



# BLESSED HUGH FARINGDON CATHOLIC SCHOOL

## LOW LEVEL CONCERNS POLICY

All that happens in Blessed Hugh Faringdon Catholic School occurs within the context of the school's Mission Statement (in accordance with the Trust Deed for the maintenance and advancement of the Catholic religion).

<b>Written:</b>	<b>November 2022</b>
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<b>Adopted:</b>	<b>October 2024</b>
<b>Persons Responsible:</b>	<b>Sue Matthews (AHT, DSL and Senior Mental Health Lead)</b>
<b>Committee:</b>	<b>Full Governing Body</b>
<b>Review Due:</b>	<b>October 2025</b>

This Policy is reviewed annually and is subject to immediate review in line with statutory changes as and when they take place.

As a Catholic school, founded on, and committed to upholding the teaching of the Church, we believe that Jesus is present in the day-to-day life of our community and that each member of our community has a divine origin and an eternal destiny. In discharging our responsibilities, we are guided by the principles of Catholic social teaching [CST], in which the following core values are constituted: dignity, solidarity, the common good, the option for the poor, the promotion of peace, care for creation, the dignity of work and the value of participation in society. These principles are demonstrated in our core, and wider, curriculum, in our care of students, in our work with the disadvantaged and in the outward-facing approach to our local community, our nation and to the world. As our moral compass, CST guides us in all our school activities, including the formulation, upholding, and reviewing of school policies.

As a Catholic school, we regard the following characteristics as central to the human flourishing of everyone – students, staff, and Governors – in our community. Our aspirations for our students are that their experience of teaching develops in them a lived belief, an authentic sense of true happiness, a lived sense of family, an experience of care and a vocation for service.

To achieve these aspirations, teaching and learning will privilege the following core virtues for every member of our community.

**Grateful** for their own gifts, for the gift of other people, and for the blessings of each day; and generous with their gifts, becoming men and women for others.

**Attentive** to their experience and to their vocation; and discerning about the choices they make and the effects of those choices.

**Compassionate** towards others, near and far, especially the less fortunate; and loving by their just actions and forgiving words.

**Faith-filled** in their beliefs and hopeful for the future.

**Eloquent and truthful** in what they say of themselves, the relations between people, and the world.

**Learned**, finding God in all things; and wise in the ways they use their learning for the common good.

**Curious** about everything; and active in their engagement with the world, changing what they can for the better.

**Intentional** in the way they live and use the resources of the earth, guided by conscience; and prophetic in the example they set to others.

## Introduction

The overarching aim of Blessed Hugh Faringdon's low-level concern policy and guidance is to facilitate a culture in which Blessed Hugh Faringdon's clear values and expected behaviours which are set out in the staff Behaviour Policy are lived, constantly monitored and reinforced by all staff. The intention of this Policy is to:

- Maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines;
- Ensure staff feel empowered to raise any low-level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Staff Behaviour Policy;
- Provide for responsive, sensitive, and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst on the other hand protecting staff from false allegations or misunderstandings.

Keeping Children Safe in Education (2022) stated that "Governing bodies and proprietors should have policies and processes to deal with concerns which do not meet the threshold" and that "...schools should ensure that they have an open and transparent culture in which all concerns about all adults working in or on behalf of the school or school are dealt with promptly and appropriately."

The aims of the Low Level Concerns Policy are to:

- Ensure that 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, and the delineation of professional boundaries and reporting lines;
- Empower staff to share any low-level concerns with the Headteacher or DSL and to help all staff to interpret the sharing of such concerns as a neutral act;
- Address unprofessional behaviour and support the individual to correct it at an early stage;
- Identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the Local Authority Designated Officer (LADO);
- Provide for responsive, sensitive and proportionate handling of such concerns when they are raised;

- Identify any need to review the school's safeguarding system and identify trends and patterns in order to provide a targeted approach to staff training.

This policy applies to all adults who work at Blessed Hugh Faringdon Catholic School, contractors, volunteers, trainee teachers and any visitors.

Creating a culture in which all concerns about adults (including allegations which do not meet the harm threshold) are shared responsibly and with the right person, recorded and dealt with appropriately is critical. If implemented correctly, this should encourage an open and transparent culture; enable the school to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and 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 the ethos and values of the School.

Behaviour which is not consistent with the ethos, standards and values of Blessed Hugh Faringdon Catholic School, and which does not meet the organisational expectations encapsulated in the Staff Behaviour Policy must be addressed. Such behaviour can exist on a wide spectrum – from the inadvertent or thoughtless, through to that which is ultimately intended to enable abuse.

