options available to the Federation depend on the nature and circumstances of the allegations and the evidence and information available. As set out in the Staff Disciplinary Policy, this will range from taking no further action, to dismissal or a decision not to use the person's services in future.

10 ACTION FOLLOWING A CRIMINAL INVESTIGATION OR PROSECUTION

10.1 The case manager will discuss with the LADO whether any further action, including disciplinary action, is appropriate and, if so, how to proceed, taking into account information provided by the police and/or local authority children's social care services.

11 CONCLUSION OF A CASE WHERE THE ALLEGATION IS SUBSTANTIATED

11.1 If the allegation is substantiated and:

- the person is dismissed under the Disciplinary Policy; resigns, or otherwise ceases to provide his or her services, or
- the Federation ceases to use the person's services.

In line with our legal requirement to do so, we will make a referral to the DBS when we consider an individual has engaged in conduct that harmed (or is likely to harm) a child; or if a person otherwise poses a risk of harm to a child.

11.2 If the individual concerned is a member of teaching staff, the Federation will consider whether to refer the matter to the Teaching Regulation Agency to consider prohibiting the individual from teaching.

12 UNSUBSTANTIATED, UNFOUNDED, FALSE OR MALICIOUS REPORTS OR ALLEGATIONS

12.1 If a report or allegation is:

- Determined to be unsubstantiated, unfounded, false or malicious, the case manager and LADO will consider the appropriate next steps. If they consider that the child and/or person who made the allegation is in need of help, or the allegation may have been a cry for help, a referral to local authority children's social care may be appropriate.
- Shown to be deliberately invented, or malicious, the Federation will consider whether any action under the behaviour policy is appropriate against the child who made it or disciplinary action if it is an employee who made it.

13 INDIVIDUALS RETURNING TO WORK AFTER SUSPENSION

13.1 If it is decided on the conclusion of a case that an individual who has been suspended can return to work, the case manager will consider how best to facilitate this. Most people will benefit from some help and support to return to work after a stressful experience.

13.2 The case manager will also consider how best to manage the individual's contact with the child or children who made the allegation, if they are still attending the Federation.

14 CONFIDENTIALITY AND INFORMATION SHARING

14.1 The Federation will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered.

14.2 The case manager will take advice from the LADO, police and local authority children's social care services, as appropriate, to agree:

- Who needs to know about the allegation and what information can be shared.
- How to manage speculation, leaks and gossip, including how to make parents or carers of a child/children involved aware of their obligations with respect to confidentiality.
- What, if any, information can be reasonably given to the wider community to reduce speculation.
- How to manage press interest if, and when, it arises.

15 RECORD-KEEPING

15.1 The case manager will maintain clear records about any case where the allegation or concern meets the criteria above and store them on the individual's confidential personnel file for the duration of the case.

- 15.2 The records of any allegation that, following an investigation, is found to be malicious or false will be deleted from the individual's personnel file (unless the individual consents for the records to be retained on the file).
- 15.3 For all other allegations (which are not found to be malicious or false), the following information will be kept on the file of the individual concerned:
- A clear and comprehensive summary of the allegation.
 - Details of how the allegation was followed up and resolved.
 - Notes of any action taken, decisions reached and the outcome.
 - A declaration on whether the information will be referred to in any future reference.
- 15.4 In these cases, the Federation will provide a copy to the individual, in agreement with local authority children's social care or the police as appropriate.
- 15.5 We will retain all records at least until the accused individual has reached normal pension age, or for 10 years from the date of the allegation if that is longer.

16 REFERENCES

- 16.1 When providing employer references, we will:
- Not refer to any allegation that has been found to be false, unfounded, unsubstantiated or malicious, or any repeated allegations that have all been found to be false, unfounded, unsubstantiated or malicious.
 - Include substantiated allegations, provided that the information is factual and does not include opinions.
- 16.2 Detailed information can be found within the Federation Staff Reference Policy.

17 LEARNING LESSONS

- 17.1 In line with KCSIE, after any cases where the allegations are substantiated, the case manager will review the circumstances of the case with the LADO, plus, if relevant, the suspension of the member of staff, to determine whether there are any improvements that we can make to the Federation's procedures or practice to help prevent similar events in the future.
- 17.2 For all other cases, where the allegation concluded to be either unfounded, false, malicious or substantiated, the case manager will consider the facts and determine whether any lessons can be learned and if improvements can be made.

18 NON-RECENT ALLEGATIONS

- 18.1 Abuse can be reported, no matter how long ago it happened.
- 18.2 We will report any non-recent allegations made by a child to the LADO in line with our local authority's procedures for dealing with non-recent allegations.
- 18.3 Where an adult makes an allegation to the Federation that they were abused as a child, we will advise the individual to report the allegation to the police.

19 SECTION 2: CONCERNS THAT DO NOT MEET THE HARM THRESHOLD

- 19.1 The Federation promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the Federation are dealt with and recorded promptly and appropriately. This enables us to:
 - Identify inappropriate, problematic or concerning behaviour early.
 - Minimise the risk of abuse.
 - Ensure that adults working in or on behalf of the Federation are clear about professional boundaries and act within these boundaries, and in accordance with our ethos and values.

