



**ASPIRE LEARNING  
PARTNERSHIP OF SCHOOLS**

# Low Level Concerns Policy

<b>Date of Approval:</b>	<b>June 2024</b>
<b>Date of Next Review:</b>	<b>In Line With a Change in Legislation</b>
<b>Signed: Executive Headteacher</b>	<b>M Talbot</b>
<b>Signed: Chair of Governors</b>	<b>M Hall</b>

## Document History

Date	Change Reference	Summary of Change
28/08/2023		<p>This is a new document – the information on low level concerns was previously contained in Appendix 3 of the Child Protection and Safeguarding Policy.</p> <p>Policy written using guidance from farrer.co.uk: <a href="#">Developing and implementing a low-level concerns policy: a guide for organisations which work with children</a> (as recommended in KCSIE 2023)</p>
June 2024		No changes

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## 1. Introduction

Safeguarding and promoting the welfare of children is everyone's responsibility. At Great Linford Primary School, we take safeguarding very seriously. We understand the importance of acknowledging, recording and reporting all safeguarding concerns, regardless of their perceived severity. We understand that, while a concern may be low-level, that concern can escalate over time to become much more serious. We are committed to ensuring that any safeguarding concerns are dealt with as soon as they arise and before they have had a chance to become more severe, to minimise the risk of harm posed to our pupils and other children.

Our school prides itself on creating a safe and prosperous environment for pupils, and our staff are expected to adhere to high standards of behaviour when it comes to professional conduct regarding pupils. All adults who work with children are expected to 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. The aim of this policy is for all staff to be able to share any concerns – no matter how small – about their own or another member of staff's behaviour where it falls short of the expectations set out in the Staff Code of Conduct. This policy sets out the detail and processes for staff regarding low-level concerns they may have.

## 2. Purpose

The purpose of the policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the Staff Code of Conduct are constantly lived, monitored and reinforced by all staff.

In order to achieve this purpose, we will:

- (a) ensure that 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;
- (b) empower staff to share any low-level concerns in the appropriate way and to help all staff to interpret the sharing of such concerns as a neutral act;
- (c) address unprofessional behaviour and support the individual to correct it at an early stage;
- (d) identify inappropriate, problematic or concerning behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the LADO;
- (e) provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and
- (f) help identify any weaknesses in our safeguarding system.

## 3. Scope

This policy applies to all concerns about members of staff, including supply teachers, volunteers and contractors, which do not meet the harm threshold and a referral through to the LADO.

Concerns may arise through, for example:

Suspicion

Complaint

Safeguarding concern or allegation from another member of staff

Disclosure made by a child, parent or other adult within or outside the school

Pre-employment vetting checks

## 4. Definitions

**Concern or allegation that may meet the harm threshold** - This means the behaviour in question might indicate that a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children. It is where a concern is raised/it is alleged that a person 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.

**Concern or allegation that does not meet the harm threshold: 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 with children 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 harm threshold; or is otherwise not serious enough to merit a referral to the LADO.

While low-level concerns are, by their nature, less serious than concerns which meet the harms threshold, the school understands that many serious safeguarding concerns, e.g. child sexual abuse, often begin with low-level concerns, e.g. being overly friendly with children. The school will ensure that all staff are aware of the importance of recognising concerns before they escalate from low-level to serious, wherever possible.

The words 'concern' and 'allegation' can be and are used interchangeably by different people. Sometimes individuals may shy away from the word 'allegation' and express it as a 'concern' instead. The focus should not be on the language used but instead be on the behaviour being described and whether it may be capable of meeting the harm threshold or not.

Although it is important that staff feel comfortable with, and are clear about, the concept of low-level concerns, and know what to do if they have such a concern, they do not need to be able to determine in each case whether the behaviour in question constitutes a low-level concern, or if it may meet the harm threshold. Once staff share what they believe to be a low-level concern, that determination will be made by the Head of School who is the DSL.