All staff need to be informed about and be able to identify concerning, problematic or inappropriate behaviour and understand the importance of sharing concerns when they observe behaviour which violates the Staff Behaviour Policy.

Amongst others, this Policy operates in conjunction with the:

- Staff Behaviour Policy
- Child Protection and Safeguarding Policy
- Anti-Bullying Policy
- Grievance Policy
- GDPR Policy
- Whistleblowing Policy
- Mental Health and Wellbeing Policy

### **What is a low-level concern?**

A low-level concern for this purpose is any concern, no matter how small and even if a 'niggling doubt', that an adult may have acted in a manner inconsistent with Blessed Hugh Faringdon's Staff Behaviour Policy – even if not linked to a particular act or omission – a sense of unease as to the adult's behaviour particularly towards or around children. KCSIE (2022) gives examples of such behaviour as:

- Being over friendly towards 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
- Using inappropriate language – sexualised, intimidating or offensive language

From time to time an individual may find themselves in a situation which might appear compromising to others, or which could be misconstrued. It is recognised that this could be through no fault of their own.

Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Staff Behaviour Policy. Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such the School sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

### **What should I do if I have a low level concern?**

It is recognised that a staff member may become directly aware of a low level concern or may have been alerted by a visitor, contractor, trainee teacher or student. The process, below must be followed in all cases.

- Where a low-level concern arises it should be reported to the Headmaster or the DSL by email or verbally as soon as reasonably possible and in any event within 24 hours of becoming aware of it (where the concern relates to a particular incident) – although it is never too late to share a low-level concern. Verbal reports should be backed up in writing.
- Where the concern is about the DSL it should be referred to the Headmaster by email or verbally and any verbal report backed up in writing. The referral form must not be used as this goes to the DSL.
- Where the concern is about the Headmaster it should be referred directly to the Chair of Governors or the Safeguarding Link Governor by email or verbally and any verbal report must be backed up in writing.
- If there is a conflict of interest in sharing a low level concern with the Headmaster, DSL, Chair of Governors or Safeguarding Link Governor the low level concern should be shared directly with the LADO.

NB: Where a low level concern relates to a person employed by a supply agency or a contractor, the School will notify that person's employer so that any potential patterns of inappropriate behaviour can be identified and the school's procedures will be followed.

### **How will my low-level concern be handled?**

Once the headmaster, DSL, Chair of Governors or Safeguarding Link Governor (as appropriate – see above) has received the low level concern, they will – not necessarily in the order below but in an appropriate sequence according to the nature and detail of the particular concern shared with them.

NB: where not related to the Headmaster or DSL, the Headmaster may choose to delegate the investigation – or parts of the sequence below – to the DSL):

- If there is any doubt, seek advice from the LADO
- Follow the advice given by the LADO.
- Speak to the person (adult or child) who raised the low level concern (if the concern has been raised via email)
- Speak to any potential witnesses (unless advised not to do so by the LADO / other relevant agencies if they have been contacted)
- Speak to the individual about whom the low level concern has been raised (unless advised not to do so by the LADO / other relevant agencies if they have been contacted)
- If they are in any doubt, seek advice from the LADO on a no names basis if necessary

The information will then be reviewed to determine whether the behaviour in question:

- Is entirely consistent with Blessed Hugh Faringdon's Staff Behaviour Policy and the law;
- Constitutes a low-level concern;
- Is not serious enough to consider a referral to the LADO but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary;
- Where there have been previous low-level concerns about the same person and there is an indication that the concern now meets the threshold of an allegation, the matter must be referred to the LADO/other relevant external agencies and advice followed

Appropriate and detailed records of all internal and external conversations regarding the concern, must be kept securely and be available to view by the appropriate staff and authorities including the rationale for the decision and any actions taken, and retain records in accordance with the Low-Level Concerns Policy.

Consideration will also be given to whether the concern potentially raises misconduct or capability issues – taking advice from HR, our education lawyer and/or our HR Consultants, on a named or no-names basis as appropriate - and, if so, follow the due process as outlined in the Staff Behaviour Policy/Capability Policy as relevant.

## **What actions will be taken?**

### **i. What action will be taken if it is determined that the behaviour is entirely consistent with Blessed Hugh Faringdon's Staff Behaviour Policy and the law?**

The DSL or Headmaster will update the individual in question and inform them of any action taken (as above).

