



**theHammond**

**LOW-LEVEL CONCERNS (STAFF)  
POLICY  
2023-24**

THE HAMMOND SCHOOL LTD., MANNINGS LANE, CHESTER, CH2 4ES

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## **1. Policy Statement**

- 1.1 This policy outlines the approach of The Hammond to managing concerns about adults, which do not meet the allegation threshold of harm nor are considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).
- 1.2 For the purpose of this policy, the term 'staff' will refer to any adult associated with The Hammond, i.e., whether working for or with the organisation, engaged as a paid employee, self-employed contractor, volunteer, agency staff, or Director.
- 1.3 This policy does not form part of any member of staff's contract of employment, and it may be amended at any time.

## **2. Roles, Responsibilities, and Implementation**

- 2.1 The Board of Directors has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. This committee delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the Principal, with formal adoption agreed by the Directors.
- 2.2 Leaders and Managers have a specific responsibility to ensure the fair application of this policy and all staff are responsible for supporting colleagues and ensuring its success. The Hammond is committed to safeguarding and promoting the welfare of students and expects all to share this.

## **3. Aims**

- 3.1 To ensure that all concerns about adults can be identified and spoken about openly with the appropriate safeguarding team.
- 3.2 To ensure that all concerns about adults are recorded and dealt with appropriately.
- 3.3 To create an open and transparent culture which enables The Hammond to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working for or with the organisation are clear about professional boundaries and act within them, in accordance with the ethos and values of the Trust.
- 3.4 To help ensure that adults consistently model The Hammond values and help keep students safe.
- 3.5 To protect adults working in school from potential false allegations or misunderstandings.

#### **4. Definition**

4.1 A low-level concern is any concern, no matter how small, that an adult may have acted in a manner which:

- a) Is not consistent with The Hammond's Staff Behaviour Policy (Code of Conduct); and/or
- b) Relates to their conduct either inside or 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 students.
- c) Doesn't meet the threshold of harm or is not considered serious enough for a referral to the LADO.

4.2 Low-level concerns are differentiated from allegations. An allegation should be escalated through the appropriate procedure, i.e., Disciplinary or LADO Review, where an adult has:

- Behaved in a way that has harmed a student or may have harmed a student.
- Possibly committed a criminal offence against, or related to, a student.
- Behaved towards a student in a way that indicates they may pose a risk of harm to students.
- Behaved in a way that indicates they may not be suitable to work with students.

For guidance in this area, please refer to the Managing Allegations against Adults Policy.

4.3 While low-level concerns are, by their nature, less serious than allegations, the school understands that many serious safeguarding concerns, e.g. student sexual abuse, often begin with low-level concerns, e.g. subtle grooming by an offender. The school will ensure that all staff are aware of the importance of recognising concerns before they escalate from low-level to serious, wherever possible.

4.4 Staff do not need to be able to determine in each case whether their concern is a low-level concern, or if it is in fact serious enough to consider a referral to the LADO or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern that determination should be made by the Principal.

4.5 The school will ensure that all staff members are aware of the standards of appropriate behaviour expected towards students. Staff will ensure that they pay due regard to the fact that:

- They are in a unique position of trust, care, responsibility, authority, and influence in relation to students.
- There is a significant power imbalance in the staff-student dynamic.

- There are more stringent expectations on their behaviour with regard to students due to their position as a professional.

4.6 Staff will remain aware of the fact that all students under the age of 19, regardless of the phase and year group they are at within the school, are children by law. Consequently, staff will ensure that they do not assume maturity on behalf of a student and do not engage with students as they would with their own peers.

4.7 Staff will be aware that where there is any doubt regarding whether the behaviour of another adult is appropriate, this should be reported to the Headteacher and/or DSL immediately.