20 WHEN CASES DON'T MEET THE HARM THRESHOLD BUT THERE ARE CONCERNS

- 20.1 Allegations or concerns that do not meet the harm threshold and are not overseen by the LADO may still fall short of the standards set in the Staff Safer Care Code of Conduct and therefore may be investigated and managed under the Staff Disciplinary Policy.
- 20.2 This section applies to all concerns (including allegations) about members of staff, including a supply teacher, trainee teacher, trustee/governor, volunteer or contractor, which do not meet the harm threshold set out in section 1 above.

21 DEFINITION OF LOW-LEVEL CONCERNS

- 21.1 This section should be read alongside the Federation Staff Safer Care Code of Conduct Policy.
- 21.2 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 Federation may have acted in a way that:
 - Is inconsistent with the Federation Staff Safer Care 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.

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

- Being overly friendly with children.
- Having favourites.
- Taking photographs of children on their mobile phone.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating students.

21.4 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.

21.5 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 Federation; safeguarding concern or allegation from a member of Federation staff, or as a result of vetting checks undertaken.

21.6 It is crucial 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 the Federation from becoming the subject of potential false low-level concerns or misunderstandings.

22 SHARING LOW-LEVEL CONCERNS

22.1 Low level concerns must be reported to either the Executive Principal or relevant Head of School.

22.2 We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially share low-level concerns so that they can be addressed appropriately.

22.3 We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others.
- Empowering staff to share any low-level concerns.
- Empowering staff 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.

- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage.
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised.
- Helping to identify any weakness in the Federation's safeguarding system.

23 RESPONDING TO LOW-LEVEL CONCERNS

- 23.1 If the concern is raised via a third party, the Executive Principal, or a senior leader delegated by the Executive Principal, will collect evidence where necessary by speaking:
- Directly to the person who raised the concern, unless it has been raised anonymously.
 - To the individual involved and any witnesses.
- 23.2 The Executive Principal will use the information collected to categorise the type of behaviour and determine any further action, in line with the Federation Staff Safer Care Code of Conduct and/or Staff Disciplinary Policy. This information will be recorded in writing along with the rationale for their decisions and action taken.
- 23.3 The Executive Principal will be the ultimate decision-maker in respect of all low-level concerns, though they may wish to collaborate with the DSL.
- 23.4 The Executive Principal will review the information and determine whether:
- the behaviour is in fact appropriate, i.e. entirely consistent with the Federation Staff Safer Care Code of Conduct Policy and any other policies and procedures that the Federation operates.
 - the behaviour constitutes a low-level concern.
 - there is any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact may meet the harm threshold, in which case they should consult with the LADO,
 - in and of itself the behaviour may meet the harm threshold, and should be referred to the LADO/other relevant agencies, or
 - when considered with any other low-level concerns that have previously been shared about the same individual, the behaviour may meet the harm threshold, and should be referred to the LADO/other relevant external agencies.

24 IF IT IS DETERMINED THAT THE BEHAVIOUR CONSTITUTES A LOW-LEVEL CONCERN

- 24.1 Any investigation of low-level concerns should be done discreetly. Most low-level concerns by their nature are likely to be minor. Some will not give rise to any ongoing concern and therefore will not require any further action. Others may be most appropriately dealt with by management guidance and/or training.
- 24.2 In many cases, a low-level concern will simply require a conversation with the person about whom the concern has been raised, clearly detailing why their behaviour is inappropriate, problematic and concerning, what change is required in their behaviour, and enquiring what, if any, support they may need in order to achieve and maintain that. The conversation should also make clear the consequences if the person fails to reach the required standard. This will be followed up in writing, please see paragraph 25 below.
- 24.3 Some low-level concerns may also raise issues of misconduct or poor performance which are unrelated to safeguarding, in which case other Federation policies will be followed as appropriate.
- 24.4 We will consider whether appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.

25 RECORD KEEPING

- 25.1 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 should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.
- 25.2 All low-level concerns will be recorded in writing, including:
- Details of the concern, including the context in which the concern arose.
 - 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 (subject to the above).
 - 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).
 - Their determination.
 - The rationale for their decision.
 - Any action taken.
- 25.3 All low-level concerns, including those which the Executive Principal subsequently deems to relate to behaviour which is entirely consistent with the Federation Staff Safer Care Code of Conduct Policy, will be logged on a secure and confidential central low-level concerns file.

25.4 Records will be:

- Kept confidential, held securely and comply with the Federation Stakeholder Data Protection Policy.
- Reviewed periodically by the Executive Principal/DSL, so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our Staff Disciplinary Policy or, where a pattern of behaviour moves from a concern to meeting the harm threshold, we will refer it to the LADO.
- Retained at least until the individual leaves employment at the Federation.

25.5 Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

26 REFERENCES

26.1 We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the LADO and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues that would ordinarily be included in a reference, such as misconduct or poor performance and so a warning has been given.

26.2 Further information can be found within the Federation Staff Reference Policy.

27 LINKS TO OTHER POLICIES

27.1 This policy should be read alongside:

- Federation Staff Disciplinary Policy.
- Federation Staff Safer Code of Conduct Policy.
- Federation Staff Reference Policy.
- Federation Staff Recruitment Policy.
- Federation Staff DBS Policy.