The DSL or Headmaster will speak to the person who shared the low-level concern – to provide them with feedback about how and why the behaviour is consistent with Blessed Hugh Faringdon's Staff Behaviour Policy and the law.

**ii. What action will be taken if it is determined that the behaviour constitutes a low-level concern?**

The DSL or Headmaster will respond in a sensitive and proportionate way – on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively, whilst on the other hand protecting staff from any potential false allegations or misunderstandings. Any investigation into low-level concerns will be done discreetly and on a need-to-know basis.

Most low-level concerns by their very nature are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action. Others may be most appropriately dealt with by means of management guidance and/or training. In many cases, a low level concern will simply require a conversation with the individual about whom the concern has been raised.

Any such conversation with individuals in these circumstances will include being clear with them as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain that and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question. Ongoing and transparent monitoring of the individual's behaviour may be appropriate. An action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate.

Some low-level concerns may also raise issues of misconduct or poor performance. The DSL or Headmaster will also consider whether this is the case – by referring to Blessed Hugh Faringdon's Disciplinary and/or Capability Policy and taking advice from HR, our education lawyer or HR Consultants on a named or no-names basis where necessary.

If the DSL or Headmaster considers that Blessed Hugh Faringdon's Disciplinary or Capability Policy may be triggered, they will liaise with HR. If HR confirms that Blessed Hugh Faringdon's Disciplinary or Capability procedure is triggered, the individual will have a full opportunity to respond to any factual allegations which form the basis of capability concerns or a disciplinary case against them.

Staff should be aware that when they share what they believe to be a low-level concern, the Headmaster or DSL will speak to the adult who is the subject of that concern (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted) – no matter how 'low' level the concern may be perceived to be, to gain the subject's account – and to make appropriate records (as above), which may be referenced in any subsequent disciplinary proceedings.

How the School responds to a low-level concern may differ depending on the employment status of the individual who is the subject of the concern - i.e. whether they are an employee, volunteer, Governor or worker to whom Blessed Hugh Faringdon's Disciplinary and/or Capability Policy would apply; or a Contractor. Blessed Hugh Faringdon's response will be tailored accordingly.

**iii. What action will be taken if it is determined that the behaviour, whilst not sufficiently serious to consider a referral to the LADO, nonetheless merits consulting with and seeking advice from the LADO, on a no-names basis if necessary?**

In this case action (if/as necessary) will be taken in accordance with the LADO's advice; or

When considered with any other low-level concerns that have previously been shared about the same individual, could now meet the threshold of an allegation, or in and of itself meets the threshold of an allegation?

It will be referred to the LADO/other relevant external agencies, and in accordance with Blessed Hugh Faringdon's Child Protection and Safeguarding Policy, KCSIE and the relevant procedures and practice guidance stipulated by the Brighter Futures for Children Safeguarding Team (of which the LADO team is part).

### **Concerns about reporting**

All staff should be reassured that reporting a low level concern could just indicate that a member of staff requires extra training or isn't aware that their actions could result in allegations. By bringing the concern forward staff should recognise that their actions could do much to help an individual in their professional development and learning as well as helping to prevent a false allegation from occurring.

If any individual feels unhappy with any stage of the process, and particularly that they are not being listened to and their low level concern is not being heard, they may contact Blessed Hugh Faringdon's link Safeguarding Governor.

### **Self-Reporting**

Occasionally a member of staff may find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in Blessed Hugh Faringdon's Staff Behaviour Policy.

Self-reporting in these circumstances can be positive for a number of reasons, and staff are encouraged to self-report on the basis that:

- It is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity;
- It demonstrates awareness of the expected behavioural standards and self-awareness as to the member of staff's own actions or how they could be perceived; and
- Crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

Blessed Hugh Faringdon's aim is to create an environment where staff are encouraged and feel confident to self-refer.

## **What records will be kept?**

The School will retain all records of low level concerns in a secure, electronic low level concerns file to which the Headmaster and DSL only have access. Where the concern is about the DSL or Headmaster the record will be retained securely in a location inaccessible by the DSL or Headmaster as appropriate.

Where a pattern of behaviour is identified in respect of a specific individual, the Headmaster and DSL will also consider whether any wider cultural issues are at play that may have enabled the behaviour and/or whether the school should arrange for additional training or a review of any of its policies to reduce the risk of it happening again.

