

## **University of Bolton Guidance on Raising and Reporting Low-Level Safeguarding Concerns and Supporting Students and Staff with Pastoral and Welfare Related Issues**

### **1 The purpose of this guidance**

- 1.1. Keeping Children Safe in Education 2023 notes the importance of creating a culture in which all concerns about adults (including allegations that do not meet the harm threshold) are shared responsibly and with the right person.
- 1.2. Concerns which do meet the threshold if deemed a Safeguarding concern would be reported and dealt with in accordance with the University's Safeguarding Policy and Procedure.
- 1.3. The term low-level concern is sometimes incorrectly applied to students and staff experiencing pastoral and or welfare related issues. This guidance should support staff in distinguishing between the two and in responding to both.

### **2 Who is this guidance for?**

- 2.1 All adults (staff, students and volunteers) whose work will involve contact with children i.e., those under the age of 18 and/or adults at risk (previously vulnerable adults), this includes students on placement and apprentices in employment who work with children and adults at risk.

This guidance should be read in conjunction with the University of Bolton Safeguarding Policy and Procedure which details in full the University's full responsibilities in relation to safeguarding children and adults at risk and confirms how to raise a safeguarding concern.

In addition, the following policies and procedures should be read in conjunction with this guidance:

- Staff Disciplinary Procedure
- Student Non-Academic Conduct Policy and Procedure
- Student Fitness to Practice Policy
- Student Health, Wellbeing and Supported Study Policy (HWSS)
- Public Interest Disclosure Policy

### **3 What are Low-level concerns?**

- 3.1 Keeping children Safe in Education 2023 identifies a low-level concern 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 on or on behalf of the University including a student on a placement or an apprentice in employment may have acted in a way that is inconsistent with our policies and procedures and relevant codes of conduct as identified above. This could include inappropriate behaviour outside of work.
- 3.2 A low-level concern may not meet the 'harm threshold' for referral to the Local Authority Designated Officer (LADO) or to other statutory safeguarding partners. The harm

threshold is an allegation that means that a person who works with children/adult at risk has:

- behaved in a way that has caused harm, or may have caused harm
- possibly committed a criminal offence against or related to a child/adult at risk; and/or
- behaved towards a child or children/adult at risk in a way that indicates they may pose a risk of harm to children/adult at risk; and/or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children/adult at risk.

Examples of low-level behaviour would include, but is not limited to:

- Not adhering to professional standards/codes of conduct relevant to the role/workplace including but not limited to placements
- Observing someone not adhering to codes of conduct and or codes of practice in relation to their work with a child or adult at risk e.g., a student nurse on placement not adhering to professional practice
- Being over friendly with children or adult at risk, not applying boundaries in terms of relationships
- Having favourites
- Taking photographs of a child/adult at risk on a personal mobile phone
- Engaging with a child on a one-to-one basis in a secluded area
- Humiliating the individual
- Using discriminatory language including language which may cause offence or inappropriate sexualised or intimidating language.
- Inappropriate conduct outside of the workplace
- Inappropriate touching of a child or adult at risk

3.3 Low level concerns may arise as a result naivety, be accidental or unintentional, be the result of misinformed action, a failure to follow procedures, a lack of training or, more rarely, deliberate abuse.

## **4 Reporting a Low-Level Concern?**

- 4.1 The University has a legal duty to keep children and adults at risk safe and protect them from abuse/harm. The reporting of a low-level concern i.e., the behaviour of a staff member employed at the University, a contractor employed on behalf of the university, an official visitor, student on placement or an apprentice in work could be an opportunity for training and process improvement not dissimilar to “near miss” reporting applied to the broader health and safety of the University community.
- 4.2 Individuals raising a concern do not need to determine if it meets the harm threshold, but they do have an obligation to raise any safeguarding observation as part of our proactive safeguarding culture.
- 4.3 Individuals may self-refer an issue of concern. The raising of low-level concerns is a professional dialogue in line with good practice and should provide opportunities for shared learning. It is an important step if the adult has 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.

#### 4.4 Who to report to (see Appendix 1)

Concern relates to:	Report to:
Member of staff employed by the University	Email: HR@bolton.ac.uk
Contractor working on behalf of the University	Email: HR@bolton.ac.uk
Student on placement	Email: safeguarding@bolton.ac.uk
Apprentice	Email: safeguarding@bolton.ac.uk
Students who volunteer	Email: safeguarding@bolton.ac.uk

#### 4.5 Information to report/include with the email referral

Reports should:

- provide a concise record including a brief context in which the low-level concern arose
- include details of who was involved
- include details of witnesses
- include dates, time, location
- include details of what you feel is unprofessional behaviour/conduct
- include details which are chronological, and as precise and accurate as possible of any such concern and relevant incident(s)

If in doubt if the concern is a low-level safeguarding concern or a safeguarding concern, please complete the Safeguarding Referral form available in Appendix 5 of the Safeguarding Policy and Procedure. A member of the Safeguarding Team will then make an informed decision if the referral constitutes a safeguarding concern/allegation or a low-level safeguarding concern, in accordance with section 4.6 and 4.8.

