



Academies Trust

Managing Safeguarding Concerns and Allegations of Abuse Policy

Policy details

- Date reviewed - Autumn 2026
- Date approved - 02/12/2024
- Next review date - Autumn 2028
- Policy owner - Chief People Officer

Updated in Summer 2026 and in effect 1 September 2026 to reflect changes to statutory guidance.

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1. Purpose

1.1 This Policy applies to:

- all employees of our Trust, whether academy based or part of the central/hub team
- any other people working within our academies (whether paid or unpaid), including agency/supply staff, trainee teachers, contractors and volunteers
- Academy Community Council and Trust Board members.

The use of “headteacher” within this Policy also includes Heads of School or Executive Headteachers, dependent upon the structure in place. For central/hub colleagues this will generally be the relevant Head of Department or SLT member.

In all cases, advice must be sought from the HR at the earliest opportunity, who are expected to work closely with the Headteacher throughout the process to provide support.

1.2 Co-op Academies Trust (“our Trust”) is required to follow the Department for Education’s statutory guidance for schools on Keeping Children Safe in Education. Part Four of the guidance deals with managing concerns or allegations that might indicate a person may pose a risk of harm if they continue working in regular or close contact with children.

1.3 The DfE statutory guidance identifies two levels of allegations / concerns:

- a. Allegations that may meet the harm threshold.
- b. Allegations/concerns that do not meet the harm threshold – referred to for the purposes of this guidance as ‘low level concerns’.

1.4 This Policy sets out the approach that will be taken within our Trust to deal with both low level concerns and allegations of abuse made against staff which may meet the harm threshold.

1.5 This Policy will be applied with due consideration to our Trust’s Equality, Diversity & Inclusion Policy and our co-operative values.

2. Related Policies

2.1 This Policy is closely linked to other Co-op Academies Trust and/or Academy policies, which should be referenced when appropriate, including:

- Safeguarding and Child protection policy
- Safer Recruitment Policy

- Online Safety Policy
- Disciplinary Procedure (staff)
- Positive Handling Policy
- Whistleblowing Policy, which gives more details about legal protections for colleagues making “protected disclosures” made in the public interest
- Professional and Staff Codes of Conduct
- Any other relevant guidance documents for staff, volunteers and Academy Community Council and Trust Board Members

2.2 It is also related to the non-statutory [Guidance for Safer Working Practice](#), published by the Safer Recruitment Consortium.

3. Introduction

3.1 The DfE guidance is comprehensive and statutory, and our Trust expects that its academies will follow this guidance in any cases that arise, to ensure that its duty of care to both its employees and children are met.

3.2 A summary of the difference between a low level concern and an allegation of abuse is given below. This is a summary of information in KCSiE Part Four (see Annex 2)

<u>Low Level Concern</u> The term ‘low-level’ concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the harm threshold (see opposite), but when someone has acted in a way that causes concern, including inappropriate conduct outside of work. Examples of such behaviour could include, but are not limited to: • being over friendly with children; • having “favourites”; • taking photographs of children on their mobile phone; • engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,	<u>Allegation of Abuse</u> The guidance should be referred to in any cases where a person has potentially met the harm threshold as they have: • 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; or • behaved towards a child or children in a way that indicated 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.
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• using inappropriate sexualised, intimidating or offensive language. Low level concerns may, at some point, transition to become an allegation of abuse e.g. if there are a series of concerns relating to one colleague.	These are allegations serious enough to consider a referral to the LADO. The last bullet point above includes behaviour that may have happened outside of the academy, that might make an individual unsuitable to work with children, this is known as transferable risk.
See section 4.	See section 5.

3.3 If a low level concern is raised, or an allegation of abuse is made against a member of staff, the quick resolution of that concern or allegation should be a clear priority to the benefit of all concerned.

3.4 The initial priority for the Headteacher is to conduct basic enquiries to help them determine whether the matter is a low level concern or a more serious allegation, and whether or not there is any foundation to the allegation. This should take place before contacting the LADO; advice from your HR and/or Trust Deputy Safeguarding Lead may also be sought.

