



Allegations Against Staff and Low Level Concerns

Policy and Procedure | 2026-27

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The Policy

1. Purpose and scope

- 1.1** This policy sets out what happens when anyone is worried that an adult working in or on behalf of The Cedars Academy Trust may have harmed a child, may pose a risk to children, or has behaved in a way that falls short of the Staff Code of Conduct.
- 1.2** It covers the two levels of concern set out in Part Four of Keeping Children Safe in Education 2026:
- allegations that may meet the harm threshold, dealt with in Part B of the Procedure; and
 - low level concerns, which do not meet the harm threshold, dealt with in Part C.
- Both start in the same way. Part A explains how to raise any concern, whichever level it turns out to be.
- 1.3** This policy applies at both of the Trust's sites, Cedars Academy: Low Fell and Cedars Academy: High Heworth. It applies to everyone who works in or on behalf of the Trust, paid or unpaid: employees, supply and agency staff, trainee teachers, students on placement, volunteers, trustees, and contractors and their employees while working at either site. This includes the catering staff at Cedars Academy: High Heworth, who are employed by Gateshead Council. In this policy "staff" means all of these people.
- 1.4** Every pupil at the Trust has an education, health and care plan. Many pupils communicate without speech, need help with personal and intimate care, or may need physical intervention to keep them and others safe. Staff work closely with pupils every day in ways that would be unusual in a mainstream school. Our pupils are also more vulnerable to abuse and may find it harder to tell anyone. This policy is written for that setting.
- 1.5** The Trust will deal with every concern and allegation fairly, quickly and consistently, in a way that protects the child and at the same time supports the person it is about.
- 1.6** This policy forms part of the Staff Code of Conduct (sections 22 and 23), which sets the standard of behaviour expected of all staff. It should be read with the Safeguarding and Child Protection Policy.

2. Legal and statutory framework

- 2.1** This policy follows Part Four of Keeping Children Safe in Education 2026 (KCSIE), in force from 1 September 2026. Paragraph references in this policy are to KCSIE 2026.
- 2.2** It is consistent with Working Together to Safeguard Children 2026 and with the procedures of the Gateshead Safeguarding Children Partnership, including the local authority's arrangements for managing allegations (KCSIE paragraph 436).
- 2.3** The following law also applies, and is referred to where it is used:
- Safeguarding Vulnerable Groups Act 2006: the duty to refer to the Disclosure and Barring Service (DBS);

- Education Act 2002, sections 141D and 141E: considering a referral of a teacher to the Teaching Regulation Agency (TRA); and section 141F: reporting restrictions that protect a teacher accused by a pupil;
- Sexual Offences Act 2003, sections 16 to 19: abuse of a position of trust;
- Education and Inspections Act 2006, section 93: the use of reasonable force; and
- Data Protection Act 2018, the UK GDPR and the Data (Use and Access) Act 2025: keeping and sharing records.

2.4 How staff are expected to behave with pupils, including one-to-one work, physical contact, personal care and transport, is set out in the Staff Code of Conduct, sections 19 to 21. Part C draws on Farrer & Co's guide Developing and implementing a low-level concerns policy (2023), which KCSIE recommends (paragraph 528).

3. Roles and responsibilities

- 3.1 The Trust Board** must make sure the Trust has, and follows, procedures for dealing with allegations and low level concerns (KCSIE paragraphs 434 and 506). It receives anonymised information on allegations and low level concerns in the Designated Safeguarding Lead's safeguarding report. The trustee with lead responsibility for safeguarding is the Board's link for this work. Trustees do not see the names in individual low level concern records.
- 3.2 The Chair of Trustees** receives any concern or allegation about a co-headteacher or the Director of Inclusion, and acts as case manager for allegations about a co-headteacher, the Director of Inclusion or the Academy Business Leader. If a concern is about the Chair, the Vice Chair takes this role.
- 3.3 The co-headteachers** jointly make sure this policy is understood and followed at both sites. Any co-headteacher can receive a concern. The appropriate headteacher (section 5.1) decides whether a concern is an allegation or a low level concern, and acts as case manager for allegations (section 7). The Deputy Headteachers receive concerns when no co-headteacher is available, and pass them to a co-headteacher as soon as one is.
- 3.4 The Director of Inclusion**, as Designated Safeguarding Lead, makes sure any child involved is safe and supported, makes referrals to children's social care and the police, holds the central low level concerns file, reviews it each term for patterns, and advises the other co-headteachers.
- 3.5 The Academy Business Leader** supports case managers on the employment side, including advice from the Trust's HR provider, Gateshead Council HR Advice, and contact with supply agencies and contractors; makes sure records on personnel files are kept as section 19 requires; and keeps this policy under review.
- 3.6 All staff** must:
- report any concern about an adult's behaviour towards a pupil straight away, as set out in Part A;
 - report their own behaviour where it could be misunderstood or has fallen short (section 17);
 - keep concerns confidential, and not discuss them with colleagues, parents or the person concerned; and

- not investigate, or question a pupil, themselves.