Reports should be made in a timely fashion, within one working day of the incident.

#### 4.6 Responding to a report:

On receipt of a report the following actions may be taken:

- speak to the person who raised the concern
- speak to any potential witnesses (unless advised not to do so by the LADO or equivalent professional and/or other relevant external agencies, where they have been contacted)

- speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO or equivalent professional and/or other relevant external agencies, where they have been contacted)
  - review the information and determine whether the behaviour:
    - i. is consistent with relevant code of conducts/expectations of the university
    - ii. constitutes a low-level concern
    - iii. is not serious enough to consider a referral to the local authority/external safeguarding partners – but may merit consulting with and seeking advice from them
    - iv. when considered with any other low-level concerns that have previously been raised about the same individual, could now meet the threshold of an allegation and should be referred to the LADO or equivalent local authority external safeguarding partners
    - v. in and of itself meets the threshold of an allegation and should be referred to the LADO or equivalent local authority professional.
- 4.7 Staff receiving reports of low-level concerns may be required to seek advice and share information with their manager, the employee’s manager, the students Head of School or Dean of Faculty, staff from the Safeguarding Team, the Apprenticeship Team, the placement provider or employer for apprentices. Information will only be shared on a need-to-know basis, to support decision making, inform of next actions/implementation of other policies or training and to support individuals involved.
- 4.8 When receiving a Low-Level Concern, the University of Bolton will:
- ensure all concerns that are raised are handled sensitively and proportionately
  - aim to respond to all concerns raised within two working days
  - undertake to weigh up information in order to distinguish between unprofessional behaviour and intentional harm or abuse i.e., establish if it is a low-level safeguarding or a safeguarding concern which would be dealt with in accordance with the University of Bolton’s Safeguarding Policy and Procedure
  - identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with, or referred to, the local authority dedicated officer (LADO) or equivalent safeguarding partner/officer
  - focus on the behaviour, not the language used to describe or report it
  - address unprofessional behaviour and support the individual to correct it at an early stage
  - identify any areas for development in our safeguarding system as well as any training needs
  - review the report against the relevant staff or student policies as listed earlier in this guidance. The instigation of these policies may be required depending on the nature of what was reported.
- 4.9 Records should be retained locally by the person receiving the report in a safe, secure and confidential manner. Records will be kept confidential (shared only on a need-to-know basis) and will be held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). Records will also include all actions taken plus the rationale for the decisions made. Such records may be made available to other organisations as required noting this is a non-exhaustive list:
- Regulatory bodies such as the Office for Students and or Ofsted

- University Insurers
- Health and Safety Executives
- Other University staff as required e.g., Head of School, Dean of Faculty, Personal Academic Tutor, Programme Lead or Line Manager

4.10 Records will be retained for the duration of the persons employment or studies and for 6 years beyond the completion of this.

## **5 Further Advice on Low Level Concerns**

5.1 If your concern relates to a potential Low-level Safeguarding Concern for a university employee or university volunteer further advice is available from your Head of Service, Head of School, Dean of Faculty or Human Resources.

If your concern relates to a potential Low-level Safeguarding Concern for a student including apprentices you can speak with your Designated Safeguarding Champion, a Senior Designated Safeguarding Champion, Deputy Safeguarding Officer, Safeguarding Officer, Head of School, Dean of Faculty or colleagues in the Standard Enhancement Office

## **6 Student Pastoral and Welfare Issues**

6.1 The Department of Education (DfE) states that universities currently have a general duty of care to deliver educational and pastoral services to the standard of an ordinarily competent institution and that in doing so they are expected to act reasonably to protect the health, safety and welfare of their students. This can be summed up as providers owing a duty of care to not cause harm to their students through the university's own actions.

6.2 When staff become aware of a student experiencing pastoral or welfare related issues, they should look to support the individual to the best of their abilities, recognising professional boundaries and signposting or referring to specialist professional support services as required. Records of support provided, advice given, signposting or onward referrals should be retained locally by the staff providing this advice. Academic colleagues can retain such records using Pulse, see 6.5.

6.3 All students are allocated a Personal Academic Tutor (PAT). The aim of the PAT is to support students achieve their academic and personal aspirations. PATs are able to advise students on academic issues and pastoral issues including those affecting a student's health or wellbeing.

6.4 Students will often seek pastoral support from staff with whom they have built a relationship or have regular contact, this could include academic staff who are not Personal Academic Tutors.

