



## Low-Level Concerns Policy

*Our school nurtures curiosity and creativity through an inspiring, broad and engaging curriculum, where learning is at the heart of all that we do. Children at Reedley learn to become resilient and self-assured in a safe environment where challenge is key. Team Reedley are encouraged to thrive and achieve as individuals, preparing them for their role as caring and active citizens in modern Britain.*

*(Mission statement)*

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### 1. Introduction

At Reedley Primary School, we take safeguarding very seriously. This includes ensuring that adults who work with children do so in a way that is in accordance with the ethos and policies set out by the school, including the Staff Code of Conduct. This policy sets out the detail and processes for staff regarding low-level concerns they may have.

### 2. Summary

It may be possible that a member of staff acts in a way that does not cause risk to children, but is however inappropriate. A member of staff who has a concern about another member of staff should inform the Head Teacher about their concern using a Low-Level Record of Concern Form. If the Head Teacher cannot be contacted, the Chair of Governors should be contacted instead. It does not breach GDPR to report low-level concerns to the Headteacher, as long as the process is followed.

### 3. Keeping Children Safe in Education

The following is taken from Keeping Children Safe in Education

#### Low-level concerns

431. As part of their whole school or college approach to safeguarding, schools and colleges should ensure that they promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school or college (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

432. Creating a culture in which all concerns about adults are shared responsibly and with the right person, recorded and dealt with appropriately, is critical.

If implemented correctly, this should:

- enable schools and colleges to identify inappropriate, problematic or concerning behaviour early
- minimise the risk of abuse, and
- ensure that adults working in or on behalf of the school or college are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

What is a low-level concern?

433. The term 'low-level' concern does not mean that it is insignificant.

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 staff code of conduct, including inappropriate conduct outside of work, and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

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, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating children.

434. Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

435. Low-level concerns may arise in several ways and from a number of sources.

For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

436. It is crucial that all low-level concerns are shared responsibly with the right person and recorded and dealt with appropriately.

Ensuring they are dealt with effectively should also protect those working in or on behalf of schools and colleges from becoming the subject of potential false low-level concerns or misunderstandings.

Staff code of conduct and safeguarding policies

437. As good practice governing bodies should set out their low level concerns policy within their staff code of conduct and safeguarding and child protection policies as set out in Part Two of this (KCSIE) guidance. They should make it clear what a low-level concern is and the importance of sharing low-level concerns, and an explanation of what the purpose of the policy is – i.e., to create and embed a culture of openness, trust and transparency in which the school or college's values and expected behaviour set out in the staff code of conduct are lived, monitored and reinforced constantly by all staff.

438. As set out in Part Two of this guidance, the governing body should ensure their staff code of conduct, behaviour policies and safeguarding policies and procedures are implemented effectively and ensure that appropriate action is taken in a timely manner to safeguard children and facilitate a whole school or college approach to dealing with any concerns.

439. Schools can achieve the purpose of their low-level concerns policy by:

- ensuring their staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others
- empowering staff to share any low-level safeguarding concerns (see below)
- addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- handling and responding to such concerns sensitively and proportionately when they are raised, and
- helping identify any weakness in the school or colleges safeguarding system.

Sharing low-level concerns

440. Schools should ensure that their low-level concerns policy contains a procedure for sharing confidentially such concerns which is clear, easy to understand and implement.

Whether all low-level concerns are shared initially with the DSL, or with the headteacher is a matter for the school or college to decide. If the former, then the DSL should inform the headteacher of all the low-level concerns and in a timely fashion according to the nature of each particular low-level concern. The headteacher should be the ultimate decision maker in respect of all low-level concerns, although it is recognised that depending on the nature of some low-level concerns and/or the role of the DSL in some schools, the headteacher may wish to consult with the DSL and take a more collaborative decision making approach.

441. Low-level concerns which are shared about supply staff and contractors should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

442. If schools and colleges are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they should consult with their LADO.

443. Schools and colleges should ensure they create an environment where staff 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. Recording low-level concerns

444. All low-level concerns should be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

445. Schools and colleges can decide where these records are kept, but they must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

446. Records should be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the school should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, in which case it should be referred to the LADO (as per Part four, Section one). Consideration should also be given to whether there are wider cultural issues within the school or college that enabled the behaviour to occur and where appropriate policies could be revised, or extra training delivered to minimise the risk of it happening again.

447. It is for schools and colleges to decide how long they retain such information, but it is recommended that it is retained at least until the individual leaves their employment.

#### References

448. Part Three of this guidance (KCSIE) is clear that schools and colleges should only provide substantiated safeguarding concerns/allegations (including a group of low level concerns about the same individual) that meet the harm threshold in references.