3.7 The Local Authority Designated Officer (LADO) at Gateshead Council gives advice and guidance on allegations and makes sure an appropriate investigation is carried out. The LADO does not investigate (KCSIE paragraph 451). Contact details are in Annex A.

The Procedure

Part A: Raising any concern about an adult

4. Who to tell and when

4.1 If you are worried about how an adult has behaved towards a pupil, tell a co-headteacher straight away. This applies whether the concern seems serious or small, and whether it is about a colleague, a visitor, a contractor or yourself. You do not need to decide whether it is an allegation or a low level concern. The co-headteacher decides that (section 5).

4.2 Who to tell:

If the concern is about	Tell
Any member of staff, volunteer, supply worker, trainee teacher, contractor or visitor, or the Academy Business Leader	Any co-headteacher. If none is available, a Deputy Headteacher, who passes it on as soon as a co-headteacher is available.
A co-headteacher or the Director of Inclusion	The Chair of Trustees.
A trustee	Any co-headteacher, who passes it to the Chair of Trustees.
The Chair of Trustees	The Vice Chair of Trustees.
Someone who works with our pupils but not for the Trust, such as a transport driver or escort	Any co-headteacher, who passes it to the LADO.

4.3 If you feel unable to use these routes, or you believe a concern has not been dealt with properly, you can contact the LADO directly, or the NSPCC Whistleblowing Advice Line. Details are in Annex A.

4.4 When to tell.

- If a child has been harmed, may be at immediate risk, or it is an emergency: immediately and in person, so that children's social care or the police can be contacted (KCSIE paragraph 441).
- Any other possible allegation: the same day, in person.
- A low level concern: as soon as reasonably possible and, where it is about a specific incident, within 24 hours.

It is never too late to share a concern. A delay should never stop you sharing it.

- 4.5 How to tell.** Tell a co-headteacher in person first for anything that could be an allegation. A low level concern can be shared in person or using the Low Level Concern Form at Annex B. Whoever receives a concern in person must write it down straight away, using the form, and sign, time and date it.
- 4.6 What you must not do.** You must not:
- investigate, or question the pupil beyond listening to what they want to tell you;
 - tell the person the concern is about; or
 - discuss it with anyone other than the person you report it to.
- 4.7 How pupils may tell us.** Many of our pupils cannot tell an adult in words. A concern may come from a change in a pupil's behaviour, mood or presentation, from signing, symbols or a communication device, or from what a pupil shows rather than says. Record what you saw and heard, using the pupil's own words or signs where you can. Do not ask leading questions. The Designated Safeguarding Lead decides what is recorded on the pupil's safeguarding record on CPOMS.
- 4.8 Concerns from outside the Trust.** A concern about a member of staff may come from a pupil, a parent, another agency or an anonymous source, or from recruitment checks. Whoever receives it passes it to a co-headteacher straight away. A complaint that includes a safeguarding concern about a member of staff is dealt with under this policy first, not under the Complaints Policy.
- 4.9 Anonymity.** If you do not want to be named, the Trust will respect that as far as it can. Anonymity cannot be promised, because you may need to be named for a fair process to take place, for example a disciplinary hearing.
- 4.10 Protection.** Staff who raise a genuine concern will be supported, and protected from any detriment, in line with the Whistleblowing Policy and Procedure.

5. Deciding what happens next

- 5.1** Each concern is handled by **the appropriate headteacher**: the co-headteacher for the site or area where the matter arose. Another co-headteacher acts if that co-headteacher is involved, absent or the subject of the concern. Whoever receives a concern passes it to the appropriate headteacher straight away. The appropriate headteacher, consulting the Director of Inclusion, decides whether the concern:
- may meet the harm threshold in section 6, and is dealt with under Part B;
 - is a low level concern, and is dealt with under Part C; or
 - describes behaviour that is consistent with the Staff Code of Conduct, so that no action is needed beyond feedback (section 18.4).
- 5.2** Before deciding, the appropriate headteacher checks the central low level concerns file with the Director of Inclusion for earlier concerns about the same person. A concern that seems low level on its own may meet the harm threshold when taken with earlier ones.
- 5.3** If there is any doubt about whether a concern meets the harm threshold, the appropriate headteacher must seek the LADO's advice (KCSIE paragraph 518).
- 5.4** Every concern is passed to the Director of Inclusion, however it is first received. The decision, and the reasons for it, are recorded.