## **5. Appropriate and Inappropriate Behaviour**

5.1 Inappropriate behaviour can exist on a wide spectrum, from inadvertent or thoughtless behaviour to behaviour which is ultimately intended to enable abuse. Examples of inappropriate behaviour that would constitute a low-level concern and should be reported to the Principal and/or DSL include:

- Being overly friendly with students. This could include, but is not limited to, communicating with a student through personal social media or allowing inappropriate conversations or enquiries to occur with students, e.g. conversations that are about a staff member's personal life, that contravene professional boundaries.
- Having favourites. This could include, but is not limited to, calling students by pet names or terms of endearment, or buying students gifts.
- Taking photographs of students on their personal mobile phones or devices.
- Engaging with a student on a one-to-one basis in a secluded area or behind a closed door.
- Using inappropriate, sexualised, intimidating or offensive language.

This list is not exhaustive or designed to be exclusive.

5.2 Staff will be aware that some of the above low-level concerns may meet the harms threshold depending on certain factors, e.g. the age or needs of the student or the content of exchanged messages, and that some of the above incidents may not be concerns in context, e.g. a pre-approved, one-to-one meeting with a student behind a closed door between the student and a school counsellor who has received all appropriate safety checks.

5.3 Staff will also be made aware that behaviour which raises concerns may not be intentionally inappropriate, and that this does not negate the need to report the behaviour. Staff members who engage in low-level inappropriate behaviour in relation to students inadvertently, will be made aware and supported to correct this behaviour in line with the Staff Behaviour Policy. The

Principal, and/or DSL, will also evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff cohort as a whole where low-level concerning behaviour is seen more widely.

## **6. The Importance of Sharing Low-Level Concerns**

- 6.1 Information sharing is essential for effective safeguarding and promoting the welfare of students. It is a key factor identified in many serious case reviews, where poor information sharing has resulted in missed opportunities to take action that keeps students safe<sup>1</sup>. All concerns, no matter how small, must be reported.
- 6.2 The Hammond understands that spotting the early signs of harmful behaviour towards students can be difficult, and that many will be hesitant to report concerns they have about their colleagues' behaviour, particularly the behaviour of their supervisors. Staff are encouraged to maintain an attitude that recognises that abuse can happen anywhere, in any setting, and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc.
- 6.3 The Hammond will ensure that all staff members have received training as part of their induction that outlines appropriate behaviour towards students for staff members. All staff will read, understand and adhere to the Staff Behaviour Policy and will address any questions they have regarding safeguarding to the Principal and/or DSL.
- 6.4 The school will work to foster an environment and culture where personal and professional boundaries are clearly set and respected for all individuals in the school community, e.g., students are not treated as friends and an appropriate professional distance is maintained by staff.
- 6.5 The school will ensure that all staff understand how to recognise and report safeguarding concerns. Staff will be trained to identify concerning or problematic behaviour towards students that may indicate a safeguarding concern, and how to identify signs of abuse or harm in students.

## **7. Reporting a Low-Level Concern**

- 7.1 In line with The Hammond's Whistleblowing Policy<sup>2</sup> any concerns should be raised first with the Principal. In the absence of the Principal, the concern should be raised with the Designated Safeguarding Lead (DSL). The Principal will inform the DSL and, if required, the Director of Operations and Estates who has strategic oversight of (HR).

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<sup>1</sup> [Information sharing: advice for practitioners providing safeguarding services](#)

<sup>2</sup> See Whistleblowing Policy

- 7.2 Concerns about the Principal must be reported to the Chair of Directors who will inform the DSL/DDSL (if assessed to be a low-level concern and not meeting LADO threshold).
- 7.3 Concerns about a Director must be reported first to the Principal. In the absence of the Principal the concern should be raised with the DSL.
- 7.4 If a concern is reported to the DSL, as opposed to the Principal, the DSL must inform the Principal at the earliest opportunity.
- 7.5 Staff and students are aware that they can report concerns anonymously through The Hammond's 'Whisper' platform. Details are displayed around the campus.

