

## Low Level Concerns Policy (LLCP)

Applies to:

- The whole school including all other activities provided by the school, inclusive of those outside of the normal school hours;
- All staff (teaching and support staff), pupils on placement, governors and contractors, workers or volunteers working in the school.

Availability:

This policy is made available to parents, staff and pupils in the following ways: via the school website, within the Parent Policies Folder in the Reception area, and on request a copy may be obtained from the school office.

Monitoring and Review:

- This policy will be subject to monitoring, refinement and audit by the Principal.
- The Principal undertakes a formal annual review of this policy.

Signed:



Amy Cavilla  
Principal  
September 2024

## **Policy Statement**

Radnor House Twickenham understands the importance of a positive culture where concerns can be identified and spoken about openly, and acknowledges that this is a key element of a strong safeguarding system. The Low Level Concerns Policy (LLCP) seeks to ensure that all staff who work with children behave appropriately, and to enable the early identification and prompt and appropriate management of concerns.

As part of its whole school approach to safeguarding, the school ensures that it promotes an open and transparent culture in which all concerns about every adult working in or on behalf of the school (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

Creating a culture in which all concerns about adults (including allegations that 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.

This LLCP operates in conjunction (as appropriate) with the following:

- Safeguarding Policy
- Staff Code of Conduct

## **The Importance of Sharing Low Level Concerns (LLC)**

Behaviour which is not consistent with the standards and values of an organisation, and which does not meet the organisational expectations encapsulated in the school's Staff Code of Conduct, needs to 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 that violates the school's Staff Code of Conduct.

The LLCP enables all staff to share any concerns – no matter how small – about their own or another member of staff's behaviour with the Principal or the Head. Safeguarding and promoting the welfare of children is everyone's responsibility.

The purpose of the policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour that are set out in the school's Staff Code of Conduct are constantly lived, monitored and reinforced by all staff.

## **Aims**

The aims of the LLCP 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 LLC with the Principal or Head, 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; and

- help identify any weaknesses in the school’s safeguarding system.

### **Allegations that may meet the ‘Harm Threshold’**

The term ‘allegation’ means it is alleged that an adult who works with children 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.

In terms of managing cases of allegations that may meet the harm threshold, these might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in a school.

If the harm threshold is met, the matter is dealt with by the Principal in accordance with the school’s Safeguarding Policy.

### **Concern (including an allegation) that does not meet the ‘Harm Threshold’ – i.e. a Low Level Concern**

The term ‘Low Level Concern’ does not mean that it is insignificant, it means that an adult’s behaviour towards a child does not meet the harm threshold set out above. An LLC 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 may have acted in a way that:

- is inconsistent with the 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 – but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

While the diagram at Appendix 2 further illustrates the distinction between an allegation that may meet the harm threshold and a concern (including an allegation) that does not meet the harm threshold – i.e. an LLC, it is important that staff feel comfortable with, and are clear about, the concept of LLC, and know what to do if they have such a concern. They do not need to be able to determine in each case whether their concern is an LLC, or if it is not serious enough to consider a referral to the LADO, or whether it meets the threshold of an allegation. Once staff share what they believe to be an LLC, that determination should be made by the Principal.

### **Data Protection and Confidentiality**

The school will always respect the personal data of staff (and others, where they may be identifiable) in implementing the LLCP and in keeping records of LLC secure.

The Data Protection Act 2018 includes a specific provision which permits organisations to process even the most sensitive personal data where necessary for the purposes of protecting children from harm. Although sharing of LLC will not always involve legally sensitive categories of data, the safeguarding purpose is the same as that under the school’s Safeguarding Policy.

A proportionate approach must be taken by all to considering what personal data is in fact necessary to share and record by way of low level concern(s) in each case in order to support the safeguarding purpose and to ensure the information is accurate, fair and as far as possible recorded in neutral terms.

If a member of staff who raises an LLC does not wish to be named, the school will respect their wishes as far as possible. Staff are encouraged to consent to be named when sharing an LLC, as this will help to create a culture of openness and transparency. If the staff member who raises an LLC does not wish to be named, the school will respect that person’s wishes as far as possible.

However, there may be circumstances where the staff member will need to be named (for example, where

disclosure is required by a court or local authority, or under a fair disciplinary process) and, for this reason, the school will not promise anonymity to members of staff who share low-level concerns.

