Low-Level Concerns and Allegations Policy

Issue Date: September 2025
Reviewed: September 2026

Next review – September 2027

Changes since previous version:
None

Contents

Managing Safeguarding Concerns or Allegations made about staff, including supply teachers, volunteers, and contractors 3

Levels of Concern and Allegation 4

Managing Low-Level Concerns (those that DO NOT meet the Harm Threshold for Allegation) 4

The role of the Case Manager for Low-Level Concerns 5

Record keeping for Concerns and Allegations 6

Managing Allegations (those that DO MEET the Harm Threshold for LADO) 6

What happens when an allegation is made against staff or a volunteer? 7

Role of the Local Authority Designated Officer 7

Role of school's Case Manager for Allegations 8

LADO Principles and Response 8

Reporting Concerns and Allegations 9

Appendix 1 – Low-level concern form 10

Managing Safeguarding Concerns or Allegations made about staff, including supply teachers, volunteers, and contractors

Yewtree Primary School 'low-level concern and allegations policy' is compliant with:

- KCSiE, Part four
- Hertfordshire Safeguarding Children Partnership Procedures Manual, Section 5.1.5 Managing Allegations Against People who work with Children and Young People
- Developing and implementing a low-level concerns policy (Farrer & Co), which provides detailed guidance and examples.

This section of our policy is a reflection and extension of Yewtree Primary School's wider staff policies and procedures found in our staff code of conduct, staff procedure manual and staff charter.

All staff and volunteers at Yewtree Primary School hold positions of trust and are expected to uphold safe working practices outlined in our policies and procedures.

A 'position of trust' refers to any role where an adult holds power or influence over a child due to the nature of their work (either paid or voluntary). As defined in the Sexual Offences Act 2003 (Sections.16-24) and further clarified by the Crown Prosecution Service, **it is a criminal offence for anyone in a position of trust to engage in sexual activity with a child in their care – even if that child is aged 16 or 17 and legally considered to have reached the age of sexual consent (16)**; this includes both in-person and online interaction, within or outside of employed/voluntary hours.

A **breach of trust** occurs when an adult working or volunteering with children crosses established boundaries in their professional relationship with a child or young person through inappropriate behaviour that involves an abuse of their position or authority. The behaviour itself does not need to be illegal to constitute a breach of trust – even when the child or young person is over the age of consent (16). Examples include:

- A 19-year-old Youth Worker at a youth club initiating a personal relationship with a 16-year-old club member.
- A teacher engaging in an intimate or sexual relationship with a Sixth-Form student.
-

These behaviours undermine professional integrity and breach safeguarding standards and Yewtree Primary School's staff code of conduct regardless of legal consent due to the imbalance of power and the professional duty of care.

Section 11 of the 2004 Children's Act states that schools and colleges should have clear policies aligned with HSCP Procedures for dealing with safeguarding concerns or allegations against those working in or on behalf of schools and colleges in a paid or unpaid capacity, i.e. members of staff, including supply teachers, volunteers and contractors. These policies must clearly distinguish between:

> **Allegations** – a claim or assertion that someone has done something illegal or wrong, typically one made without proof. The *Harm Threshold* (see section *Managing Allegations*, below) for an allegation is when a person working or volunteering with children in a position of trust has or may have:
>
> - Behaved in a way that has, or may have harmed a child/young person;

- Possibly committed a criminal offence against/related to a child/young person;
- Behaved toward a child/young person in a way that indicates he or she would pose a risk of harm;*
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children/young people;*

**These categories can include behaviour that may have happened outside of an organisation that might make an individual unsuitable to work with children/young people.*

Concerns about the quality of care/practice - is an accusation, not of a child protection nature, that the care/practice provided does not meet the expected standards. As with quality in other fields, it is an assessment of whether something is good enough and whether it is suitable for its purpose.

Complaints – an expression of dissatisfaction about actions or the lack thereof. Concerns may reflect a worry requiring reassurance, while complaints assert that something is unacceptable

Levels of Concern and Allegation

There are two levels of Concerns and Allegations relating to adults (in both paid and voluntary roles) working with children either directly and/or online:

1. **Low-Level Concerns**

   These are behaviours by one or more adults (paid or voluntary) which are inconsistent with Yewtree Primary School's staff code of conduct but *do not meet the Harm Threshold* (see above under definition of Allegations) and are referred to as 'Low-Level Concerns'. Examples include repeated breaches of Yewtree Primary School's staff code of conduct in relation to safeguarding.

2. **Allegations**

These are behaviours by one or more adults (paid or voluntary) that *do meet or may meet the Harm Threshold* (see above under definition of Allegations). Such cases require referral within **one working day** to the **Local Authority Designated Officer (LADO)** and potentially other statutory bodies such as the police or children's social care.