## **How long will records be kept?**

Low-level concerns will be retained, as identified above, for as long as deemed relevant and necessary for a safeguarding purpose unless the school is required to disclose by law (for example, where the threshold of an allegation is met in respect of the individual in question).

In most cases, once a staff member leaves the school, any low-level concerns which are held relating to them will be retained for 5 years after the member of staff leaves, unless the low level concern has met the threshold of an allegation and has been referred to the LADO and is subject to rules governing the keeping of allegation records.

Low level concerns will be not be included in a reference unless:

- A low-level concern (or group of concerns) has met the threshold for referral to the LADO and is found to be substantiated. In this case, it will be referred to in a reference.
- Low-level concerns (or a group of concerns) which have not met the threshold for referral to the LADO which relate only to safeguarding 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.

Should an individual submit a Subject Access Request, the records will also be included (ensuring that any information relating to other individuals has been completely redacted).

## **Reporting to the Governing Board**

The DSL will report to the Governing Board about the implementation of the Low-Level Concerns Policy and any evidence of its effectiveness by referring to it in the safeguarding report provided for the Headmaster's Report to Governors where appropriate.

The Nominated Safeguarding Governor (who is L3 cleared) will also annually review an anonymised sample of low-level concerns, in order to ensure that these concerns have been responded to promptly and appropriately.



## **Monitoring and Review**

The Low-Level Concerns Policy will be monitored to ensure that it is being effectively implemented in practice and will be reviewed annually (or more frequently should requirements change) by the DSL and in response to any relevant legislative, statutory or regulatory changes and/or changes in relevant guidance and/or safeguarding best practice.

The next scheduled review for the Low-Level Concerns Policy is October 2025

## Appendix A

### Key Staff

**Headmaster:** Simon Uttley: [S.Uttley@hughfaringdon.org](mailto:S.Uttley@hughfaringdon.org)  
**DSL:** Sue Matthews: [S.Matthews@hughfaringdon.org](mailto:S.Matthews@hughfaringdon.org)  
**Link Safeguarding Governor:** Lisa Telling: [L.Telling@hughfaringdon.org](mailto:L.Telling@hughfaringdon.org)  
**LADO Team :** Brighter Futures for Children  
[lado@brighterfuturesforchildren.org](mailto:lado@brighterfuturesforchildren.org)

## Appendix B - Further information

Further advice from Farrer & Co.

Safeguarding Children: dealing with low-level concerns about adults Adele Eastman and Katie Rigg, May 2017

<https://www.icmec.org/wp-content/uploads/2017/08/Low-Level-Concerns-Article-May-2017-finalversion-.pdf>

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/developing-andimplementing-a-low-level-concerns-policy.pdf>

### Two Serious Case Reviews:

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

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

In both cases a number of staff, parents and pupils discussed concerns with each other or a member of the senior management team. A number of these concerns, taken in isolation, were not treated by the school as meeting the threshold for reporting to the LADO at the time. For example, Vahey "undermined other staff and was disrespectful to junior staff," and "gave out chocolates and sweets in class [and] cookies linked to games during evening activities." Leat "had favourite pupils within his class [who were] invariably girls, and were variously described by staff members as pupils who were less academically able, emotionally needy or vulnerable and pretty;" "had been taking photographs of children using his mobile phone," and "getting changed for PE in his class [which was] used as a thoroughfare by staff and pupils." Many concerns were not reported to anyone. In the case of Leat, only 11 of the 30 recorded incidents were reported to the school. All staff interviewed for the Serious Case Review said that it was common knowledge amongst school staff that Leat allowed pupils to be over familiar with him, and "spoke to and joked with his pupils in a manner which was inappropriate to his role."

As the Serious Case Review explains, staff were sufficiently concerned about Leat's behaviour to attempt to ensure that pupils identified as likely favourites of his were allocated to other classes on the basis that remaining in Leat's class might be emotionally harmful to them. However, these staff did not report their concerns to the school child protection officer or Head Teacher at the time. Neither school had a formal mechanism for reporting, recording or handling these low level concerns. As a result, when they were reported, the concerns were shared with different people and each concern was dealt with in isolation.

No one person was aware of all of the concerns, and no-one was therefore able to 'join the dots' and identify a pattern of concerning behaviour. Concerns, therefore, were either dismissed or, where they were investigated, they were viewed as isolated incidents and the staff member's explanation was accepted. These and numerous other cases illustrate the importance of sharing, recording and handling low level concerns, so that concerning patterns of behaviour can be identified as soon as possible and appropriate action be taken swiftly in response.