All staff are entitled, under data protection law, to ask to see the content of any LLC retained by the school under the LLCP as it relates to them personally and to make any reasonable objection as to the fairness or accuracy of that content. The school will process such requests within the period prescribed by law, subject always to any necessary protection of the rights of third parties and unless any other relevant exemptions apply (including if complying with the request would be likely to prejudice the safeguarding purpose of the LLCP). If the content of an LLC is disputed, it may not be appropriate for the school to delete or alter the original record, but a note may be recorded alongside reflecting the staff member's alternative account or objection(s).

All personal data processed in connection with the LLCP will be processed in accordance with the school's Privacy Notice and its Data Protection Policy.

### **Sharing Low Level Concerns**

It is important that an LLC is shared with the Principal 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 an LLC.

If the Principal is absent for any reason, an LLC should be shared with the Head, DSL or HR & Compliance Manager, who will ensure they inform the Principal immediately on their return.

If an LLC relates to the behaviour of the Principal, it should be referred to the Chair of Governors.

If there is a conflict of interest in sharing an LLC with the Principal, the LLC should be shared with the Chair of Governors, unless there is conflict of interest in doing so, in which case it should be reported directly to the LADO.

As an alternative option to sharing their concerns with the Principal, if they feel more comfortable doing so, staff may share an LLC with the HR & Compliance Manager, in which case they must do so within the same timeframe stipulated above.

The diagram at Appendix 4 further illustrates who an LLC should be shared with.

### **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 the school's Staff Code of Conduct. 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
- it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

The school's aim is to create an environment where staff are encouraged and feel confident to self-report.

### **Sharing and Recording**

An LLC can be shared verbally with the Principal, Head or HR & Compliance Manager in the first instance, or a written summary of it can be provided to them. Where the LLC is provided verbally, the Principal, Head or HR & Compliance Manager will make an appropriate record of the conversation, either contemporaneously or immediately following the discussion and will exercise sound professional judgment in determining what information is necessary to record for safeguarding purposes.

Where an LLC 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.

Once the Principal has received the LLC, they will – not necessarily in the below order but in an appropriate sequence according to the nature and detail of the particular concern shared with them:

- speak to the person who raised the LLC (unless it has been raised anonymously);
- speak to any potential witnesses (unless advised not to do so by the LADO or other relevant external agencies, where they have been contacted);
- speak to the individual about whom the LLC has been raised (unless advised not to do so by the LADO or other relevant external agencies, where they have been contacted);
- if they are in any doubt, seek advice from the LADO – on a no-names basis if necessary;
- review the information and determine whether the behaviour in question:
  - is entirely consistent with the school's Staff Code of Conduct and the law;
  - constitutes an LLC;
  - 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;
  - when considered with any other LLC previously raised about the same person, could now meet the threshold of an allegation, and should be referred to the LADO or other relevant external agencies, in accordance with the school's Safeguarding Policy, Part 4 of KCSIE, and the relevant procedures and practice guidance stipulated by the school's Local Safeguarding Partnership; or
  - in and of itself meets the threshold of an allegation and should be referred to the LADO or other relevant external agencies, in accordance with the school's Safeguarding Policy, Part 4 of KCSIE, and the relevant procedures and practice guidance stipulated by the school's Local Safeguarding Partnership;
- ensure that appropriate and detailed records are kept of all internal and external conversations regarding the concern, their determination, the rationale for their decision and any actions taken, and retain records in accordance with the LLCP;
- consider whether the concern also potentially raises misconduct or capability issues – taking advice from HR on a named or no-names basis where necessary – and, if so, refer the matter to HR.

### **Follow Up Actions**

If, in the opinion of the Principal, the LLC does not breach the school's Staff Code of Conduct, Safeguarding Policy and/or the law, the Principal will update the individual in question and inform them of any action taken or the decision not to take action. The Principal will speak to the person who shared the LLC to provide them with feedback about how and why the behaviour is deemed to be consistent with the school's Staff Code of Conduct, Safeguarding Policy and/or the law.

If, in the opinion of the Principal, the LLC needs to be followed up, the response will be sensitive and proportionate, on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively, while on the other hand protecting staff from any potential false allegations or misunderstandings. Any investigation of an LLC will be done discreetly and on a need-to-know basis.