Low-Level Concerns and Allegations may emerge as a result of either observed suspicions or direct disclosures made by a child. In assessing the potential harm and impact to a child or young person, DSLs will consider the four categories of abuse – physical, emotional, sexual and neglect – as well as any safeguarding elements related to exploitation. Detailed definitions of these terms can be found in Chapters 4 and 9 of this policy.

The Harm Test is explained in the Disclosure and Barring Service Guidance: Making barring referrals to the DBS and Section 31(9) of the Children Act 1989 (as amended by the Adoption and Children Act 2002).

Managing Low-Level Concerns (those that DO NOT meet the Harm Threshold for Allegation)

As part of our whole school approach to safeguarding, we are committed to fostering an open and transparent culture where all concerns involving adults working in or on behalf of Yewtree Primary School (including supply teachers, volunteers, and contractors) are addressed promptly and appropriately.

Creating an environment where all concerns can be shared responsibly, with the right person, recorded accurately, and handled with care is essential to keeping our children and young people safe.

We aim to:

- Enable all stakeholders to identify inappropriate, problematic, or concerning behaviour early and encourage them to do so.
- Reduce the risk of abuse by acting preventatively.
- Ensure that all adults working/volunteering in or on behalf of our school understand and adhere to professional boundaries consistent with our ethos and values at Yewtree Primary School.

A 'Low-Level' Concern does not imply insignificance. It refers to any behaviour – however minor – that causes a sense of unease or a 'nagging doubt' about whether an adult's behaviour:

- Is inconsistent with Yewtree Primary School's 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 LADO.

Examples may include (but are not limited to):

- 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.

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.

The role of the Case Manager for Low-Level Concerns

In our school, the Case Manager is a senior leader—for example, the Headteacher, or Designated Safeguarding Lead (DSL). If concerns involve the Headteacher, the Chair of Governors fulfils this role.

When a Low-Level Concern is raised (including third-party reports), the Case Manager or their nominated deputy will:

- Speak with the person who raised the concern (unless this was raised anonymously)
- Speak with the individual subject to the concern
- Identify and interview any other involved parties or witnesses

The information gathered will help us 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 our decisions and actions taken.

The Case Manager, a nominated deputy, or Chair of Governors will respond to reports of Low-Level Concerns in line with the school's internal due processes for managing safe staffing; our response may include the following:

- Prioritise the safety and wellbeing of any alleged victim and all other pupils
- Share details only with those who need to know to maintain confidentiality
- Conduct further inquiries with relevant children, staff, parents, or witnesses
- If there are reasonable grounds, launch a formal internal investigation following the school's internal processes

- Consult Human Resources on possible breaches of the staff code of conduct, Teachers' Standards, or TA regulations to assess disciplinary thresholds
- Inform the subject of the concerns and outline available support during the inquiry
- Determine when to allow the subject to present their account
- Review all evidence and decide on an outcome
- If no risk of harm is found, consider additional training or monitoring for the staff member
- If new information raises serious risk or meets the harm threshold, refer the matter to the LADO

Yewtree Primary School fosters a safeguarding culture where every staff member is professionally curious. We:

- Clarify expected staff behaviour and help them distinguish it from concerning conduct
- Encourage prompt reporting of Low-Level Concerns
- Address unprofessional behaviour early and support corrective measures
- Handle concerns sensitively and in proportion to their nature
- Use reported concerns to identify and address any weaknesses in our safeguarding systems

Record keeping for Concerns and Allegations

It is vital that our stakeholders know how to share information about concerns for professionals and volunteers working with children. To ensure safe working practice:

- All staff and volunteers must record the details of the Low-Level Concerns and submit them to the Headteacher/Principal
- Records are confidential, stored securely, and comply with the Data Protection Act 2018 and UK GDPR
- If a pattern of inappropriate behaviour emerges, the Case Manager will decide on disciplinary action, or if the Harm Threshold is reached, refer to the LADO (per KCSiE Part Four, Section One)
- We will review and revise relevant policies or training to address any school-culture factors that enabled the behaviour
- Records of concerns are retained by Yewtree Primary School until the individual reaches retirement-age or for the next ten years, <u>whichever period is longer</u>

Managing Allegations (those that <u>DO MEET</u> the Harm Threshold for LADO)

When concerns/allegations meet the harm threshold, Yewtree Primary School is required to comply with both Part Four of KCSiE and Hertfordshire Safeguarding Children Partnership Procedures Manual Section 5.1.5 Managing Allegations Against Adults Who Work With Children and Young People

All staff and volunteers at Yewtree Primary School are required to immediately report any level of concern about behaviour and/or conduct of an adult working/volunteering with children towards a child to leadership and management. This includes reporting adults who are providing out-of-school activities/leasing Yewtree Primary School facilities.