Low-level concerns should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference.

#### Responding to low-level concerns

449. The school's low-level concerns policy should set out the procedure for responding to reports of low-level concerns. If the concern has been raised via a third party, the headteacher should collect as much evidence as possible by speaking:

- directly to the person who raised the concern, unless it has been raised anonymously, and
- to the individual involved and any witnesses.

450. The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. This information needs to be recorded in writing along with the rationale for their decisions and action taken.

451. A good low-level concerns policy will simply be a reflection and extension of the school's wider staff behaviour policy/code of conduct.

452. More detailed guidance and case studies on low-level concerns can be found in: [Developing and implementing a low-level concerns policy: a guide for organisations which work with children \(farrer.co.uk\)](http://Developing and implementing a low-level concerns policy: a guide for organisations which work with children (farrer.co.uk).).

#### 4. Clarity around Allegation vs Low-Level Concern vs Appropriate Conduct

##### **Allegation**

Behaviour which indicates that an adult who works with children has:

- 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.

##### **Low-Level Concern**

Any concern – no matter how small, even if no more than a ‘nagging doubt’ – that an adult may have acted in a manner which:

- is not consistent with an organisation’s Code of Conduct, and/or
- 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.

##### **Appropriate Conduct**

Behaviour which is entirely consistent with the organisation’s Code of Conduct, and the law.

#### 5. Storing and use of Low-Level Concerns and follow-up information

All reports of Low Level Concerns and follow-up information will be stored securely within the Reedley School’s safeguarding systems, with access only by the Headteacher. This will be stored in accordance with the school’s GDPR and data protection policies.

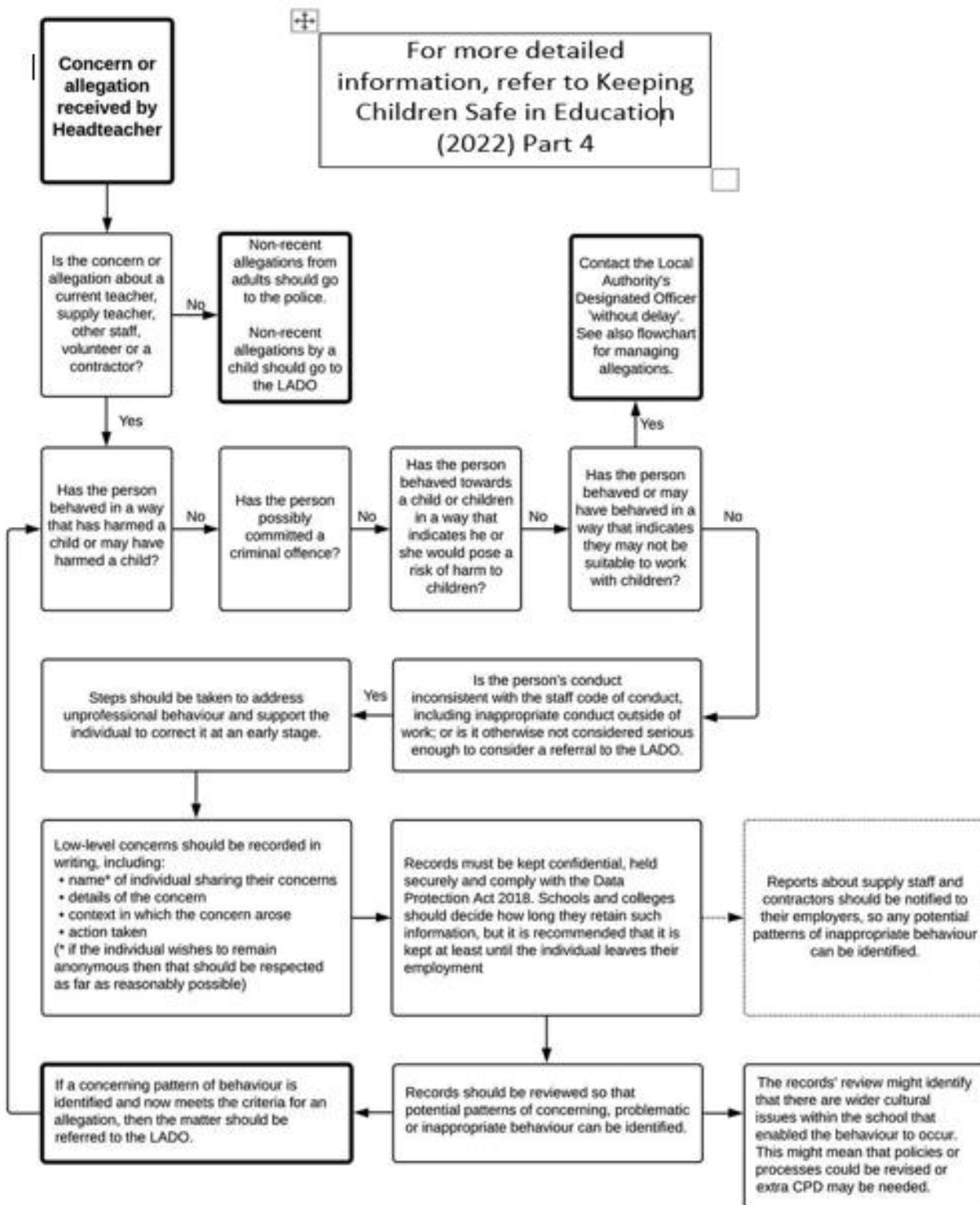
The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Head Teacher or those aware in the senior leadership team.