## 5. Appropriate and inappropriate behaviour

The school will ensure that all staff members are aware of the standards of appropriate behaviour expected towards pupils. This is made clear in the Staff Code of Conduct. Staff will ensure that they pay due regard to the fact that:

- They are in a unique position of trust, care, responsibility, authority and influence in relation to pupils.
- There are more stringent expectations on their behaviour with regard to pupils due to their position as a public professional.

Staff will be aware that where there is any doubt regarding whether the behaviour of another adult is appropriate, this should be reported to the DSL immediately.

Inappropriate behaviour (that would constitute a low-level concern) can exist on a wide spectrum, from inadvertent or thoughtless behaviour to behaviour which is ultimately intended to enable abuse. It includes, but is not limited to, behaviour such as:

- Being overfamiliar with children – this could include, but is not limited to, communicating with a child through personal social media or allowing inappropriate conversations or enquiries to occur with pupils, e.g. conversations that are about a staff member's personal life
- Having favourites – this could include, but is not limited to, calling pupils by pet names or terms of endearment or giving pupils gifts.
- Shouting at a child
- Acting inconsistently with the school code of conduct
- 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
- Inappropriate behaviour out of work such as use of drugs, inebriation or acting in a way that brings disrepute on the school or teaching profession
- Referring to the school, school pupils and parents and school business on social media.

Staff will be aware that some of the above low-level concerns may meet the harms threshold depending on certain factors, e.g. the the content of exchanged social media messages with a child, and that some of the above incidents may not be concerns in context, e.g. a preapproved, one-to-one meeting with a child behind a closed door between the child and a school therapist who has received all appropriate safety checks.

Staff should also be aware that a series of low-level concerns can cumulatively meet the harm threshold and result in a referral to the LADO.

They will also be made aware that behaviour which raises concerns may not be intentionally inappropriate, but that this does not negate the need to report the behaviour. Staff members who engage in low-level inappropriate behaviour in relation to pupils inadvertently, will be made aware and supported to correct this behaviour in line with the Staff Code of Conduct. The Head of School will also evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff cohort as a whole where low-level concerning behaviour is seen more widely.

## 6. School culture

The school understands that spotting the early signs of harmful behaviour towards children can be difficult, and that many will be hesitant to report concerns they have about their colleagues' behaviour, particularly the behaviour of their superiors. Staff are encouraged to maintain an attitude that recognises that abuse can happen anywhere, in any setting, and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc. The school will promote a culture in which safeguarding pupils is the uppermost priority, beyond any perceived professional loyalties to colleagues, ensuring that staff are actively encouraged to report concerns, regardless of their relationship with the staff member.

The school will ensure that all staff members have received training as part of their induction that outlines appropriate behaviour towards pupils for staff members. All staff will read, understand and adhere to the Appropriate and inappropriate behaviour subsection of this policy, as well as the Staff Code of Conduct.

Staff will address any questions they have regarding safeguarding to the DSL. The school will work to foster an environment where personal and professional boundaries are clearly set and respected for all individuals in the school community, e.g. pupils are not treated as friends and an appropriate professional distance is maintained by staff. The school will ensure that all staff are sufficiently trained surrounding the reporting of safeguarding concerns as part of their induction, and that refresher training is conducted as necessary.

The school will ensure that all staff understand how to recognise and report safeguarding concerns. Staff will be trained to identify concerning or problematic behaviour towards pupils that may indicate a safeguarding concern, and how to identify signs of abuse or harm in pupils.

**Evaluating school culture following concerns** - The school will ensure that appropriate consideration is given to the school's culture and whether or not it has enabled the inappropriate behaviour to occur. The Head of School will review whether any changes need to be made to relevant policies or training programmes in light of any evaluations of the school's culture, in order to achieve an open and transparent culture that deals with all concerns promptly and appropriately.