These are Yewtree Primary School's procedures for managing cases of concerns/allegations that meet the Harm Threshold and may indicate a person is a risk of harm to children if they continue to work in their present position, or in any capacity with children and young people. This is the process and the threshold criteria we apply if it is alleged that anyone working in our school or a college, including supply teachers, volunteers and contractors, has:

Behaved in a way that has, or may have harmed a child/young person	*Possibly committed a criminal offence against/related to a child/young person*	*Behaved toward a child/young person in a way that indicates he or she would pose a risk of harm*	*Behaved or may have behaved in a way that indicates they may not be suitable to work with children/young people*
Harm Threshold	**Criminal Threshold**	**Suitability Threshold**	**Transferable Risk Threshold**
Examples: Sexual abuse, including grooming, both directly or online Physical abuse Emotional abuse Neglect Exploitation Any form of abuse and neglect that has caused a child significant harm (as defined in the Children Act 1989)	Examples: Adult has been arrested / reported for downloading indecent images of a child Any sexual act that meets a criminal threshold	Examples: Adult has been the subject of criminal procedures Caused harm or possible harm to a child or adult at risk Failed to understand or comply with the need for clear personal and professional boundaries in the workplace Conduct concerns or breach of policies that are more serious than Low-Level Concerns e.g. persistent, concerning behaviour	Examples: Concerns about the adult's 'reckless' behaviour and conduct in their personal and private life that could bring the school into disrepute Criminal misuse of substances, alcohol, drugs Criminal acts of dishonesty or violence against another person Sexual violence and harassment towards another adult or child Internet crime

What happens when an allegation is made against staff or a volunteer?

Headteacher/Chair of Governors may undertake initial inquiries to gather key information. They will assess whether the allegation meets the Local Authority Designated Officer (LADO) threshold; if it does, they will make a referral to LADO, giving consideration to our school's staff code of conduct, managing allegations policy and 5.1.5 HSCP procedures. If necessary, they will complete a LADO referral within one working day.

If the allegation does not meet the harm threshold for LADO, our Headteacher/Chair of Governors will follow the school's Low Level Concerns policy.

Role of the Local Authority Designated Officer

The LADO does not have a public-facing role. They do not, for example, liaise directly with children and their families, nor do they directly investigate allegations. Their role is as follows:

- **Case management** - oversee the process and ensure it is working, not to investigate.

- **Consultation** - provide advice and guidance to employers and voluntary organisations.
- **Monitoring** - the progress of cases to ensure that they are dealt with as quickly as possible, consistent with a thorough and fair process.
- **Liaison** - with the Police, Children's Services, and other partner agencies (managers of the subject of allegation).

Role of school's Case Manager for Allegations

This will be a staff member in a senior role e.g. Headteacher or Chair of Governors. If the concerns are about our school's Headteacher, their remit is to:

- Clarify facts of the concerns/allegation (not investigate) before contacting the LADO.
- Take part in Strategy Meetings to liaise with other partner agencies.
- Undertake internal planned inquiries/fact finding.
- Take part in reviewing the progress of the case in which there is a Police officer investigation.
- Operate a thorough disciplinary process when appropriate.
- Ensure a properly managed conclusion and outcome to the process.

LADO Principles and Response

Timelines - any allegation of abuse must be dealt with fairly, quickly, and consistently in accordance with the safeguarding and child protection procedures; this is best practice to provide immediate safety for child/ren and make safe arrangements for the person who is the subject of the allegation. It is crucial that employers **make a referral to LADO within one working day**.

Objectivity - it is not permissible for a member of staff to conduct (though their involvement may still be required) an enquiry about suspicion or allegation of abuse with respect to a:

- relative
- friend
- colleague, supervisor/supervisee or someone who has worked with her/him previously in any of these capacities.

If, following the conclusion of child protection processes, further enquiries are pursued for the purpose of disciplinary, regulatory or complaint investigation, they should be arranged in a way that avoids the repeated interviewing of children or other vulnerable witnesses.

Confidentiality - information about an allegation must be restricted to those who have a need to know in order to:

- protect children
- facilitate enquiries
- avoid victimisation
- safeguard the rights of the person about whom the allegation has been made and others who might be affected
- manage disciplinary/complaints aspects
- A media strategy should be developed with no improper or inadvertent releases of information to the media, in accordance with the Association of Chief Police Officers (ACPO) guidance (now known as The National Police Chiefs' Council (NPCC) .

