



Fairway  
Primary  
School

## Low Level Concerns Policy

Member of staff responsible:	Alison White
Date policy written:	Adopted from LA September 2023
To be reviewed:	ANNUALLY
Date approved/reviewed by Governing Body:	September 2024



STOCKPORT  
METROPOLITAN BOROUGH COUNCIL

≈ *Responsible* ≈ *Ambitious* ≈ *Individual* ≈ *Explorers* ≈

## INTRODUCTION

Our school recognises its statutory and moral duty to safeguard and promote the welfare of pupils and understands that staff play a vital role in meeting these responsibilities. As a school we work together to ensure promotion of an open and transparent culture, in which all concerns about adults working in or on behalf of the school are dealt with immediately and appropriately.

This policy should be read alongside our Safeguarding and Child Protection and Staff Code of Conduct Policies.

## SUMMARY

It may be possible that a member of staff acts in a way that does not cause risk to children but their conduct is however inappropriate. A member of staff who has a concern about another member of staff, supply staff, volunteer, contractor who, on reflection, recognises that their actions could have been viewed as a risk should inform the Headteacher/DSL about their concern using the Low-Level Record of Concern Form. (See appendix) If the Headteacher/DSL cannot be contacted, the Chair of Governors should be contacted instead.

This policy is relevant to and includes all employees employed at this school:

- Teachers;
- Support staff;
- Supply teachers;
- Volunteers;
- Local Authority visiting staff;
- Contractors.

The term 'staff' throughout this policy refers to all of the above.

## POLICY AIMS

- To help create a culture in which all concerns about adults are shared responsibly and with the right person and are recorded and dealt with appropriately.
- To enable school to identify concerning, problematic or inappropriate behaviour early.
- To minimise the risk of abuse occurring.
- To ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries and in accordance with the ethos and values of the school.
- To help create an environment where staff are comfortable to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted or 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.

## DEFINITION

The term 'low level' concern does not mean that it is insignificant. It means that the behaviour towards a child does not meet the harm threshold for an allegation.

'Keeping Children Safe in Education' defines a low level concern as:

*"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 allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO"*

## **AVOIDING LOW LEVEL CONCERNING BEHAVIOUR**

Behaviour defined as a 'low level concern' can exist on a spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate but is not in specific circumstances, through to that which is ultimately intended to enable abuse.

Staff education and reinforcement on avoiding circumstances which may put them in a difficult situation is key to avoiding the need for dealing with these types of concerns.

Our school ensures that staff are clear about what appropriate behaviour is through our induction procedures and the regular reinforcement of documents such as:

- Staff Safer Working Practices Policy;
- Safeguarding and Child Protection policies and regular training;
- Teachers' Standards (for teaching staff).

## **REPORTING A LOW LEVEL CONCERN**

Low level concerns about a member of staff should be reported to the DSL (Designated Safeguarding lead) / Headteacher as per the school's Child Protection procedures. If the concern is about the Headteacher then it should be reported to the Chair of Governors.

Low level concerns about supply staff, contractors and local authority visiting staff should also be reported to the DSL / Headteacher, who will then share and report the concerns to their employers.

## **DEALING WITH A LOW LEVEL CONCERN**

Where a concern is raised about the practice or behaviour of a member of staff, the information must be recorded and passed to the DSL / Headteacher.

The DSL/ Headteacher must then make an assessment to determine if the matter is a 'low level concern' or an 'allegation' and follow one of the following routes:

- Allegations that meet the harm threshold will be referred to the LADO (Local Authority Designated Officer);
- Low level concerns that the school feels they need further guidance on will be referred to the LADO for advice;
- Low level concerns that the school feels they can deal with internally will be dealt with via the school's usual child protection investigation process.

The school will engage with Human Resources where it is necessary to undertake further investigation and/or deal with the concern under relevant processes.

## **RECORDING A LOW LEVEL CONCERN**

All low level concerns should be formally recorded by a member of staff when they are made aware of them. This record should then be passed to the DSL/ Headteacher or Chair of Governors if the concern is about the Headteacher.

The record should include:

- Details of the concern;
- The context in which the concern arose;
- The outcome of the investigation and any action taken, and
- The name of the individual sharing their concerns (unless the individual wishes to remain anonymous which must be respected as far as possible).

Relevant records will be retained confidentially and securely within the school's Safeguarding systems, with access only by the Senior Leadership team. All records must be kept in line with data protection principles.

## 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 DSL/ Headteacher 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).

The school will also review appropriate policies and training, or other wider cultural issues in the school, to see whether anything needs to be done to minimise the risk of similar behaviour happening again.

