



**KING EDWARD VI
ACADEMY TRUST
BIRMINGHAM**

Managing Allegations and Low-Level Concerns

<i>Responsible Board/Committee</i>	People and Systems Committee
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<i>Policy Owner</i>	People and Systems
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<i>Last Review Date</i>	July 2025
<i>Review Cycle</i>	Annual This policy will not expire but will be reviewed as per its designated cycle. This policy remains effective whilst the review is taking place and will only become non-applicable once the updated version has been approved.
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<i>Version</i>	2

<i>School</i>	King Edward VI Camp Hill School for Boys
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1 Introduction

- 1.1 The school/Academy Trust takes the safeguarding of its pupils very seriously, and we recognise that it is vital that any allegation made against an employee, supply staff, contractors, or volunteer, is managed quickly and effectively. It is also crucial that low level safeguarding concerns are recognised and reported so that behaviours can be appropriately managed.
- 1.2 This policy sets out how the school/Academy Trust will manage allegations and low-level concerns raised in relation to an employee, supply staff, contractors, or volunteers at our school. It meets the requirements of the Department for Education's statutory guidance for managing allegations as set out in Part 4 of Keeping Children Safe in Education 2025.
- 1.3 This policy is divided into two parts. The first part deals with allegations made against members of staff, including supply staff, contractors, and volunteers. The second part deals with low-level concerns raised in relation to members of staff, including supply staff, contractors, and volunteers.

2 Part One: Managing allegations made against members of staff, supply staff, contractors, and volunteers

- 2.1 This part of the policy will be followed when managing such allegations and may be adapted to each case as required. While it will be used in all cases, Part 4 of Keeping Children Safe in Education 2025 requires that it be followed in any case where it is suspected or alleged that a member of staff, including agency staff or a volunteer, has:
 - Behaved in a way that has harmed a child or may have harmed a child. These behaviours should be considered within the context of the definitions of abuse and neglect and should include concerns relating to inappropriate relationships between members of staff and children or young people. For example:
 - Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual.
 - 'Grooming', i.e. meeting a child under 16 with the intent to commit a relevant offence.
 - Other 'grooming' behaviour that gives rise to concerns of a broader child protection nature (for example, inappropriate text/e-mail messages or images, gifts, socialising, etc.)
 - Possession of indecent photographs/pseudo-photographs of children.
 - Possibly committing a criminal offence against or related to a child.
 - Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.
 - Behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- 2.2 The final bullet point above includes behaviour that may have happened outside of school which might make an individual unsuitable to work with children. This is known as transferable risk.
- 2.3 This policy will be used alongside the school's complaints policy and child protection and safeguarding policy, both of which can be accessed on the school's website.

3 Reporting an allegation

- 3.1 The safety and welfare of our pupils are of paramount importance, and so all employees and supply staff must report any allegations immediately.
- 3.2 Allegations made against an employee, supply staff, contractors, or a volunteer should be reported to the Head Teacher. Allegations involving the Head Teacher should be reported to the Chair of Governors. The Head Teacher or Chair of Governors (as appropriate) will then contact the local authority designated officer (LADO). The Head Teacher/Chair of Governors will then act as the case manager.
- 3.3 When an allegation is made, the Head Teacher/Chair of Governors will consider two aspects:
- 3.3.1 Looking after the welfare of the child.
- 3.3.2 Investigating and supporting the person subject to the allegation.
- 3.4 In each case, the Head Teacher/Chair of Governors will:
- 3.4.1 Apply common sense and judgement.
- 3.4.2 Deal with allegations quickly, fairly, and consistently.
- 3.4.3 Provide effective protection for the child and support the person subject to the allegation.
- 3.5 Before contacting the LADO, the Head Teacher/Chair of Governors will conduct basic enquiries to establish the facts to help determine whether there is any foundation to the allegation. The Head Teacher/Chair of Governors will contact the LADO, and an initial discussion will take place to consider the nature, content, and context of the allegation and agree on a course of action. The school Designated Safeguarding Lead may also be involved in this discussion. This discussion may conclude that:
- No further action is required.
 - More information is required to determine a course of action.
 - A strategy discussion should take place.
 - Police or social care should be involved.
- 3.6 The school will share relevant information with the LADO about the allegation, the child, and the person against whom the allegation has been made. If it is decided that a strategy discussion should take place, the school will always attend that meeting. Representatives from other agencies, such as health, social care, and the police, may also be invited to the meeting.

4 Investigating an allegation

- 4.1 An investigation into the allegation should normally be undertaken by a senior employee at our school/Academy Trust. Where no suitable staff are available, or the nature or complexity of the allegation requires it, the school/Academy Trust may appoint an independent investigator.
- 4.2 When determining the outcome of an investigation, Part 4 of Keeping Children Safe in Education 2025 states that the following definitions should be used when determining the outcome of the investigation:
- 4.2.1 **Substantiated:** There is sufficient evidence to prove the allegation.

- 4.2.2 **Malicious:** There is sufficient evidence to disprove the allegation, and there has been a deliberate act to deceive or cause harm to the person subject to the allegation.
 - 4.2.3 **False:** There is sufficient evidence to disprove the allegation.
 - 4.2.4 **Unsubstantiated:** There is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.
 - 4.2.5 **Unfounded:** Reflects cases where no evidence or proper basis supports the allegation being made.
- 4.3 In no circumstances would the school cease to use a member of supply staff due to safeguarding concerns without finding out the facts and liaising with the LADO to determine a suitable outcome. Whilst the Academy Trust is not the employer of supply teachers, we will ensure that allegations are dealt with properly and that the supply staff agency is involved in the process.

5 Supporting those involved

5.1 Parents/carers of the child(ren) involved

- 5.1.1 Parents or carers of the child involved will be informed about the allegation if they do not already know of it. Where a strategy discussion is required, or police or children's social care need to be involved, the school will not inform the parents or carers until it has been agreed with those agencies what information can be shared.

5.2 The member of staff or volunteer

- 5.2.1 The school has a duty of care to its employees and will act to minimise the stress inherent in the investigation process.
- 5.2.2 The person who is the subject of the allegation will be informed as soon as possible, usually after the initial discussion with the LADO. The person will be advised of the likely course of action unless the police or children's social care raise an objection. In such circumstances, the school will work with children's social care and the police to agree on what information can be disclosed and when.
- 5.2.3 The Head Teacher/Chair of Governors (as appropriate) will appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and up to date on other school-related matters. The Head Teacher/Chair of Governors (as appropriate) will also consider what other support may be appropriate for the individual. They will also be encouraged to utilise the Academy Trust's EAP (Employee Assistance Programme).
- 5.2.4 The person who is the subject of the allegation will be advised to contact their trade union representative or a colleague for support.
- 5.2.5 Where an allegation is made against a member of supply staff, the supply agency should provide additional support to that member of supply staff.

6 Suspension

- 6.1 Suspension is not an automatic response to an allegation being made. The school will only suspend a member of staff following careful consideration of whether there is cause to suspect the child or other children is/are at risk of harm or the case is so serious that it might be grounds for dismissal. In many

cases, it may be possible for alternative arrangements to be made so that the individual can continue working.

- 6.2 The school/Academy Trust decides whether or not to suspend a member of staff. Where the police or children's social care are involved in the case, the school will listen to their views regarding suspension.
- 6.3 The school/Academy Trust has no authority or power to suspend a member of supply staff where an allegation is made against them. Instead, the school will immediately cease to use the services of that member of supply staff.
- 6.4 Where an employee is suspended, they will receive written confirmation as detailed in the Academy Trust Disciplinary Procedure.
- 6.5 After the suspension, if it is decided that the employee can return to the school, measures will be put in place to support their return to work. This could include a phased return or offering another employee to provide support.

7 Resignation

- 7.1 If the individual resigns or the supply staff member, contractor, or volunteer ceases to provide their service, the investigation into the allegation will be completed. The individual will be given the opportunity to engage with the investigation.

8 Action on the conclusion of the case

- 8.1 If the allegation is substantiated and:

- 8.1.1 The employee is dismissed or resigns; or

- 8.1.2 we cease to use the supply staff member's services as a result of the allegation;

- 1.1.1 we cease to use the contractor's services as a result of the allegation; or

- 8.1.3 we cease to use the volunteer's services as a result of the allegation;

the school will consider whether a referral to the DBS and/or to the TRA is required.

- 8.2 Where an allegation is found to be false, the school may refer the case to social services to determine whether the child needs support and/or to understand if there is a safeguarding reason why the false allegation was made.
- 8.3 The school's behaviour policy sets out the action that may be taken against pupils who are found to have made malicious allegations.
- 8.4 Where an allegation is made against a member of supply staff, the outcome of the investigation will be shared with the supply agency and the LADO.

9 Post-incident review

- 9.1 It is good safeguarding practice for schools and academies to review incidents once they have concluded, so they can learn from them and continue to improve standards of safeguarding. Where allegations are made against staff, supply staff, contractors, or volunteers, the school may carry out a review at the conclusion of the case.

10 Timescales

- 10.1 Investigations into allegations against staff, including agency staff or volunteers, will be concluded as quickly and efficiently as possible to ensure that any risks to the child or other children and stress to the individual are minimised as far as possible.

11 Record keeping

- 11.1 Allegations found to be false or malicious will be removed from the employment record of the individual. For all other allegations, a clear and comprehensive summary of the allegation, how it was followed up and resolved, a note of actions taken and decisions reached, and a declaration on whether the information will be referred to in any future reference will be retained in the employment file. A copy will also be provided to the individual.
- 11.2 The record will be kept, including for people who leave the school, at least until the person reaches normal pension age or for 10 years if that will be longer, from the date of the allegation.
- 11.3 Details of any allegation made by a pupil will be kept in the confidential section of their record.

12 Confidentiality

- 12.1 The school will make every effort to maintain confidentiality and guard against unwanted publicity whilst an allegation is being investigated.
- 12.2 The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school. This applies to parents and carers as well as the press.

13 Non-recent allegations

- 13.1 Where an adult makes an allegation to the school/Academy Trust that they were abused as a child, that adult will be advised to report the allegation to the police.
- 13.2 Non-recent allegations made by a child will be reported to the LADO in line with the local authority's procedures for dealing with non-recent allegations.

14 Part Two: Managing low-level concerns

- 14.1 This part of the policy will be followed when dealing with low-level concerns raised in relation to employees, supply staff, contractors, and volunteers, and may be adapted to each case as required. It will be used alongside the school's Child Protection and Safeguarding Policy, Complaints Procedure, Staff Code of Conduct, and Disciplinary Procedure.
- 14.2 The school/Academy Trust promotes a culture in which all concerns about all adults working in or on behalf of the school/Academy Trust (including supply teachers, contractors, and volunteers) are addressed appropriately.
- 14.3 This policy is designed to:
- 14.3.1 Promote and support a culture of openness and trust where staff are clear about the behaviours expected of themselves and their colleagues.

14.3.2 Ensure staff are comfortable raising low-level concerns.

14.3.3 Provide for efficient and proportionate handling of those concerns.

15 Recognising low-level concerns

15.1 This policy will be used to manage 'low-level' concerns, defined in Part 4 of Keeping Children Safe in Education 2025 as 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 school may have acted in a way that:

15.1.1 Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and

15.1.2 Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Local Authority Designated Officer (LADO).

Low-level concerns can arise in several ways from various sources, for example, through suspicion, complaint, or disclosure.

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

15.2.1 Being overly friendly with children.

15.2.2 Having favourites.

15.2.3 Taking photographs of children on their mobile phone.

15.2.4 Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.

15.2.5 Using inappropriate, humiliating, intimidating, or offensive language.

16 Sharing low-level concerns

16.1 For our culture of openness and trust to prevail, all employees and supply staff should share any low-level concerns they have. Serious Case Reviews and Safeguarding Practice Reviews have often evidenced how low-level concerns felt and/or expressed by employees relating to individuals who were later found to have sexually abused children at a school were not recorded. When they are not recorded, they cannot be reviewed or studied for patterns of behaviour.

16.2 To minimise and hopefully eradicate the risk of those opportunities being missed, it is critical that employees and supply staff understand their role in identifying and reporting low-level concerns.

16.3 Everyone is encouraged to immediately report low-level safeguarding concerns as defined in this policy so that the identified behaviours can be investigated and managed appropriately.

16.4 All low-level concerns in relation to employees, supply staff, contractors, or volunteers should be reported immediately to the Head Teacher. Concerns about the Head Teacher should be reported to the Chair of Governors.

16.5 The procedure for reporting low-level concerns is consistent with that for reporting allegations of abuse as set out in part one of this policy. Employees and supply staff do not need to determine whether their concern meets the threshold set out in part one of this policy or is a low-level concern. The Head Teacher/Chair of Governors (as appropriate) will make this determination once the issue has been reported.

17 Responding to low-level concerns

- 17.1 The Head Teacher/Chair of Governors (as appropriate) will review the concern to confirm that it is not a more serious issue that should be dealt with under part one of this policy. An issue reported as a low-level concern would be dealt with under part one of this policy, where it meets the threshold set out in part one, or there is a pattern of low-level concerns expressed about the individual or wider staff practices generally. If necessary, the Head Teacher/Chair of Governors (as appropriate) will discuss the concern with the LADO to determine whether it should be dealt with under part one of this policy.
- 17.2 The Head Teacher/Chair of Governors (as appropriate) will discuss the concern with the individual who raised it and will investigate it as appropriate.
- 17.3 Most low-level concerns are likely to be minor and can be dealt with through management support or additional training. Where necessary, action may be taken in accordance with the Academy Trust staff code of conduct and disciplinary procedure.
- 17.4 If the concern has been raised via a third party, the Head Teacher/Chair of Governors (as appropriate) will collect evidence by speaking directly to the person who raised the concern (unless it has been raised anonymously), the individual involved, and any witnesses.
- 17.5 Where a low-level concern is raised about a member of supply staff or a contractor, the concern will be shared with the supply agency so they can take appropriate steps in accordance with their own policies and statutory guidance.

18 Recording low-level concerns

- 18.1 All low-level concerns will be recorded in writing and will include details of the concern, the context, and the action taken. The records will be kept confidential and held securely in accordance with the Data Protection Act 2018 and the UK General Data Protection Regulation.
- 18.2 Records of low-level concerns will be reviewed to identify potential patterns of concerning, problematic, or inappropriate behaviour. If patterns are identified, the school/Academy Trust will decide on an appropriate course of action. The matter will be referred to the LADO if the behaviour moves from a concern to meeting the threshold set out in the first part of this policy.
- 18.3 The record of the low-level concern will be kept for at least until the person leaves our school/Academy Trust.

19 References

- 19.1 Low-level safeguarding concerns will not be included in references except where they have met the threshold for referral to the LADO and have been found to be substantiated, in which case, they should be referred to in references.