6.5 All advice of a pastoral nature given by academic colleagues should be logged in Pulse unless it is sensitive. If the advice is of a sensitive nature a record should be entered in to Pulse that summarises that confidential advice has been given and whom can be contacted for further information on a need-to-know basis.

6.6 All academics including PATs can refer students to professional support services listed in 6.7 using the MyBolton App

- 6.7 All students have access to additional professional support services including:
- Life Lounge (Student Mental Health and Wellbeing)
  - Disability Team
  - Student Funding
  - Student Advisors
  - International Student Advisors
  - Student Liaison Officers
  - Library including Subject Librarians, Learning Excellence Achievement Pathway (LEAP) Online and Live
  - Careers Service and Employability
  - Chaplaincy
  - Students' Union
- 6.8 In the event a pastoral or welfare related issue is reported to the Senior Designated Safeguarding Champions, Deputy Safeguarding Officer or Safeguarding Officer via [safeguarding@bolton.ac.uk](mailto:safeguarding@bolton.ac.uk) or a Designated Safeguarding Champion Safeguarding Reporting Form and the concern does not constitute a safeguarding concern then the following actions may be taken
- the person making the report will be offered advice on how best to support the individual for whom a concern has been raised
  - if appropriate the person for whom a concern has been raised may be contacted directly by a member of the safeguarding team.

## **7 Staff Pastoral and Welfare Issues**

- 7.1 The University takes the health, safety and wellbeing of its staff seriously and understands that safeguarding issues can affect the wellbeing of staff involved.
- 7.2 Staff should never be afraid to ask for appropriate advice and guidance if they are unsure of what action to take. Confidential advice can be given by the relevant local Designated Safeguarding Champion, Heads of School / Service or relevant HR Safeguarding Champion. Further details are contained in the Safeguarding Policy as updated from time to time.
- 7.3 Staff affected by any aspect of any low-level safeguarding case / process can also access the University Employee Assistance Programme provider, Spectrum Life. The contact details can be found via the HR A to Z.
- 7.4 If it is alleged that a member of staff has breached any aspect of this guidance or the Safeguarding Policy an investigation may be carried out in line with the staff disciplinary procedure.

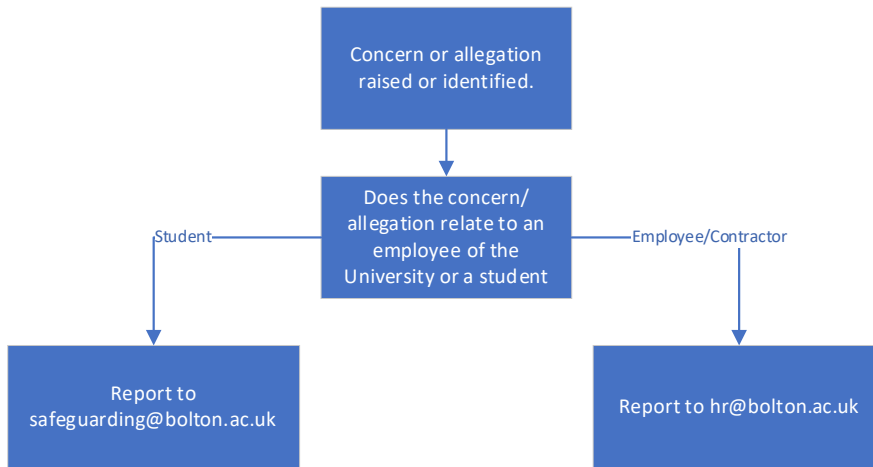
<b>University of Bolton Guidance on Raising and Reporting Low-level Safeguarding Concerns and Supporting Students and Staff with Pastoral and Welfare Related Issues</b>	
Version Number	1
Version Date	24/01/24
Name of Developer/Reviewer	Head of Student Services and the Student Mental Health and Wellbeing Manager – Safeguarding Officers
Procedure Owner (School/Centre/Unit)	Student Services
Person responsible for implementation (post holder)	Assistant Vice-Chancellor (Transformation)
Approving Committee/Board	Safeguarding and Prevent Working Group
Date approved	01/02/2024
Effective from	03 May 2024
Dissemination Method (e.g., website)	Staff and Student web pages (Policy Zone) and an Appendix to the University of Bolton Safeguarding Policy and Procedure
Review Frequency	Annually
Reviewing Committee	Safeguarding and Prevent Working Group.
Document History  (e.g., rationale for and dates of previous amendments)	January 2024 – Draft with input from HR and SOs and DSOs.  May 2024 – Guidance embedded into Safeguarding Policy and Procedure and published as a standalone document.



# Appendix 1



## Low-level Safeguarding Concerns Reporting Process



## Managing Low-level Safeguarding Concerns Process

