



## **Low Level Concerns Policy 2024**

### **Introduction**

At Eling Infant School and Nursery, 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.

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 Headteacher. This policy sets out the detail and processes for staff regarding low-level concerns they may have. All staff were reminded of their role in reporting any concerns during the safeguarding training in September 24. This policy is in addition to our Safeguarding policy.

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

### **Keeping Children Safe in Education September 2024**

#### **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 107 (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 a low-level concern is**

**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 108 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 misunderstanding.

### **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.

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

LLC forms and follow-up information will be stored securely within the schools safeguarding systems, with access only by the leadership team. 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.

Whenever staff leave Eling Infant School and Nursery 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 concern, and ought to be deleted accordingly.

### **Definition of low-level concerns**

The term 'low-level' concern is any concern – no matter how small – that an adult working in or on behalf of the school 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 allegations threshold or is otherwise not considered serious enough to consider a referral to the designated officer at the local authority

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
- › Humiliating pupils

### **Sharing low-level concerns**

We recognise the importance of creating a culture of openness, trust and transparency to encourage all staff to confidentially 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
- › Empowering staff to share any low-level concerns as per section 7.7 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

### **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 the individual involved and any witnesses

The headteacher will use the information collected to categorise the type of behaviour and determine any further action, in line with the school's code of conduct. The headteacher will be the ultimate decision-maker in respect of all low-level concerns.

### **Record keeping**

All low-level concerns will be recorded in writing. 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 Data Protection Act 2018 and the UK GDPR
- › Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we 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

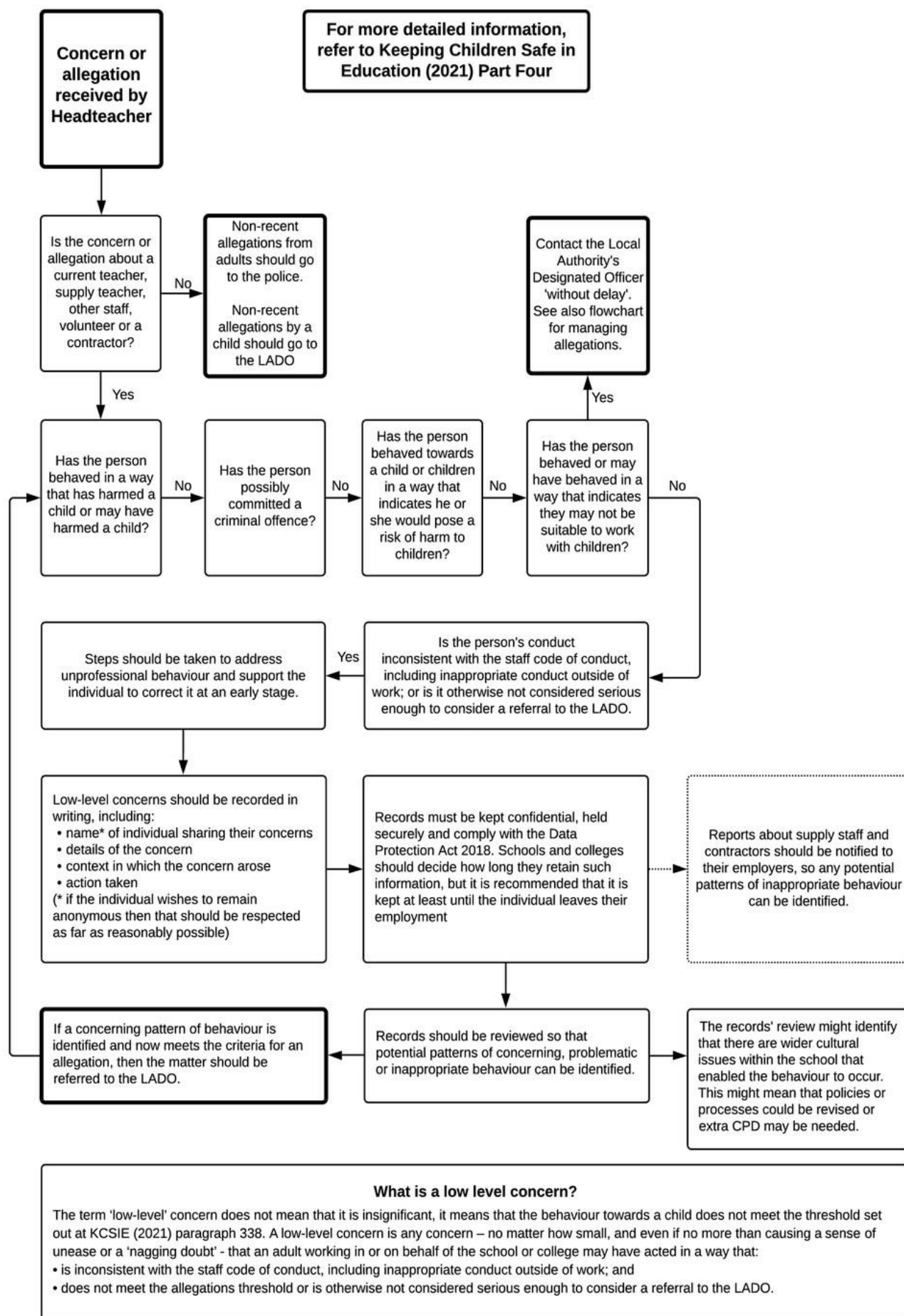
Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

### **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 that would ordinarily be included in a reference, such as misconduct or poor performance

## Process to follow when a Low-Level Concern is raised



## Key Reference Document

Read this document for further information about Low-Level Concerns, which is referenced in KCSIE 2024.

### Low Level Concern Form

This form will be available to staff via: the staff room safeguarding display

Eling Infant School and Nursery Low level Concern Form		
<b>Name of staff member sharing concern:</b> <i>(Staff are able to remain anonymous).</i>	<b>Role:</b>	<b>Time &amp; Date:</b>
<b>Details of the concern:</b>		<b>What was the context for the concern?</b>
<b>Signed:</b>		

Eling Infant School and Nursery Low level Concern Form		
<b>Name of staff member sharing concern:</b> <i>(Staff are able to remain anonymous).</i>	<b>Role:</b>	<b>Time &amp; Date:</b>
<b>Details of the concern:</b>		

**What was the context for the concern?**

**Signed:**

Policy created on September 2021

Review on September 2025