## 7. Sharing low level concerns

A member of staff who has a concern about another member of staff (or is informed by a pupil, parent, other staff member or another agency) should inform the Head of School about their concern using the low-level concern reporting form. If the Head of School cannot be contacted, the Deputy Headteacher should be informed. If the concern is about the Head of School, the Chair of Governors must be informed. A low-level concern form should also be completed in all cases. The form will be available on the shared drive and in the staff room. It can also be requested via email from the Head of School or Deputy Headteacher.

All low-level concerns should be shared as soon as reasonably possible and ideally within 24 hours of becoming aware of it (where the concern relates to a particular incident). However, it is important to recognise that it is never too late to share a low-level concern

If the staff member who raises the concern does not wish to be named, then we will respect that person's wishes as far as possible. However, there may be circumstances where the staff member who raises the concern will need to be named (for example, where it is necessary in order to carry out a fair disciplinary

process). In these situations, we will seek advice from HR. Consenting to be named however will help to create a culture of openness and transparency.

### **7.1 Self reporting**

Occasionally, a member of staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others. 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. Or, a member of staff may know that they will be in a situation which would be deemed a breach of the Staff Code of Conduct. Self-reporting in these circumstances can be positive for a number of reasons: it is self-protective, in that it 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. Self-referring is part of our Staff Code of Conduct and not doing so may lead to disciplinary action.

## **8. Evaluating concerns**

All low-level concerns will be responded to in a sensitive and proportionate way. They will be handled promptly and effectively whilst also protecting staff from any potential false low-level concerns or misunderstandings.

Once the Head of School has received what is believed (by the person raising it) to be a low-level concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated, e.g. where a child is at immediate risk of harm. When deciding if a concern is low-level, the Head of School may seek advice from the LADO on a no names basis where there is any doubt about how seriously to take the concern. To evaluate a concern, the Head of School will:

- Speak to the individual who raised the concern to determine the facts and obtain any relevant additional information.
- Review the information and determine whether the behaviour displayed by the individual about whom the concern was reported is consistent with the Staff Code of Conduct and the law.
- Determine whether the concern, when considered alongside any other low-level concerns previously made about the same individual, should be reclassified as an allegation and dealt with alongside the Allegations of Abuse Against Staff Procedures as detailed in the Child Protection and Safeguarding policy.
- Consult with, and seek advice from, external agencies such as the LADO, when in doubt over the course of action to follow.
- Speak to the individual about whom the concern has been raised to inform them of the concern and to give them an opportunity to respond to it.
- Ensure that accurate and detailed records are kept of all internal and external conversations regarding evaluating the concern, and any actions or decisions taken.



## 9. Acting on concerns

### 9.1 Unfounded concerns

If it is determined that the behaviour is entirely consistent with the school's staff code of conduct and the law - the Head of School will:

- Speak to the individual about whom the concern was made to discuss their behaviour, why and how the behaviour may have been misconstrued, and what they can do to avoid such misunderstandings in the future.
- Speak to the individual who shared the concern, outlining why the behaviour reported is consistent with school standards and the law.
- Take care to ensure that conversations with individuals who reported concerns that transpired to be unfounded do not deter that individual from reporting concerns in the future.
- Reflect whether the behaviour, and the reporting of this behaviour, is indicative of ambiguity in the school's policies or procedures, or the training it offers to staff. Where such ambiguity is found, work will be done to resolve this with input from other staff members, as necessary.

If the same or a similar low-level concern is subsequently shared by the same individual, and the behaviour in question is also consistent with the staff code of conduct, then an issue may need to be addressed about how the subject of the concern's behaviour is being perceived, or about the person making the concern's understanding of the code of conduct.

### 9.2 Low-level concerns

If it is determined that the behaviour constitutes a low-level concern - the school will respond to this in a sensitive and proportionate manner. Most low-level concerns by their very nature are likely to be minor and may not give rise to any ongoing concern. They will often be most appropriately dealt with by means of management advice and/or training.