Part B: Allegations that may meet the harm threshold

6. The harm threshold

- 6.1** Part B applies where it is alleged that a member of staff has (KCSIE paragraph 437):
- behaved in a way that has harmed a child, or may have harmed a child;
 - possibly committed a criminal offence against or related to a child;
 - behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
 - behaved or may have behaved in a way that indicates they may not be suitable to work with children.
- 6.2** The last point includes behaviour outside work that might make a person unsuitable to work with children. This is known as transferable risk (KCSIE paragraphs 438 and 439). For example, the police or children's social care may tell the Trust about a concern over how a member of staff treats their own children. Where appropriate, the case manager assesses the transferable risk with the LADO's advice.
- 6.3** Allegations include, for example: a sexual relationship with a pupil under 18 by someone in a position of trust, even if the pupil appears to agree (Sexual Offences Act 2003, sections 16 to 19); grooming, including inappropriate messages, images, gifts or socialising; and possessing indecent images of children.
- 6.4** **Physical intervention.** In a special school, allegations often arise from physical intervention. Staff may use reasonable force in the circumstances set out in section 93 of the Education and Inspections Act 2006 and section 6 of the Behaviour Policy. When an allegation is about physical contact or restraint, the case manager and the LADO take this into account (KCSIE paragraph 447), together with the pupil's Emotional Support Plan and the Trust's record of the incident.
- 6.5** **Personal and intimate care.** An allegation about personal or intimate care is considered against the Intimate Care Policy and the arrangements agreed for that pupil.

7. The case manager

- 7.1** Each allegation is led by a case manager (KCSIE paragraph 440):
- for an allegation about any member of staff, the case manager is the appropriate headteacher (section 5.1);
 - for an allegation about a co-headteacher, the Director of Inclusion or the Academy Business Leader, the case manager is the Chair of Trustees; and
 - for an allegation about a trustee, the case manager is the Chair of Trustees, or the Vice Chair if the allegation is about the Chair. If the allegation is substantiated, the Trust Board will consider removing the trustee from office (KCSIE paragraph 461).
- 7.2** The case manager must not be involved in the matter. If they are, another co-headteacher acts, or for the Chair of Trustees, the Vice Chair.
- 7.3** The Designated Safeguarding Lead remains responsible for the child's welfare throughout (section 8.2). If the allegation is about the Director of Inclusion, the Deputy Designated Safeguarding Lead for the site takes on this role.

8. First steps

- 8.1 Immediate risk.** If a child has been harmed, may be at immediate risk of harm, or it is an emergency, the Designated Safeguarding Lead contacts children's social care and, where appropriate, the police immediately (KCSIE paragraph 441).
- 8.2 The child.** The Designated Safeguarding Lead makes sure the child is safe and supported, and refers to children's social care where abuse is suspected (KCSIE paragraph 442). Staff must not question the child about the allegation.
- 8.3 Basic enquiries.** Before contacting the LADO, the case manager makes basic enquiries to establish the facts and help decide whether there is any foundation to the allegation (KCSIE paragraph 444). For example, whether:
- the person was on site at the time;
 - the person did or could have come into contact with the child;
 - there were any witnesses; and
 - there is any CCTV footage, or a record of the incident.
- These enquiries must not include interviewing the child or the person concerned, and must not get in the way of any police investigation. The case manager also gathers what the LADO will need: what is alleged, when and where, possible witnesses, the person's role, any earlier concerns or allegations, whether the child or family has made similar allegations before, and the person's contact with children outside work.
- 8.4 Contacting the LADO.** The case manager must contact the LADO as soon as the allegation is made, and no later than 24 hours afterwards. They discuss the nature, content and context of the allegation and agree a course of action (KCSIE paragraph 442).
- 8.5 Telling the person.** When to tell the person, and what to tell them, is decided case by case with the LADO's advice and, where they are involved, the advice of children's social care and the police (KCSIE paragraph 446). Where the police or children's social care are involved, only information they agree may be shared.
- 8.6 Other children.** If the case manager is concerned about the welfare of other children, in the community or in the person's own family, they discuss this with the Designated Safeguarding Lead, who assesses the risk and may refer to children's social care (KCSIE paragraph 448).

