



COMMUNITY
SPORTS
FOUNDATION

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NEST

LOW LEVEL CONCERNS

Date of Next Update: June 2025

Scope

This policy applies to all Norwich City Community Sports Foundation (“Foundation”) staff and affiliated entities to ensure a consistent standard across the Foundation, Norwich City Football Club (“Club”), Norwich City Women’s Football Club and Regional Development Programme.

This policy supersedes any previous policies on this topic prior to its issue date.

Policy Statement

The Foundation believes that all our environments should be inclusive and welcoming for everyone and people should feel safe, valued, and respected in line with our own Foundation values. The Foundation is committed to creating a culture in which all concerns (including where the threshold for an allegation is not met) are shared responsibly with the right person and recorded and dealt with appropriately. Concerns should only be shared with those who need to know and not openly discussed.

This policy should encourage an open and transparent culture and enable the Foundation to identify concerning, problematic or inappropriate behaviour at the earliest opportunity. It will ensure that individuals working for or with the Club are clear about professional boundaries and act in accordance with the Foundation’s Staff Code of Conduct. This policy will outline the processes to deal with such matters to minimise the risk of abuse.

Policy and Procedure

What is a low-level concern?

A low-level concern is any concern that an adult has acted in a way that:

- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- Does not meet the threshold of harm or is not considered serious enough for the Foundation to refer to the Local Authority Designated Officer (LADO) or Adult Social Care.

Low-level concerns are part of a spectrum of behaviour. This includes:

- Accidental or thoughtless behaviour
- Behaviour that might be considered inappropriate depending on the circumstances
- Behaviour which is intended to enable abuse

Examples of these behaviours could include:

- Being over friendly with children or adults who are vulnerable.
- Demonstrating favouritism.
- Taking photographs of children on their mobile phones.
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door.
- Humiliating or insulting children or adults who are vulnerable.
- Encouraging play through injuries.

The FA have published a wider example list of low-level concerns within their Safeguarding Threshold document which is available from the Safeguarding and Compliance Manager upon staff request.

Such behaviour may not be deliberate, may not be intended to enable abuse and the individual may not always be aware that they constitute poor practice.

Low-level concerns may become apparent in several ways and from several sources. For example, suspicion; complaint or disclosure made by a child or adult, parent/ carer, or other adult within or outside of the organisation; or through safer recruitment procedures.

It is crucial that all low-levels concerns are shared responsibly with the Safeguarding and Compliance Manager, a Designated Safeguarding Officer or the clubs Head of safeguarding should it be in relation to a member of safeguarding staff. It should be recorded and dealt with appropriately to achieve a proportionate outcome.

Difference between an allegation and a low-level concern

Allegation	Low-level concern	Appropriate conduct
<p>Behaved in a way that has harmed a child or adult at risk, or may have harmed a child or adult at risk.</p> <p>Possibly committed a criminal offence against or related to a child or adult at risk.</p> <p>Behaved towards a child or adult in a way that indicates they may pose a risk of harm.</p>	<p>Is not consistent with the staff code of conduct</p> <p>Relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children</p>	<p>Behaviour which is entirely consistent with the Foundation's staff code of conduct, and the law.</p>

An allegation can also relate to an adults behaviour outside of work, and their relationships with others, if they have behaved in a way in their personal life that raises safeguarding concerns.

These concerns do not have to directly relate to a child but could, for example include:

- An arrest for the possession of a weapon, sexual or violent offence.
- Have, as a parent or carer, become subject to child or adult protection procedures.
- Are closely associated with someone in their person lives (e.g partner, member of the family or other household member) who may present a confirmed risk of harm to children or adults.

Procedure

What should you do if you have a low-level concern?

All low-level concerns should be reported to the Safeguarding and Compliance Manager or a Designated Safeguarding Officer (DSO). This should be done in person, by telephone or by

e-mail. If made in person or by telephone the person receiving the information should contemporaneous record of what has been said and this should be signed and dated. The record should include the identity of the person providing the information and their role, the identity of the person of whom the low-level concern refers and the context of how the concern arose and details of the practice.

Occasionally an individual may find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, they may have behaved in a manner which, on reflection, they consider falls below the standard set out in the staff code of conduct. Self-reporting in these circumstances can be positive for several reasons:

- It is self-protective and enables a potentially difficult issue to be addressed at the earliest opportunity.
- It demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived.
- And, crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

Upon receipt of a low level concern a log will be made on the HR system (People HR) by the Safeguarding and Compliance Manager who will determine whether the concern should follow a low-level concern or allegation route. Where the low-level concern relates to the Safeguarding and Compliance Manager this should be reported to the Senior Safeguarding Lead.

Managing a low-level Concern

Initial Concern Raised:

- Staff member will raise their concern with the Safeguarding and Compliance Manager, DSO or Senior Safeguarding Lead, via phone, in person or e-mail providing as much information as possible.
- The Safeguarding and Compliance Manager or Senior Safeguarding Lead will record the report on People HR.

Response by the Safeguarding Team:

- The Safeguarding and Compliance Manager will speak to the person the report as been raised against.
- The Safeguarding and Compliance Manager will review the information that has been gathered.