Most LLCs, by their very nature, are likely to be relatively 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, an LLC 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 change, 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 LLC may also raise issues of misconduct or poor performance. The Principal will also consider whether this is the case by referring to the school's disciplinary and/or capability procedure and taking advice from HR on a named or no-names basis where necessary.

If the Principal considers that the school's disciplinary or capability procedure may be triggered, they will refer the matter to HR. If HR advise that the school'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 an LLC, the Principal will speak to the adult who is the subject of that concern (unless advised not to do so by the LADO or 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, which may be referenced in any subsequent disciplinary proceedings.

How the school responds to an LLC may be different depending on the employment status of the individual who is the subject of the concern - i.e. whether they are an employee or worker to whom the school's disciplinary and/or capability procedure would apply; or a contractor, volunteer or governor. The school's response will be tailored accordingly.

If, in the opinion of the Principal, the LLC, while not sufficiently serious to consider a referral to the LADO, nonetheless merits consulting with and seeking advice from the LADO, and on a no-names basis if necessary, action will be taken in accordance with the LADO's advice.

If, in the opinion of the Principal, the LLC, when considered with other LLC 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 or other relevant external agencies, in accordance with the school's Safeguarding Policy, Part 4 of KCSIE and the relevant procedures and practice guidance stipulated by the school's Local Safeguarding Partnership.

## **Record Keeping**

The school will retain all records of LLC in a central file. Where multiple LLCs have been shared regarding the same individual, these will be kept in chronological order as a running record, and with a timeline alongside. These records will be kept confidential and held securely, with access afforded only to a limited number of individuals such as the Principal, DSL, Chair of Governors and HR & Compliance Manager.

The Principal will review the central LLC file periodically to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of these reviews will be made.

Where a pattern of behaviour is identified in respect of a specific individual, the Principal will also consider whether there are any wider cultural issues 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.

LLC will be retained securely by the school 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 LLC which are held relating to them:

- will be retained for the same duration as that individual's personnel file; and
- will not be included in any onward reference, except where an LLC, or group of concerns, has met the threshold for referral to the LADO and is found to be substantiated.

LLCs, or a group of concerns, which have not met the threshold for referral to the LADO, and 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.

LLCs will be retained on the school's central file, securely and applying appropriate access restrictions, unless and until further guidance provides otherwise.

### **Monitoring and Review**

The Principal will regularly inform the Board of Governors about the implementation of the LLCP and any evidence of its effectiveness, for example by including reference to it in any safeguarding reports and providing any relevant data.

The Board of Governors will also review an anonymised sample of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

The LLCP will be monitored to ensure that it is being effectively implemented in practice and will be reviewed annually by the Principal 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 LLCP is September 2024.

## Appendix 1 – Details of Individuals Currently in the Roles Defined within the Low Level Concerns Policy

Principal - Amy Cavilla ([acavilla@radnorhouse.org](mailto:acavilla@radnorhouse.org))

Head & DSL - Stephen Carrington ([scarrington@radnorhouse.org](mailto:scarrington@radnorhouse.org))

HR & Compliance Manager - Sandie Hall ([shall@radnorhouse.org](mailto:shall@radnorhouse.org))

Nominated Governor for  
Safeguarding, Prevent  
and IT Filtering & Monitoring - Libby Nicholas ([libby.nicholas@dukeseducation.com](mailto:libby.nicholas@dukeseducation.com))



## Appendix 2 - Spectrum of Behaviour

### Allegation

Behaviour which indicates that an adult who works with children 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.

### Low-Level Concern

Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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 may have acted in a way that:

- is inconsistent with the school's Staff Code of Conduct, including inappropriate conduct outside of work; and
- does not meet the allegation threshold or is otherwise 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.

### Appropriate Conduct

Behaviour which is entirely consistent with the school's Staff Code of Conduct, and the law.