3.5 Where a matter is referred to the LADO, they may state that they consider the allegation to be “unsubstantiated” or “substantiated” in relation to the ‘harms test’ under KCSiE. However, it is a separate internal investigation carried out in accordance with sections 7 & 8 of our Trust’s Disciplinary Procedure which will determine the employment outcome.

3.6 Part four of KCSiE gives guidance and can be found using [this link](#).

4. Low Level Concerns

4.1 Our Trust’s Colleague Code of Conduct outlines the minimum standards for all colleagues of Co-op Academies Trust, whether paid or unpaid; section 12 covers Safeguarding and Child Protection.

4.2 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 working in or on behalf of the school or college may have acted in a way that is inconsistent with the Colleague Code of Conduct (section 12), or other Academy or Trust

policies / processes relating to safeguarding & child protection including inappropriate conduct outside of work, but where it is not considered that the harm threshold for referral to the LADO has been met.

4.3 Headteachers are responsible for ensuring that all colleagues within their academy understand what 'low level concerns' are, and know how they should raise any concerns they might have. They should ensure they create an environment where colleagues are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards. Low level concerns may be raised with the Headteacher verbally or in writing.

4.4 Colleagues are expected to raise all and any "low level concerns" with their Headteacher. This is part of ensuring that we have an open and transparent culture in which all concerns about all adults working in or on behalf of the academy are dealt with promptly and appropriately.

Any concerns relating to the Headteacher should be raised to the Regional Director. Any concerns relating to Trust SLT members should be raised to the CEO. Any concerns relating to the CEO should be raised to the Chair of the Trust Board.

4.5 When a low level concern is received, the Headteacher should carry out a fact finding exercise to gather as much information as possible by speaking to:

- the person raising the concern (unless it has been raised anonymously)
- any witnesses
- the person involved (i.e. about whom the concerns have been raised)

This will help to confirm that it is indeed a low level concern. The information collected will help to categorise the type of behaviour and determine what further action may need to be taken. Confidentiality should be maintained when dealing with low level concerns.

4.6 The colleague who is the subject of the low level concern should be given the details of the concern that's been raised, and also feel that their side is being heard, particularly if the situation is between two members of staff with no witnesses or evidence. Due to the sensitive nature of this type of situation, colleagues may be accompanied by a workplace colleague or trade union representative during the fact finding meeting.

4.7 In some situations no further action may be required; on other occasions further action may include giving advice or training. If the initial fact finding indicates that the issue is more than a low level concern, it may be appropriate to appoint an Investigating Officer to complete a full investigation in line with Section 5 below and our Trust's Disciplinary Procedure.

4.8 All low-level concerns should be recorded in writing (whether or not further action is taken). The record should include details of the concern, the context in which the concern arose, any additional relevant information from the fact finding, and any action taken (a template is at Annex 1). The name of the individual sharing their concerns should also be noted. Anonymity will not be offered and should not be expected as a matter of course, however, if the individual requests to remain anonymous then that should be respected as far as reasonably possible. However, it may not be possible to maintain anonymity in order to carry out a fair disciplinary process.

It is a requirement of KCSiE that a record is retained, so there is no recourse to appeal regarding the retention. Headteachers are required to use the Google Form version of the Annex 1 template to document all low level concerns; this enables the Head to have an overview of patterns of behaviour within their school. A copy of the record must be printed (or saved as pdf) and provided to the colleague who is the subject of the concern (with the name of the person raising the complaint redacted if that individual has asked to remain anonymous).

4.9 Records should be kept confidential, held securely on the personnel file of the colleague against whom the concern is raised, and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR), and should be retained in the colleague's HR file in line with usual retention periods for HR information (end of employment + six years).

4.10 Low level concerns should not be included in references unless they relate to issues which would normally be included in a reference. However, where a concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, it should be referred to in a reference.

5. Allegations of Abuse

5.1 The Trust will put in place a clear procedure for dealing with allegations within each academy, making it clear that all allegations should be reported immediately to the Headteacher.

5.2 The Headteacher must alert their Trust Deputy Safeguarding Lead and relevant Regional Director (who will notify HR) if possible before making their referral to their Local Authority Designated Officer (LADO) although the referral should not be unnecessarily delayed.