Decision Making:

Low-level concern not present –

- The Safeguarding and Compliance Manager will speak with the people involved in the concern raised and give them the opportunity to respond to it.
- Feedback will be given to the person who raised the low-level concern, about how the behaviour is consistent with the code of conduct.
- There will be consideration of the policies that are in place and future training.

Low-level concern present –

- All low-level concerns will be managed in a sensitive and proportionate way. Concern will be dealt with promptly and effectively, whilst also protecting staff from potential

false allegations or misunderstanding. The investigation into a low-level concern will be undertaken on a 'need to know' basis.

- Most low-level concerns are likely to be minor. Some will not give rise to any ongoing concern and will not require further action.
- Some low-level concerns will simply require a conversation with the individual about whom the concern has been raised.
- Conversations with the person whom the concern has been raised against, should clarify with the individual as to why their behaviour is concerning, problematic or inappropriate. This may include required change in behaviour, support available to achieve the desired changes and clear consequences if the required standard are not reached or the behaviour is repeated. It may be appropriate to have transparent, ongoing monitoring of the individual's behaviours. In some cases, an action plan may be agreed with the individual, and regularly reviewed with them.
- The Safeguarding and Compliance Manager and Senior Safeguarding Lead will consult with the HR department to ensure a holistic approach is sought where misconduct or poor performance is present. Low-level concerns which do not raise misconduct or poor performance issues should not ordinarily be raised with HR.
- Outcomes may differ depending on the individual and their position within the foundation.
- Some low-level concerns may trigger disciplinary or grievance procedures, which should be followed where appropriate.

People HR Recording

- All internal conversations – including with the person who initially shared the low-level concern (where this has been possible), the adult about whom the concern has been shared (subject to the above), and any relevant witnesses.
- All external conversations – for example, with statutory agencies (where they have been contacted, and either on a no-names or names basis).
- Their determination regarding an outcome.
- The rationale for their decision; and
- Any action taken.

Previous low-level concern

If someone has had a previous low-level concern raised against them, the Safeguarding and Compliance Manager must inform the Foundation's Senior Safeguarding Manager or Club's Head of Safeguarding. The information available will be reviewed and a decision may be made to reclassify the concerns as an allegation, and the concern will be dealt with in accordance with the Foundation's Safeguarding Policies and Procedures.

FA Low-Level Concern Reporting Threshold

The FA are clear that this policy relates to any role working or associated with football and not limited to coaching staff.

They currently operate a 'three strike rule' regarding low-level concerns. This means that where an individual has been investigated for two previous allegations of low-level concerns, upon receipt of the third concern this should be elevated as a formal to the FA due to the potential pattern of behaviour forming.

The FA recognise that when an individual moves club or foundation, whether through choice or because of employment action, their 'strikes' may reset, and the safeguarding authorities will not have any knowledge of previous low-level concerns.

To ensure that children and adults at risk remain robustly safeguarded in football, the FA must be notified of the outcome of a referred low-level concern investigation, even if the individual remains working at the Club Community Organisation (CCO).

This will pass the responsibility to the FA to monitor persistent low-level concerning behaviours by individuals and escalate when appropriate. In some situations, CCO's may be notified of multiple low-level concerns in one report. The FA consider what would be one incident of low-level concerning behaviour and should be addressed and investigated collectively and appropriate and proportionate outcomes determined.

For clarity purposes, a safeguarding referral will still need to be completed by the CCO if a third incident of low-level concern is received about the same individual.

HR Employment References

Low-level concerns should not be referred to in references unless they relate to issues which would ordinarily be included in a reference, for example, misconduct or consistent poor performance.

Any low-level concern which relates exclusively to safeguarding (and not of misconduct or poor performance) should not be referred to in a reference. This will be important in ensuring an open and transparent culture with staff.

However, where a low-level concern(s) has met threshold for referral and found to be substantiated, they should be referred to in a reference. KCSIE states that allegations which are proven to be false, unsubstantiated, or malicious should not be included in employer references. Likewise, a history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference.

Equality, Diversity, and Inclusion

The Foundation endorses the principle of equality and will strive to ensure that everyone who wishes to be involved in the Foundation has a genuine and equal opportunity to participate to the full extent of their own ambitions and abilities and can be assured of an environment in which their rights, dignity and individual worth are respected.

This includes everyone's right to be safe from harm.

It is important to understand and acknowledge that people with disabilities may be more vulnerable to abuse and may have different ways that they communicate their thoughts and feelings. It is vital that we are open to the fact there is not one way to support and safeguard children

Monitoring and Evaluation

Anonymised reporting of low-level concerns will be reported to the team of Executives and the Board of Trustees via the quarterly board reports. This anonymised reporting will also feature in the annual safeguarding report along with any lessons learned to develop organisational learning.

Associated Policies

Speak Up Policy

Safeguarding Codes of Conduct

Information Sharing

Managing Allegations

Safeguarding Children Policy

Safeguarding Adults Policy

Safeguarding – Managing Allegations

Policy Issue Date: **June 2024**

Date of Next Update: **June 2025**

This policy is next due for general review on the above date. It may however be reviewed and updated earlier, in the event of a change in Foundation requirements or relevant legislation.