The following procedure will be followed:

- The Head of School will meet with the individual about whom the concern was reported, during which they will:
  - Talk to the individual in a non-accusatory and sympathetic manner.
  - Inform them of how their behaviour was perceived by the individual who reported the concern (without naming them, where possible).
  - Clearly state what about their behaviour was inappropriate and problematic.
  - Discuss the reasons for the behaviour with the individual.
  - Inform the individual clearly what about their behaviour needs to change.
  - Discuss any support that the individual may require in order to achieve the proper standards of behaviour.
  - Allow the individual the opportunity to respond to the concern in their own words.
  - Ask the individual to re-read the Staff Code of Conduct.

- The Head of School will consider whether the individual should receive guidance, supervision or any further training.
- If considered appropriate in the circumstances, the Head of School will develop an action plan, with input from the individual, that outlines ongoing and transparent monitoring of the individual's behaviour and any other support measures implemented to ensure the staff member's behaviour improves.
- Where any pupil or other individual has been made to feel uncomfortable by the individual's behaviour, they will be offered pastoral support, where appropriate.
- The Head of School will ensure that all details of the low-level concern, including any resultant actions taken, are recorded. The Head of School will ensure that these records are kept organised and up-to-date, and that they are easy to refer back to if any other concerns are reported about the same individual.

The specific approach to handling low-level concerns will be adapted on a case-by-case basis. Some low-level concerns may also raise issues of misconduct. If the Head of School feels the school's disciplinary procedure may be triggered by the low-level concern(s) shared, they should seek advice from HR. This will always be the case where an individual's behaviour does not improve once it has been brought to their attention as the subject of a low-level concern. Where it is necessary to undergo an investigation into the behaviour under the Disciplinary Policy, this will be done discreetly, and information will only be disclosed to individuals on a need-to-know basis.

Where behaviour does not improve over a longer period of time, the concerns will be escalated and dealt with in line with the Allegations of Abuse Against Staff Procedures within the Child Protection and Safeguarding Policy.

### **9.3 Where the concern is serious**

The Head of School may decide, upon evaluation, that a concern is more serious than the reporter originally thought. If it is determined that the behaviour

- (i) in and of itself may meet the harm threshold, or
- (ii) when considered with any other low-level concerns that have previously been shared about the same individual, may meet the harm threshold,

the concern will be escalated, and dealt with as an allegation. The Head of School will then follow the procedures laid out in the Allegations of Abuse Against Staff Procedures in the Child Protection and Safeguarding policy.

## **10. Storage and use of Low-Level Concerns and follow up information**

Low-level Concern forms (Appendix 1) and follow up information will be stored securely with access only by the Head of School, Executive Headteacher and the Deputy Headteacher. These 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 of School or in their absence the Deputy Headteacher.

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

Whenever staff leave, 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 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 that may be made in the future so as to justify keeping it, in line with normal safeguarding records practice. If this is not the case, records will be deleted accordingly in line with our data retention procedures.

## Appendix 1

### Record of Low-Level 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 our 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 an adult’s suitability to work with children.

When completed, please pass this form to the Head of School. If the concern is about the Head of School, please pass on to the Chair of governors.

Please refrain from discussing this concern with anyone other than the headteacher or DSL until the matter has been dealt with. We ask that you keep all details, including the name staff member to whom the concern pertains, confidential.

<b>Your details</b>	
Name:	Role:
Date form completed:	Would you like to remain anonymous?
<b>Your concern</b>	
Member of staff concern relates to:	
Details of concern:	
Names of any witnesses:	

<b>To be completed by Head of School</b>
Date concern received:
Advice sought from: <input type="checkbox"/> LADO      Date: <input type="checkbox"/> HR              Date:
Summary of advice given
Staff member’s response to concern
Determination and rationale <input type="checkbox"/> Unfounded <input type="checkbox"/> Low-level concern <input type="checkbox"/> Escalated to allegation
Action taken <input type="checkbox"/> Management advice given <input type="checkbox"/> Training required (please specify) <input type="checkbox"/> Change in policy/procedure (please specify) <input type="checkbox"/> Disciplinary Policy triggered <input type="checkbox"/> Referral to LADO  Details