5.3 If the allegation is about the Headteacher, your Regional Director must be informed. They will inform the Chair of the Academy Community Council and the LADO, if it is possible that the harm threshold has been met.

5.4 Headteachers (and anyone else responsible for a case) should:

- Follow the DfE statutory guidance in all cases where allegations of abuse are made against teachers and any other staff including supply teachers and volunteers
- Ensure that all allegations are dealt with quickly, in a fair and consistent way, and making every effort to maintain confidentiality
- Work in close liaison with their LADO, and with the police and children's social care services if appropriate
- Ensure that any colleagues facing an allegation are provided with effective ongoing support and regular updates about the progress of the case; advise the colleague to contact their Trade Union representative (or full time official, if they are a TU rep themselves); ensure that contact details for the Employee Assistance Programme are provided
- Ensure that parents or carers of a child or children involved are told of the allegation, made aware of the prohibition on reporting or publishing allegations about teachers, and are kept up to date with information about the progress of the case
- Only suspend the person facing an allegation where the HT or Trust SLT member has completed "suspension risk assessment" has been completed which indicates that this is proportionate and necessary and when all options to avoid suspension have been considered [see Annex 2 and our Trust's Disciplinary Procedure]
- Where a period of suspension is ongoing for a period of time it should be regularly reviewed; the colleague or their Trade Union Representative may also request a review. The suspension should be lifted as soon as circumstances permit.

5.5 At the conclusion of a case where the allegation is substantiated and the person is dismissed or removed from regulated activity (or would have been removed had they not left), a referral should be made to:

- (a) Disclosure & Barring Service for consideration of inclusion on the barred lists and/or,

(b) if a teacher, or a person in teaching work, as defined in The Teachers' Disciplinary (England) Regulations 2012, section 3, refer the matter to the Teaching Regulation Agency (TRA)

5.6 Where an allegation is found to be unsubstantiated, malicious or deliberately invented, consider whether any follow-on actions are required in respect of the 'accuser' such as referral to the police or action under academy pupil behaviour policies.

5.7 Carry out a case review in conjunction with HR and the Trust Deputy Safeguarding Lead at the conclusion of any cases, to identify whether any improvements can be made.

5.8 Where suspension was used, carry out a review with the LADO on conclusion of the case to determine whether that suspension was proportionate / appropriate; this should be recorded and shared with the colleague who was suspended.

5.9 Academies should keep a confidential record of all allegations made (other than those found to be malicious) on the individual's personnel file; and not refer to false, unfounded, unsubstantiated or malicious allegations in any references.

Academies have an obligation to preserve records which contain information about allegations of sexual abuse for a period 75-100 years, with review periods as appropriate. This was an outcome of the Independent Inquiry into Child Sexual Abuse. All other records should be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation if that is longer.

5.10 Our Trust will:

- Provide support, as required, to any of its academies that are dealing with allegations against staff
- Monitor all allegations against staff in order to identify trends, learn any lessons and implement recommendations; e.g. training needs, record keeping, procedures

6. Review

This Policy will be reviewed in consultation with our recognised trade unions once every two years, or when the Department for Education (DfE) issues revised guidance on this topic, if sooner.

Annex 1 - Low level concern record

CONFIDENTIAL

Note: Headteachers are required to use the Google Form version of this template to document all low level concerns - this version is provided for transparency.

Low level concern record

Name of colleague about whom the low level concern has been raised (Person A)	
Date of concern raised	
Name of person raising concern	
Has the person raising the concern asked to remain anonymous? If so, this information MUST be redacted before this form is shared with Person A	YES / NO
Name of person carrying out fact finding	
Details of the concern raised	
Context in which the concern arose	
Additional relevant information from fact finding	
Conclusions of fact finding	
Any actions taken	

This record should be held confidentially in the personnel file of Person A.

It should be retained as part of the colleague's HR file in line with usual retention periods for HR information (end of employment + six years).

Annex 2 - Keeping Children Safe In Education (Part four)

DfE Statutory guidance for schools and colleges, [Keeping children safe in education 2026 - GOV.UK](#)