Low-Level Concerns will not be referred to in references unless they have been formalised into more significant concerns resulting in disciplinary or misconduct procedures. The staff members would be informed if this is the case.

Whenever staff leave Reedley, any record of low-level concerns which are stored about them will be reviewed as to whether or not that information needs to be kept. Consideration will be given to

- a) whether some or all of the information contained within any record may have any reasonably likely value in terms of any potential historic employment or abuse claim so as to justify keeping it, in line with normal safeguarding records practice; or
- b) if, on balance, any record is not considered to have any reasonably likely value, still less actionable

6. Process to follow when a Low-Level Concern is raised



## 7. Concerns for Staff Wellbeing

In addition to concerns about staff conduct, low level concerns will also be recorded regarding staff well-being. School has a duty of care towards staff members, and colleagues are asked to approach their headteacher if they have concerns about a colleague's well-being or changes in their behaviour. The staff member can approach the colleague first themselves to ask if they are ok or to say that they have noticed that they 'don't seem their usual self'. The concern should be shared with the Headteacher if the colleague remains concerned, following an informal chat. Refusal to engage in a conversation with a colleague about wellbeing does not itself constitute a concern. Concerns should not be discussed with colleagues other than the person themselves or the Headteacher.

The headteacher will ask if the staff member for whom the concern relates to, wishes to have a conversation about their well-being, and if so, whether school can offer some support or advice. There is no obligation for the staff member to have such a conversation, but a written record of the concern and offer to support will always be kept. These records will not be shared with colleagues other than the Headteacher, unless the staff member wishes for other colleagues to be informed.

Staff can share concerns about colleagues or about themselves. If the concern is about themselves, then the staff member can choose another colleague to share their concerns with, which may include the Mental Health First-Aider, but these staff members have a duty to share the concern with the Headteacher, even if there is no further action needed from the Headteacher.

## 8. Low Level Concern Form

This form will be available to staff via: Teachers drive - under Low Level Concern

The form should be used to share any concern about conduct – no matter how small, and even if no more than a nagging doubt, that any adult who works in or on behalf of Reedley School, may have acted in a manner which:

- Is not consistent with Reedley Primary School's staff code of conduct – as set out in the Staff Handbook
- 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 the adults' suitability to work with children.

The issue should be reported as soon as possible, either verbally or on the written form.

If the concern is about the head teacher, then staff should pass the concern to the Chair of Governors, Mrs Jilly Walton

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**LOW-LEVEL CONCERN REPORTING FORM**

Please use this form to share any concern – no matter how small, and even if no more than causing a sense of unease or a ‘nagging doubt’ – that an adult may have acted in a way that:

- is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work, and
- does not meet the allegation threshold, or is otherwise not serious enough to consider a referral to the LADO.

**The form can also be used to report concerns for staff wellbeing.**

You should provide a concise record – including brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible – of any such concern and relevant incident(s) (and please use a separate sheet if necessary). The record should be signed, timed and dated. If staff wish to remain anonymous, every effort will be made to protect their anonymity, but this may hamper the Headteacher’s ability to take further action regarding the matter.

This form can be completed by any adult – staff members, volunteers (including students) or visitors. Forms can be handwritten or an editable digital copy can be downloaded from the Staff Handbook or on Teachers under Low Level Concerns.

Concern logged by		Role / Job title	
Staff member to whom the concern relates to			
Detail of concern			
Signed		Time and Date	

Action taken

Received by		At (time)		On (date)	
Action taken:					

<b>Signed</b>		<b>Time and Date</b>	

This record will be held securely in accordance with Reedley Primary School's Low-level Concerns Policy. Please note that low-level concerns will be treated in confidence as far as possible, but the Headteacher, in certain circumstances, may be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.