## **8. Self-Reporting**

8.1 Occasionally, an individual might find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, an individual may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the Staff Behaviour Policy. In these instances, an individual may wish to self-report, and this is encouraged. This can be positive for a number of reasons:

- 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 individual's own actions or how they could be perceived.
- It is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

Any individual who wishes to self-report should speak with the Principal.

## **9. Response to a Low-Level Concern**

9.1 In the event that a low-level concern is raised, the Principal will discuss the concern with the DSL and, if required, the Director of HR. The information will be reviewed to determine whether the behaviour:

- i. Is entirely consistent with The Hammond's Staff Behaviour Policy and the law;
- ii. Constitutes a low-level concern;
- iii. Is serious enough to consider a referral to the LADO; or
- iv. When considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO or other relevant external agencies.

9.2 Where necessary, The Hammond will initially seek the advice of the SCiE team (maintaining the anonymity of the individual where possible).

9.3 Where appropriate, either the Principal or DSL will speak with the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO or other relevant external agencies, where they have been contacted).

## **10. Outcomes**

### **10.1 The behaviour is entirely consistent with The Hammond’s Staff Behaviour Policy**

The individual in question will be informed by the Principal or DSL what was shared about their behaviour so that they have an opportunity to respond. The individual in question will be informed that their behaviour is entirely consistent with the Hammond’s Staff Behaviour Policy.

The DSL will also speak to the person who shared the low-level concern, if not done anonymously on Whisper, to provide them with feedback about how and why the behaviour is consistent with the Staff Behaviour Policy and the law.

### **10.2 The current concern is low-level**

The individual in question will be informed by either the Principal or DSL what was shared about their behaviour so that they have an opportunity to respond.

The Principal or DSL (with advice from the Director of HR if necessary) will determine the most suitable response. This may include:

- A conversation with the individual about their behaviour and why it was deemed to be a low-level concern
- Training
- Mentoring from an appropriate individual, e.g., a Line Manager
- Any support as identified by the individual themselves

In the event that the concern becomes a disciplinary matter, The Hammond’s Staff Disciplinary Policy<sup>3</sup> will be followed.

### **10.3 The current concern is sufficiently serious enough to warrant a referral to the LADO or, when considered with any other low-level concerns that have been shared about the same individual, should be reclassified as an allegation**

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<sup>3</sup> See [Employee Handbook](#)



In the event that the current concern should be referred to the LADO or reclassified as an allegation, The Hammond's Whistleblowing Policy<sup>4</sup> will be followed.

## **11. Recording**

- 11.1 A low-level concerns record will be kept in the HR SharePoint site within a folder; *Allegations of low-level complaints against staff*. This record will be accessible to the Principal, DSL and Director of Operations and Estates and the HR Officer. It should not be kept in the staff member's personnel file.
- 11.2 The concerns record will be kept in a chronological order as a running record. Each entry will have the time and date recorded, along with the name of the individual who has made the record and the outcome of the concern. The records will be kept confidential and will be held securely.
- 11.3 The records will be held centrally so that they can be easily reviewed by the Principal, DSL and Director of HR, and any potential patterns of concerning, problematic or inappropriate behaviour spotted.
- 11.4 If a low-level concern is deemed to be serious enough to consider a referral to the LADO, the records relating to the low-level concern will be placed on the individual's personnel file.
- 11.5 If a low-level concern (or group of concerns) is re-classified as an allegation, all previous records of low-level concerns relating to the same individual should be moved from the central low-level concerns file to the individual's personnel file.
- 11.6 If the low-level concern is raised about an individual who works with The Hammond, but is not a member of staff, e.g., Agency Staff or Contractor, then any records relating to the concern will be shared with the individual's employer. If necessary, advice will be sought from the LADO on what can be shared and with whom.
- 11.7 The Principal, DSL and the Director of HR will be responsible for recording any concerns.

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<sup>4</sup> See [Employee Handbook](#)

**Policy Details**

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