9. Investigation

- 9.1 No further action.** If the case manager and the LADO agree that no further action is needed, they record the decision and the reasons, and agree what is put in writing to the person and by whom (KCSIE paragraph 450). The matter may still need to be dealt with as a conduct, capability or low level concern under the Trust's other procedures, with HR advice.
- 9.2 Strategy discussion.** If there is cause to suspect a child is suffering, or is likely to suffer, significant harm, a strategy discussion involving the police and/or children's social care is held under Working Together to Safeguard Children (KCSIE paragraph 447). The Trust may be invited to take part.

- 9.3 Police investigation.** A police investigation takes priority, and the Trust's own investigation waits until the police agree it can go ahead. Wherever possible, the case manager asks the police to obtain consent from the people involved to share their statements and evidence for use in the Trust's disciplinary process (KCSIE paragraph 474). When the police have finished, the case manager and the LADO decide whether any further action, including disciplinary action, is appropriate. The standard of proof for disciplinary action is different from that in a criminal case (KCSIE paragraphs 487 and 488).
- 9.4 The Trust's investigation.** Where further enquiries are needed, the case manager and the LADO agree how the investigation will be carried out and by whom (KCSIE paragraph 451). In straightforward cases a senior member of staff investigates. Where the Trust lacks the resource, or the allegation is complex, an independent investigator is appointed (KCSIE paragraph 452), sourced through the Gateshead Council Governor Support service that the Trust buys. Any investigation into the person's conduct is carried out under the Disciplinary Policy and Procedure, and is kept separate from any child protection or criminal enquiry.
- 9.5 Reviews.** The case manager monitors progress so that the case is dealt with as quickly as possible in a thorough and fair way. Wherever possible, the first review takes place no later than four weeks after the initial assessment. Later reviews take place ideally every two weeks, and at least monthly (KCSIE paragraphs 453 and 454).

10. Suspension and alternatives

- 10.1** Suspension is a neutral act, not a punishment, and it is never automatic (KCSIE paragraph 462). It is considered only where there is cause to suspect a child at the Trust is at risk of harm, or the case is so serious that there might be grounds for dismissal.
- 10.2** Before deciding to suspend, the case manager must consider the alternatives, with advice from Gateshead Council HR Advice and a risk analysis drawn up with the LADO (KCSIE paragraph 465). These include:
- redeploying the person within their site, so that they have no direct contact with the child or children concerned;
 - having another adult present whenever the person has contact with pupils;
 - redeploying the person to other work, so that they have no unsupervised access to pupils;
 - temporarily redeploying the person to the Trust's other site, where their contract allows; or
 - moving the child or children concerned, but only where this is in their best interests and takes account of their views, their education, health and care plan, and their parents' views. It must be made clear that this is not a punishment. In practice it is usually the adult who moves, not the pupil.
- 10.3** The power to suspend rests with the Trust as employer (KCSIE paragraph 469). As set out in the Disciplinary Policy and Procedure, suspension is decided by the co-headteachers acting together, and only the Chair of Trustees may suspend a co-headteacher. Children's social care and the police may give their views, but they

cannot require the Trust to suspend, and police involvement does not make suspension automatic.

- 10.4** If suspension is necessary, the case manager records the reasons, the alternatives considered and why they were rejected (KCSIE paragraph 467). The person is told at the point of suspension who their named contact is, and receives written confirmation within one working day (KCSIE paragraph 468). Suspension is reviewed at least every four weeks. Pay during suspension is set out in the Disciplinary Policy and Procedure.
- 10.5 Interim prohibition orders.** If the Trust learns that the Secretary of State has made an interim prohibition order against a teacher who works for the Trust, it will make sure the teacher does not carry out teaching work while the order is in place, pending the TRA's findings (KCSIE paragraph 463). Pay while an interim prohibition order is in place is decided case by case, on HR advice at the time.

11. Supporting those involved

- 11.1 The pupil.** The pupil's welfare comes first. The Designated Safeguarding Lead makes sure the pupil is supported in a way that suits their communication and needs, in line with the Safeguarding and Child Protection Policy.
- 11.2 Parents and carers** of the pupil must be (KCSIE paragraph 472):
- formally told about the allegation as soon as possible, once the case manager has checked with the LADO, and with children's social care or the police where involved, what can be disclosed;
 - kept informed about the progress of the case, but only as it relates to their child. No information about the member of staff can be shared; and
 - made aware of the reporting restrictions in section 12.
- 11.3 The member of staff.** The Trust has a duty of care to its staff (KCSIE paragraph 471). The case manager will:
- tell the person as soon as possible, as agreed with the LADO (section 8.5), and explain what is likely to happen;
 - advise them to contact their trade union representative, if they have one, or a colleague for support;
 - appoint a named representative to keep them informed of progress;
 - make sure they can access occupational health or counselling support where appropriate; and
 - not prevent social contact with colleagues and friends during any suspension, unless there is evidence this may affect the gathering of evidence.
- 11.4 Staff who raise a concern** will be supported, and protected from any detriment, in line with the Whistleblowing Policy and Procedure.