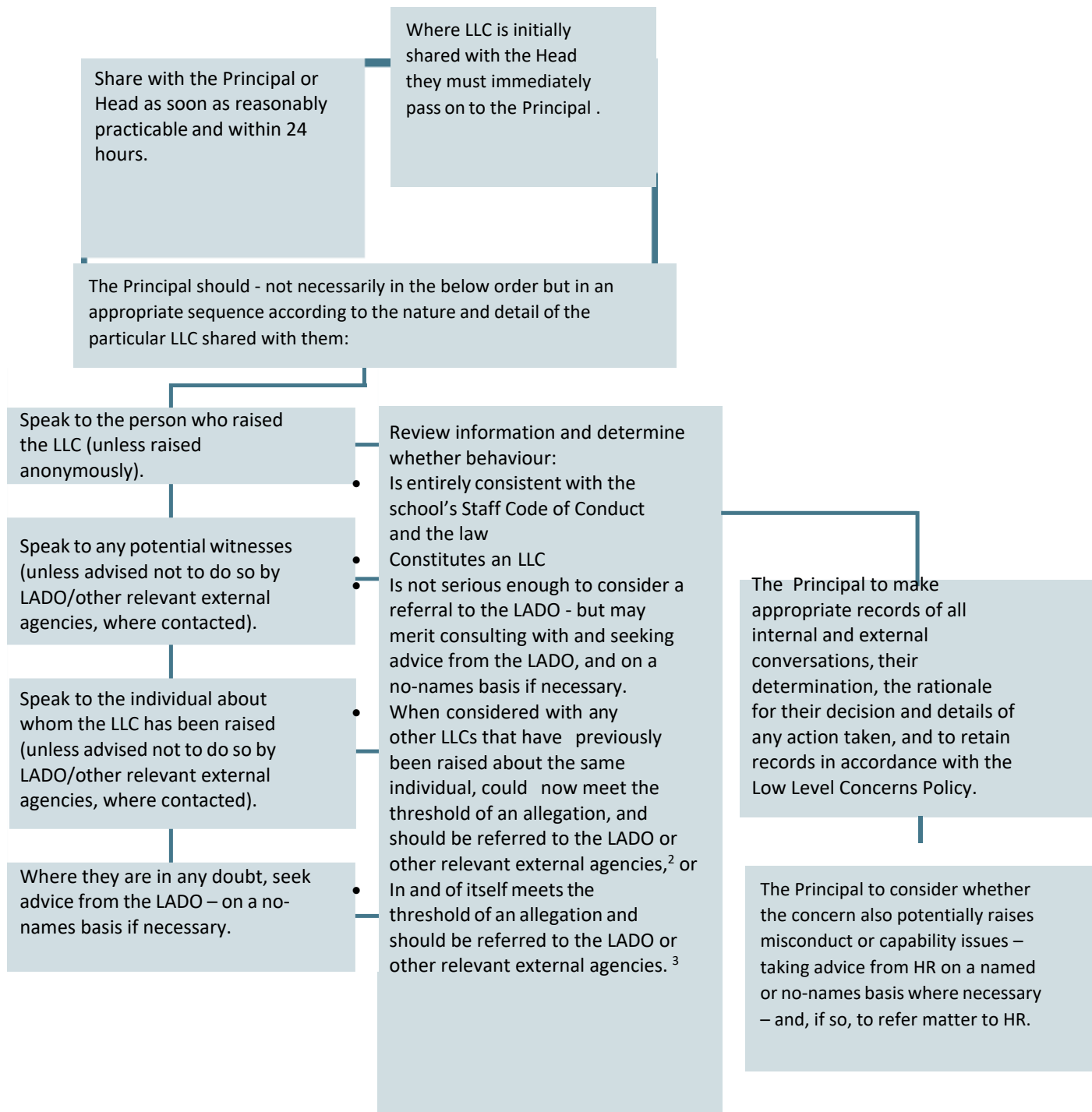
## Appendix 3 Sharing Low Level Concerns

### Sharing Low-Level Concerns (LLCs) – Action Required by Staff, Principal and Head

If a member of staff has an **allegation that may meet the harm threshold** – they should follow the procedure in the school’s Safeguarding Policy.

If a member of staff has what they **believe** to be a concern that does not meet the harm threshold – i.e. an LLC – they should take the following action.

#### ACTION REQUIRED



**KCSIE now requires low level concerns to be shared with the Principal – unless they relate to the Principal.**

<sup>1</sup> Where the LLC relates to a particular incident

<sup>2</sup> And in accordance with the Safeguarding Policy, and Part 4 of KCSIE, and/or relevant procedures and practice guidance stipulated by Local Safeguarding Partnership

<sup>3</sup> As above