Support - parents/carers of a child(ren) involved should be:

- Informed of the allegation as soon as possible, provided provision of information and advice at that stage does not impede the enquiry, disciplinary or investigative processes, and may need to be told immediately, e.g. a child requires medical treatment.
- Helped to understand the process involved and kept informed about the progress of the case.
- Told that there has been an enquiry or disciplinary process (but no detail is to be provided in relation to any internal hr processes).
- When necessary, helped to understand the outcomes reached (but see above proviso in relation to the provision of advice).
- The employer should keep the subject of the allegation informed of progress in the case and arrange to provide appropriate support (via occupational health or equivalent). If the person is suspended, (s)he should be kept informed of developments in the workplace and, if a member of a trade union or professional association.

Monitoring - the LADO should monitor the progress of cases either fortnightly or monthly depending on its complexity, either via review Strategy Discussions or by liaising with Police and/or Children's Services colleagues, or employer as appropriate. The Designated Officer should keep records to ensure that every case is dealt with without undue delay.

If the Strategy Discussion/initial evaluation has decided that a Police investigation is required, the Police Joint Child Protection Investigation Team (JCPIT) should also set a target date for reviewing the progress of its investigation and consulting the Crown Prosecution Service (CPS) to consider whether to charge the individual/continue to investigate/close the investigation. Whenever possible, that review should take place within four weeks of the decision to initiate a criminal investigation.

If the investigation is to continue, dates for subsequent reviews, ideally at fortnightly (at most monthly) intervals, should be set at the meeting.

Target Timescales - it is in everyone's interest for cases to be dealt with as quickly as possible, consistent with a fair and thorough investigation. Timescales (which are not performance indicators) will depend on the nature, seriousness, and complexity of allegation(s), though in general (based upon data about allegations against education staff):

- 80% of cases should be resolved within one month
- 90% within three months.
-

All but the most exceptional should be completed within twelve months (it is unlikely cases requiring a criminal prosecution or complex Police investigation can be completed in less than three months).

Reporting Concerns and Allegations

Concern/Allegation about	Report to
Member of staff (including volunteers, supply staff and contractors)	**Headteacher, Principal or Proprietor** **(or other with leadership status)** If the allegation is against supply staff or a contractor, leadership and management will pass on the report to the adult's employer at their agency/company.
Headteacher, Principal or Proprietor	**Chair of Governors / Vice Chair of Governors /** Your school website or Child Protection policy will have details of your Chair/Vice Chair of Governors.
Chair of Governors / Vice Chair of Governors	**Local Authority Designated Officer LADO** *(for staff only)* LADO.Referral@hertfordshire.gov.uk

	and/or Report to the police on 101 or if urgent 999
If you are worried that the concerns raised have not been taken seriously or escalated.	**Chair of Governors** **Police** 101 **Children Services** 0300 123 4043 **NSPCC Whistleblowing Helpline** 0800 028 0285 **NSPCC Whistleblowing Email** help@nspcc.org.uk
Concerns/Allegations relating to an incident that happened when an individual or organisation has used school premises for running activities for children e.g. community groups, sports and faith associations, or service providers that run extra-curricular activities)	**Headteacher, Principal or Proprietor** As with any safeguarding allegation, DSL will follow their school's safeguarding policies and procedures, including informing the LADO. Out-of-school settings: safeguarding guidance for providers - GOV.UK

Concern about the Quality of Care/Practice: If a stakeholder is concerned about a matter that is not of a child protection nature, but general queries about the perceived quality and standard of certain practice in our school, and it is considered that something is not good enough or/suitable for its purpose.
Please speak to Headteacher/Principal/DSL or our Chair of Governors/Trustees.
Complaints: if a stakeholder is unsatisfied with any aspects of how we implement and comply with safeguarding policies and procedures, to keep children and young people safe in our school.

Please refer to our *Complaints Procedures,* which will advise as part of the stages, to share any initial queries and concerns with our school's Headteacher/Principal/DSL or our Chair of Governors/Trustees. Your feedback is important to us, and we would like to ensure we have an opportunity to reassure our stakeholders that any expression of dissatisfaction, however made, about actions taken or a lack of action is a priority to understand so that we can find a solution and support a complainant.
Our Complaints Procedures can be found on our school website at: https://www.yewtree.herts.sch.uk/policies

Appendix 1 – Low-level concern form

It may be possible that a member of staff acts in a way that does not cause risk to childrenbut is inappropriate. A member of staff who has a concern about another member of staffshould use this low-level concern form to share any concern – no matter how small, and
even if no more than causing a sense of unease or a 'nagging doubt' – that an adult mayhave acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conductoutside of work
- is a cause for concern but does not meet the threshold of harm or is not consideredserious enough to refer to the LADO.

You should provide a concise record – including brief context in which the low-level concernarose, and details which are chronological, and as precise and accurate as possible.

Name of Staff Member Reporting:
Role: **Date:**
Signature:

Details of Concern:
Action Taken:

Signature of Manager:

Please note that low-level concerns will be treated in confidence as far as possible, but Yewtree Primary School 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 investigations