12. Confidentiality and reporting restrictions

- 12.1** The Trust must make every effort to keep an allegation confidential and guard against unwanted publicity while it is investigated (KCSIE paragraph 476). Information is shared only with those who need to know to protect children, carry out enquiries or manage the case.

- 12.2** It is a criminal offence to publish anything that may identify a teacher who has been accused by, or on behalf of, a pupil at the same school (Education Act 2002, section 141F). "Publish" includes posting on social media. The restriction lasts until the teacher is charged with an offence, or the TRA publishes information about the case (KCSIE paragraphs 476 to 479). Where parents need to be told about an allegation, they will be reminded of this.
- 12.3** The case manager agrees with the LADO, and with the police and children's social care where involved (KCSIE paragraph 481):
- who needs to know, and exactly what can be shared;
 - how to manage speculation, leaks and gossip;
 - what, if anything, can be said to the wider community to reduce speculation; and
 - how to respond to any press interest.
- 12.4** A member of staff who breaches confidentiality may face action under the Disciplinary Policy and Procedure.

13. Outcomes

- 13.1** Every allegation is concluded using one of these definitions (KCSIE paragraph 482):
- **Substantiated:** there is enough evidence to prove the allegation.
 - **Malicious:** there is enough evidence to disprove the allegation, and there has been a deliberate act to deceive or to cause harm to the person it is about.
 - **False:** there is enough evidence to disprove the allegation.
 - **Unsubstantiated:** there is not enough evidence to prove or disprove the allegation. This does not imply guilt or innocence.
 - **Unfounded:** there is no evidence or proper basis to support the allegation.
- 13.2 Referral to the DBS.** The Trust must refer a person to the DBS where it removes them from regulated activity, or would have done had they not left, and believes they have engaged in relevant conduct, satisfied the harm test, or been cautioned or convicted of a relevant offence (KCSIE paragraphs 428 to 431). This applies to volunteers as well as paid staff. The referral is made as soon as possible after the person is removed from regulated activity, which can include suspension or redeployment. The case manager makes sure the referral is made.
- 13.3 Referral to the TRA.** For a teacher, the case manager must consider whether to refer the case to the TRA (KCSIE paragraphs 432 and 485).
- 13.4 Unsubstantiated, unfounded, false or malicious allegations.** The case manager and the LADO consider whether the pupil, or the person who made the allegation, needs help, or may have been abused by someone else and this was a cry for help. The Designated Safeguarding Lead decides whether to refer to children's social care (KCSIE paragraph 489). If an allegation was deliberately invented or malicious, the Trust will consider action against the person who made it: for a pupil, under the Behaviour Policy, taking full account of the pupil's needs and understanding; for a member of staff, under the Disciplinary Policy and Procedure (KCSIE paragraph 490).
- 13.5 Returning to work.** If a suspended person returns to work, the case manager plans the return with HR advice. This may include a phased return or a mentor. The case

manager also considers how to manage contact with the pupil who made the allegation, if they are still at the Trust (KCSIE paragraph 491).

- 13.6 Resignations and settlement agreements.** The Trust will not stop an investigation because the person resigns, leaves or stops working for the Trust (KCSIE paragraph 493). The person will be given every chance to respond, and an outcome will be reached and recorded even if they do not co-operate. The Trust will not use a settlement agreement where the allegation indicates that the person poses a risk to children. No settlement agreement will stop the Trust making a DBS or TRA referral, or giving a reference (KCSIE paragraphs 492 to 497).
- 13.7 Learning lessons.** At the end of a substantiated case, the case manager and the LADO review whether the Trust's procedures could be improved, including any decision to suspend, how long the suspension lasted and whether it was justified (KCSIE paragraph 503). For all other outcomes, the case manager, with the LADO if involved, considers whether lessons can be learned (KCSIE paragraph 504).

14. Non-recent allegations

- 14.1** Abuse can be reported no matter how long ago it happened. A non-recent allegation made by a child is reported to the LADO. An adult who tells the Trust they were abused as a child is advised to report it to the police (KCSIE paragraph 505).

