Low Level Concern Policy – Review Feb 2027

Introduction: This Policy ensures the School's/Provisions compliance with Part 4 of Keeping Children Safe in Education 2023 (still referring to2023 as there were no changes made in 2024) which states that:

Governing bodies and proprietors should have policies and processes to deal with any concerns or allegations which do not meet the harm threshold, referred to in this guidance as 'low-level' concerns.

It is important that schools and colleges have appropriate policies and processes in place to manage and record any such concerns and take appropriate action to safeguard children.

This applies to all concerns (including allegations) about members of staff, including supply teachers, volunteers, and contractors, which do not meet the harm threshold. Concerns may arise in the following ways, for example, (but are not limited to these):
- 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.

This policy should be read in conjunction with Keeping Children Safe in Education, Gov UK (2023) Definition of Low-Level Concerns 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 provision may have acted in a way that:
- Is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; but
- 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 overly 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
- Using inappropriate sexualised, intimidating, or offensive language

Incidents which fall short of the threshold could include an accusation that is made second or third hand and the facts are not clear, or the member of staff alleged to have done this was not there at the time.

The Difference between an Allegation and Concern: It is important to be clear whether an incident constitutes an 'allegation'. An allegation is where the alleged incident is sufficiently serious as to suggest that one or more children has or may have been harmed, or that the alleged behaviour indicates the individual may pose a risk of harm to children (or otherwise meets the criteria above). Keeping Children, Safe in Education 2023 provides this definition of a low-level concern.

As good practice, the school may wish to include the LADO in discussions as to whether the issue should be dealt with as an allegation of harm or a concern. If the decision is reached that the concern falls short of the harm threshold, there may still be a role for the LADO to provide advice and support to the employer. Such a consultation process may allow for concerns to be evaluated objectively and to ascertain whether similar concerns may have been raised by a previous employer but not met the threshold for investigation. Whilst the LADO will only record the details of those allegations which appear to meet the threshold for consideration set out above, the School will record the details of any low-level concern that arises in respect of a member of their staff.

Where it is decided that the incident does not meet the threshold of harm/risk of harm and is a concern only, then the school will take steps to ensure any conduct or behaviour issues are addressed with the member of staff through normal employment practices. The school should consider Teaching Standards: Guidance for school leaders, school staff and governing bodies (Updated 2021) Teachers' Standards guidance (publishing.service.gov.uk) when considering personal and professional conduct.

Sharing Low-Level concerns: 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 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.
▪ Having clear policies and procedures. ▪ Empowering staff to share any low-level concerns with the DSL/Headteacher/Provision Lead/Chair of Governors/Local Authority Designated Officers ▪ 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.

Reporting a low level concern:
▪ Low level concerns about a member of staff should be reported to the Headteacher/Provision Lead as per the school's/provision's Child Protection procedures.
▪ If the concern is about the Headteacher/Provision Lead this should be reported to the Chair of Governors.
▪ Low level concerns about supply staff, contractors and local authority visiting staff will also be reported to their employers.

Staff should use the school's Low-Level Concerns Reporting Form (appendix one.) Responding to low-level concerns the DSL/Director will be the ultimate decision-maker in respect of all low-level concerns, although it is recognised that depending on the nature of the concern, the tutor may wish to consult with the Designated Safeguarding Lead (DSL) and take a more collaborative decision-making approach.

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

▪ Directly to the person who raised the concern unless it has been raised anonymously.
▪ To the individual involved and any witnesses.

The DSL will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's/provisions staff Code of Conduct.

The person responsible will also ensure: ▪ Allegations that meet the harm threshold will be referred to the LADO for advice ▪ Low level concerns that the school feel may need further guidance on will be referred to the LADO for advice ▪ Low level concerns that the school feel they can deal with

internally will be dealt with via the school's behaviour policy/code of conduct. ▪ The school will engage with its HR provider where it is necessary to undertake further investigation and/or deal with the concern under relevant processes.

Record keeping: All low-level concerns will be recorded in writing (See Appendix 1). In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken.

Records will be: ▪ Kept confidential, held securely, and comply with the DPA 2018 and UK GDPR ▪ Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the Headteacher/Provision Lead will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harm threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority ▪ Retained at least until the individual leaves employment at the school 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.

Reviewing a low-level concern Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

Where a pattern of such behaviour is identified, the Headteacher/Provision Lead/Chair of Governor/Safeguarding Governor will decide on a course of action, which may include; ▪ Disciplinary investigation and/or proceedings ▪ Management Advice, including recommendations for training ▪ Referral to the LADO (where a pattern of behaviour moves from a concern to meeting the harm threshold). If the concern relates volunteers, or any other concerns arise, school can contact the LADO for further advice.

References: We will not include low-level concerns in references unless:
▪ The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or ▪ The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance.

Appendix 1. Low-Level Concern Form

Low-Level Concern 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 *setting name* _____ 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.
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 and returned to the BT&E Director.

Name of staff member:

Team & Role:

Details of Concern:

Date: Signed: Name: