



Policy for Low-Level Concerns

September 2024	Review Date: September 2025
Signed: Mrs Simrit Otway, Headteacher Date:	
Signed: Mrs Penny Parkinson, Chair of Governors Date:	

1. Introduction

At Preston Candover CE Primary School, we take safeguarding very seriously. This includes ensuring that adults who work with children do so in a way that 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. Purpose

It may be possible that a member of staff, supply teacher, volunteer or contractor acts in a way that does not cause risk to children, but is however inappropriate. Concerns may arise through, for example:

- Suspicion
- Complaint
- Disclosure made by a child, parent or other adult within or outside the school
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

A member of staff who has a concern about another member of staff should inform the headteacher 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.

3. Keeping Children Safe in Education- September 2024

This policy should be read in conjunction with the current statutory guidance – ‘Concerns that do not meet the harm threshold’ in Part Four, Section Two of Keeping Children Safe in Education, September 2024 as well as the Code of Conduct for staff and volunteers policy. All staff should read at least Part One of KCSiE 2024.

KCSiE 2024; Part Four, Section Two

425. 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.

426. 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.

4. Definition of Low-Level Concern

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

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

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

Examples of such behaviour could include, but are not limited to:

- Being overly 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
- Using inappropriate sexualised, intimidating or offensive language
- Humiliating children

5. Clarity around Allegations vs Low-Level Concern Vs Appropriate Conduct

Diagram 1: Spectrum of behaviour

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

Low-Level Concern

Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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 may have acted in a way that:

- is inconsistent with an organisation's 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 - but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

6. Sharing Low-Level Concerns

At Preston Candover CE Primary School, we recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to share low-level concerns so that they can be addressed appropriately. We ensure that all concerns about adults, including those that do not meet the harm threshold, are shared responsibly and with the right person, recorded and dealt with appropriately.

We will create this culture by:

- Ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others
- Empowering staff to share any low-level concerns as per section 7 of this policy
- Empowering staff to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage

- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- Helping to identify any weakness in the school's safeguarding system

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others. Equally, a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the staff code of conduct. In these cases, staff should, wherever possible, proactively self-report – for example, if they know they are going to be in a situation which would be deemed a breach of the staff code of conduct.

7. Responding to Low-Level Concerns

If the concern is raised via a third party, the headteacher will collect evidence where necessary by speaking:

- Directly to the person who raised the concern, unless it has been raised anonymously
- To any witnesses (unless advised not to do so by the LADO)
- To the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO)

The headteacher will review the information collected to categorise the type of behaviour and determine whether:

- the behaviour is in fact appropriate – ie entirely consistent with our staff code of conduct and the law,
- the behaviour constitutes a low-level concern
- there is any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact may meet the harm threshold, in which case the headteacher will consult with their LADO,
- in and of itself the behaviour may meet the harm threshold, and should be referred to the LADO/other relevant external agencies, or
- when considered with any other low-level concerns that have previously been shared about the same individual, the behaviour may meet the harm threshold, and should be referred to the LADO/other relevant external agencies,

8. Record Keeping

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 the action taken with the rationale for decisions and action taken. (please see attached form). The name of the individual sharing their concerns should also be noted where possible. If the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

All records of low level concerns will be stored securely within the school safeguarding systems, with access only by the leadership team.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- Reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, our school will decide on a course of action, either through disciplinary procedures or where a pattern of behaviour moves from a low-level concern to meeting the harm threshold, in which case it will be referred to the LADO (as per Part four, Section one of KCSiE). Consideration will 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.
- Retained at least until the individual leaves employment at the school

The staff member (s) reporting the concern must keep the information confidential.

9. References

Low-level concerns will not be referred to in references unless they have been formalised into more significant concerns that meet the threshold and result in disciplinary or misconduct procedures. Or, if the low level concerns relate to issues which would normally be included in a reference, for example, misconduct or poor performance. Any low-level concerns which relate exclusively to safeguarding (and not to misconduct or poor performance) will not be referred to in a reference.

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

Where a low-level concern relates to a member of staff, when they leave Preston Candover CE Primary, any record of low-level concerns which are stored will then 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 practise; or
- (b) If, on balance, any record is not considered to have any reasonably likely value, still less actionable concern, and ought to be deleted.

10. Key Reference Document

Please read this document for further information about Low-Level Concerns, which is referenced in KCSiE 2024

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/developing-and-implementing-a-low-level-concerns-policy.pdf>

11. Low Level Concern Form

This form will be available to staff via:

- The Staffroom
- The Office

Low-Level Record of Concern Regarding a Staff Member

Please use this form to share any concern- no matter how small, and even if no more than a 'nagging doubt'- that an adult may have acted in a manner which:

- Is not consistent with Preston Candover CE Primary'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.

Where possible, please speak with the Head Teacher as soon as possible. It is also helpful to document your concerns, which can be done using this form and then passed to the Head Teacher. When completed, please pass this form to the Head Teacher. If the concern is about the Head Teacher, please complete the form and place in a sealed envelope address to the Chair of Governors.

Remember, a low-level concern is different to an allegation. See the table for a definition:

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

Low-Level Concern

Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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 may have acted in a way that:

- is inconsistent with an organisation's 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 - but may merit consulting with and seeking advice from the LADO, and on a no-names basis if necessary.

Appropriate Conduct

Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

Name of adult writing this concern:

Name of adult whom this concern is about:

Date written:

Signature:

Please write your concerns below

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- or any such concern and relevant incident (s) (and please use a separate sheet if necessary). Consider any contextual information that may be appropriate to know.

Action taken (with the rationale for decisions and action taken):