15. Supply staff, trainee teachers, contractors and lettings

- 15.1** Where an allegation is about someone the Trust does not employ, such as a supply worker, a trainee teacher or a contractor's employee, the Trust shares safeguarding responsibility with their employer. The Trust gathers the facts and manages the safeguarding process. The employer usually leads on any disciplinary action (KCSIE paragraph 455). This includes the catering staff at Cedars Academy: High Heworth, who are employed by Gateshead Council.
- 15.2** The Trust will not stop using a supply worker because of a safeguarding concern without first finding out the facts and agreeing a suitable outcome with the LADO. The case manager discusses with the agency whether to suspend the worker or redeploy them while the investigation takes place (KCSIE paragraph 456).
- 15.3** Agencies the Trust uses are told about this policy. The agency's HR manager, or equivalent, is invited to meetings and kept up to date (KCSIE paragraphs 457 and 458). Teacher training providers are treated in the same way as supply agencies (KCSIE paragraph 459).
- 15.4** If an allegation relates to someone using the Trust's premises to run activities for children, the Trust follows this policy and the Safeguarding and Child Protection Policy, including informing the LADO (KCSIE paragraph 460).

Part C: Low level concerns

16. What a low level concern is

- 16.1** A low level concern is any concern, no matter how small, and even if no more than a sense of unease or a nagging doubt, that a member of staff may have acted in a way that (KCSIE paragraph 509):
- is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside work; and
 - does not meet the harm threshold, or is otherwise not serious enough to consider a referral to the LADO.
- 16.2** "Low level" does not mean insignificant. Examples include:
- being over-friendly with pupils, or contacting a pupil or their family through personal social media or a personal phone, contrary to the Staff Code of Conduct;
 - having favourites, for example giving gifts or using pet names;
 - taking photographs of pupils on a personal device, contrary to Trust policy;
 - working one-to-one with a pupil, or giving personal care, out of sight or outside the arrangements agreed for that pupil and the Intimate Care Policy;
 - physical contact that is not needed, or not in line with section 6 of the Behaviour Policy and the pupil's Emotional Support Plan; and
 - humiliating pupils, including mocking how a pupil communicates, behaves or presents.
- 16.3** Behaviour of this kind ranges from the thoughtless or accidental, through behaviour that looks inappropriate but is not in context, to behaviour intended to enable abuse (KCSIE paragraph 510). One-to-one support and personal care are a planned part of many pupils' day. Staff should still share a concern if something does not feel right. It is better to share a concern and be told all is well than not to share it.
- 16.4** The purpose of Part C is to build a culture of openness, trust and transparency, in which the standards in the Staff Code of Conduct are lived, monitored and reinforced by everyone (KCSIE paragraph 513). The Trust will (KCSIE paragraph 515):
- make sure staff know what appropriate behaviour is, and can tell it apart from behaviour that is inappropriate, problematic or concerning, in themselves and others;
 - encourage staff to share any low level concern, and to self-refer;
 - address unprofessional behaviour early, and support the person to correct it;
 - respond to concerns sensitively and proportionately; and
 - use what it learns to find and fix any weakness in its safeguarding arrangements.
- 16.5** Sharing a low level concern is a neutral act. It is not an accusation.

17. Self-referral

- 17.1** Staff are encouraged to self-refer where they have found themselves in a situation that could be misinterpreted or might look compromising, or where, on reflection, they think their own behaviour fell below the expected standard (KCSIE paragraph 519). For

example, a member of staff might self-refer after a planned routine changed and they were left alone with a pupil out of sight of other adults.

- 17.2** Self-referral protects the member of staff, shows they understand the standards expected, and helps keep a culture in which everyone aims for the highest standards. A self-referral is handled in the same way as any other low level concern.

18. Responding to a low level concern

- 18.1** Every low level concern, however it is first received, is passed to the Director of Inclusion and recorded in the central low level concerns file (section 19.3). The appropriate headteacher responds to it, consulting the Director of Inclusion, and makes the final decision (KCSIE paragraph 516).
- 18.2** The appropriate headteacher will, in whatever order suits the concern, and unless the LADO or another agency has advised otherwise:
- speak to the person who raised the concern, unless it was raised anonymously;
 - speak to any witnesses;
 - speak to the person the concern is about, to hear their account. This always happens, however low level the concern, so that the person has a chance to respond and any later process is fair;
 - check the central file for earlier concerns about the same person; and
 - decide whether the behaviour is consistent with the Staff Code of Conduct and the law; is a low level concern; is a low level concern on which the LADO's advice should be sought; meets the harm threshold when taken with earlier concerns; or meets the harm threshold on its own. If it meets the harm threshold, it is referred to the LADO under Part B.
- 18.3** If there is any doubt, the appropriate headteacher must seek the LADO's advice (KCSIE paragraph 518).
- 18.4 Behaviour consistent with the Code.** If the behaviour was consistent with the Staff Code of Conduct and the law, the appropriate headteacher tells the person concerned, and explains to the person who raised the concern why the behaviour was acceptable. They consider whether the Code, or training, needs to be clearer. If similar concerns keep being raised about behaviour that is within the Code, the Trust may need to address how that behaviour is being seen by others.
- 18.5 A low level concern.** The response is sensitive and proportionate. Most low level concerns are minor, and many need only a conversation with the person, which will make clear:
- why the behaviour is concerning, problematic or inappropriate;
 - what needs to change;
 - what support the person needs to achieve that; and
 - what will happen if the behaviour continues or is repeated.

Guidance, supervision or training may also be appropriate. Where it helps, an action plan or risk assessment is agreed with the person and reviewed with them. Any enquiry is carried out discreetly, on a need-to-know basis.

- 18.6 Misconduct or poor performance.** Some low level concerns also raise questions of misconduct or poor performance. The appropriate headteacher decides, with HR advice where needed, whether the Disciplinary Policy and Procedure or the Capability Policy and Procedure applies. A concern that raises no misconduct or performance issue is not an HR matter.
- 18.7 Fairness.** If the Trust later relies on a series of concerns in a disciplinary case, each must have been raised with the person at the time, with a proper chance to respond. This is why the person the concern is about is always spoken to, and why records are kept.
- 18.8 Supply staff and contractors.** A low level concern about a supply worker or a contractor's employee is shared with their employer, so that any pattern can be identified (KCSIE paragraph 517).
- 18.9 The pupil.** Where a pupil was made to feel uncomfortable, they are offered support suited to their needs.
- 18.10 Other procedures.** Some concerns need another Trust procedure, such as the Grievance Policy and Procedure, the Whistleblowing Policy and Procedure or the Dignity at Work Policy. The appropriate headteacher decides which applies, and seeks advice where unsure.

Part D: Records, references and review

19. Records

- 19.1 Recording every concern.** Every concern and allegation is recorded in writing, with the reasons for each decision and action (KCSIE paragraphs 520 and 526). The record includes: the name and role of the person raising it (anonymity is respected as far as reasonably possible); the name and role of the person it is about; the context; a clear account of what happened, in date order; the conversations held, inside and outside the Trust; the action taken; and the reasons. Records are signed, timed and dated.
- 19.2 Allegations.** Details of an allegation found to be false or malicious are removed from the person's personnel file, unless they agree to them being kept. For all other allegations (substantiated, unsubstantiated or unfounded), the confidential personnel file holds (KCSIE paragraph 498):
- a clear and comprehensive summary of the allegation;
 - how it was followed up and resolved;
 - the action taken, the decisions reached and the outcome; and
 - a declaration on whether it will be referred to in any future reference.
- The person receives a copy, where children's social care or the police agree. These records are kept until the person reaches normal pension age, or for 10 years from the date of the allegation, whichever is longer (KCSIE paragraph 500).
- 19.3 Low level concerns.** Low level concerns are kept in the central low level concerns file, held by the Director of Inclusion in a restricted-access spreadsheet. Where there is more than one concern about the same person, they are kept together in date order.

Low level concerns are not kept on personnel files. Keeping them separately helps patterns to be spotted, and gives staff the confidence to share concerns.

- 19.4** If a low level concern is referred to the LADO, the records about that behaviour are also placed on the person's personnel file, and kept on the central file.
- 19.5 Reviewing the central file.** The Director of Inclusion reviews the central file each term to make sure concerns have been dealt with properly, and to spot any pattern of concerning, problematic or inappropriate behaviour, and keeps a record of each review. Where a pattern is found, the appropriate headteacher decides on action under the Disciplinary Policy and Procedure or, if the pattern meets the harm threshold, refers it to the LADO under Part B. The review also considers whether wider culture, policy or training allowed the behaviour to happen (KCSIE paragraph 522).
- 19.6 How long low level concerns are kept.** Low level concern records are kept at least while the person works for the Trust (KCSIE paragraph 523). When the person leaves, the Director of Inclusion reviews the records to decide whether they still have value, either as a safeguarding measure or because they may be relevant to a future claim. Records that are no longer needed are securely destroyed. This is subject to people's rights under data protection law.
- 19.7** All records are confidential, held securely, and kept in line with data protection law and the Data Protection Policy (KCSIE paragraph 521). Records about a pupil's welfare are kept on CPOMS, in line with the Safeguarding and Child Protection Policy.
- 19.8** The Trust Board receives anonymised numbers and themes of allegations and low level concerns in the Designated Safeguarding Lead's safeguarding report.

20. References

- 20.1** A reference confirms whether the Trust is satisfied that the person is suitable to work with children.
- 20.2 Allegations.** Substantiated allegations that meet the harm threshold are included, stating facts only, not opinions. Allegations found to be false, unfounded, unsubstantiated or malicious are never included, even where there have been several of them (KCSIE paragraph 502).
- 20.3 Low level concerns** are not included in a reference unless (KCSIE paragraph 524):
- a concern, or a group of concerns about the same person, has met the harm threshold and been substantiated; or
 - the concern relates to something that would normally be included in a reference, such as misconduct or poor performance.

A low level concern that relates only to safeguarding, and not to misconduct or poor performance, is not referred to in a reference.

21. Training and culture

- 21.1** All staff read this policy and the Staff Code of Conduct as part of their induction and at each review, and record that they have done so in the same way as for the Code. Low level concerns, and how to share them, are covered at induction and in annual safeguarding training.

- 21.2** A clear DBS check only shows that a person has not been found to pose a risk. It does not predict future risk. Staff should keep the attitude that "it could happen here".
- 21.3** Leaders make sure the Staff Code of Conduct is followed, and act on any attempt to get round policies or procedures, whatever the status of the person involved.

22. Monitoring and review

- 22.1** The Director of Inclusion monitors how this policy is working through the termly review of the central file and the records of each case, and reports anonymised information to the Trust Board (section 19.8).
- 22.2** This policy is reviewed every year, and sooner if KCSIE or local procedures change, by the Academy Business Leader with the Director of Inclusion. Changes are shared with all staff and with the supply agencies the Trust uses.

23. Linked policies and documents

- Staff Code of Conduct (sections 22 and 23)
- Safeguarding and Child Protection Policy
- Behaviour Policy (section 6, physical intervention)
- Intimate Care Policy
- Disciplinary Policy and Procedure
- Capability Policy and Procedure
- Grievance Policy and Procedure
- Whistleblowing Policy and Procedure
- Dignity at Work Policy
- Complaints Policy
- Data Protection Policy
- Keeping Children Safe in Education 2026, Part Four
- Gateshead Safeguarding Children Partnership procedures

Annex A: Contacts

Role	Name	Contact
Local Authority Designated Officer (LADO), Gateshead Council	Michelle Farry	0191 433 8031 or 07597 527210; LADO@gateshead.gov.uk
Director of Inclusion and Designated Safeguarding Lead (co-headteacher)	Keith Vincent	In person, or through either site office
Headteacher, Cedars Academy: Low Fell (co-headteacher, Deputy Designated Safeguarding Lead)	Michelle O'Reilly	In person, or through the site office
Headteacher, Cedars Academy: High Heworth (co-headteacher, Deputy Designated Safeguarding Lead)	Julie Vincent	In person, or through the site office
Deputy Headteacher, Cedars Academy: Low Fell	Joanne Carr	In person, or through the site office
Deputy Headteacher, Cedars Academy: High Heworth	Dan Hearne	In person, or through the site office
Chair of Trustees	Andrew Thompson	andrew.thompson@cedarstrust.org.uk
Vice Chair of Trustees, and trustee with lead responsibility for safeguarding	Elizabeth Neale	elizabeth.neale@cedarstrust.org.uk
Academy Business Leader	Gareth Kyle	In person, or through either site office
HR provider	Gateshead Council HR Advice	Through the Academy Business Leader
NSPCC Whistleblowing Advice Line		0800 028 0285
Gateshead Safeguarding Children Partnership		gatesheadsafeguardingchildren.org.uk
DBS and TRA referrals		Referral guidance on GOV.UK

Annex B: Low Level Concern Form

Use this form to share a low level concern about an adult, or to refer yourself. If you think a child has been harmed or is at risk, do not use this form: tell a co-headteacher in person straight away. Give the completed form to a co-headteacher by hand, or email it to them directly. Do not discuss the concern with anyone else.

Part 1: To be completed by the person sharing the concern

Your name	
Your role and site	
Date and time you completed this form	
Name of the adult the concern is about	
Their role and site	
Is this a self-referral?	Yes / No
What happened? When and where, who was there, what you saw or heard. Use the pupil's own words, signs or actions where relevant.	
Pupil or pupils involved (initials)	
Why does this worry you?	
Signed and dated	

Part 2: For the appropriate Headteacher/Director of Inclusion

Received by, date and time	
Earlier concerns about this person on the central file?	Yes / No
Decision	Consistent with the Code / Low level concern / LADO advice sought (date): / Meets the harm threshold, referred under Part B (date):
Person concerned spoken to (date)	
Action taken	
Reasons for the decision	
Feedback given to the person who raised the concern (date)	
Passed to the Director of Inclusion for the central file (date)	
Signed and dated	