Low level concerns will not be included in a reference unless they have been formalised into more significant concerns resulting in disciplinary or misconduct procedures.

## RELATED GUIDANCE

The policy links to the following guidance documents:

- Keeping Children Safe in Education (DfE);
- Staff Safer Working Practice Policy;
- Safeguarding Policy;
- Child Protection Policy.

## SHOULD STAFF WHO SHARE LOW-LEVEL CONCERNS BE ABLE TO REMAIN ANONYMOUS?

Staff are encouraged to consent to be named when sharing low-level concerns, as this will help to create a culture of openness and transparency. If the staff member who raises a low-level concern does not wish to be named, the School will respect that person's wishes as far as possible. However, there may be circumstances where the staff member will need to be named (for example, where disclosure is required by a court or local authority, or under a fair disciplinary process) and, for this reason, Fairway Primary School will not promise anonymity to members of staff who share low-level concerns.

## SHOULD STAFF SHARE CONCERNS ABOUT THEMSELVES (I.E., SELF-REPORT)?

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 School's Staff Code of Conduct. Self-reporting in these circumstances can be positive for a number of reasons, and staff are encouraged to self-report on the basis that,

- 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 member of staff'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.

Fairway Primary School aim is to create an environment where staff are encouraged and feel confident to self-refer.

## 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 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 that adult's suitability to work with children.

### Appropriate:

- Behaviour which is entirely consistent with the school's Code of Conduct and the law.

## HOW LONG SHOULD RECORDS OF A LOW-LEVEL CONCERN BE KEPT?

Low-level concerns will be retained securely by Fairway Primary School for as long as deemed relevant and necessary for a safeguarding purpose unless the School is required to disclose by law (for example, where the threshold of an allegation is met in respect of the individual in question). In most cases, once a staff member leaves the School, any low-level concerns which are held relating to them:

- will be retained until the individual leaves the School and as required by law
- will not be included in any onward reference, except as set out below
- Low-level concerns will be retained on the School's central low-level concerns file (securely and applying appropriate access restrictions) unless and until further guidance provides otherwise.

## REFERENCES

Where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and is found to be substantiated, it will be referred to in a reference.

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.

## WHAT IS THE ROLE OF THE GOVERNING BODY?

The DSL/Head Teacher will regularly inform the Governing Body, via the appropriate sub-committee, about the implementation of the Low-Level Concerns Policy and any evidence of its effectiveness, e.g., by including reference to it in any safeguarding reports and providing any relevant data. The Governing Body will also review an anonymised sample of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

## LOW LEVEL CONCERNS REPORT FORM

Please use this form to share any concerns – no matter how small and even if no more than a nagging doubt – that a staff member may have acted in a manner which

- is not consistent with Fairway Primary School'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 Headteacher/DSL immediately. Document your concern on this form and pass it to the Headteacher/DSL. If the concern is about the Headteacher, please pass it to the Chair of Governors, you can also email) /phone the Chair of Governors.

### 1. Name of individual raising the concern

*Leave blank if concern was raised anonymously or the individual wishes to remain anonymous*

### 2. Date the concern was raised

### 3. Name and role of individual about whom concern has been raised

### 4. Details of the concern(s) reported (give description and context)

*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 the staff code of conduct but does not meet the allegations threshold set out in Section 1 of Part 4 Keeping Children Safe in Education.*

### 5. **Head Teacher to Complete.** Details of steps have been taken to investigate this concern

*Steps should include speaking to the individual who raised the concern, the individual about whom the concern is raised and any witnesses. You will need to review the Code of Conduct and safeguarding policies, including Allegations of Abuse Against Adults, to determine if there has been a breach.*

### 6. Set out the Individual's response to the concern

### 7. Is this concern 'low level' or should it be treated as an allegation against staff and managed in accordance with [6.2 Managing Allegations of Abuse made against Adults who Work with Children and Young People \(proceduresonline.com\)](#)

*To reach this decision, consider the information set out in 5 and 6 above. If you are unsure, seek advice from LADO and inform HR. Set out your reasons for reaching your conclusion, including the advice provided by your advisors and any discussions with your LADO.*

**8. Have 'low level' or other concerns been raised about this individual previously?**

*If so, please provides dates, brief details, and relevant file/document reference for the concern(s). Also consider whether previous concern(s) raised coupled with this new concern meet the threshold of harm [6.2 Managing Allegations of Abuse made against Adults who Work with Children and Young People \(proceduresonline.com\)](#)*

Completed by:

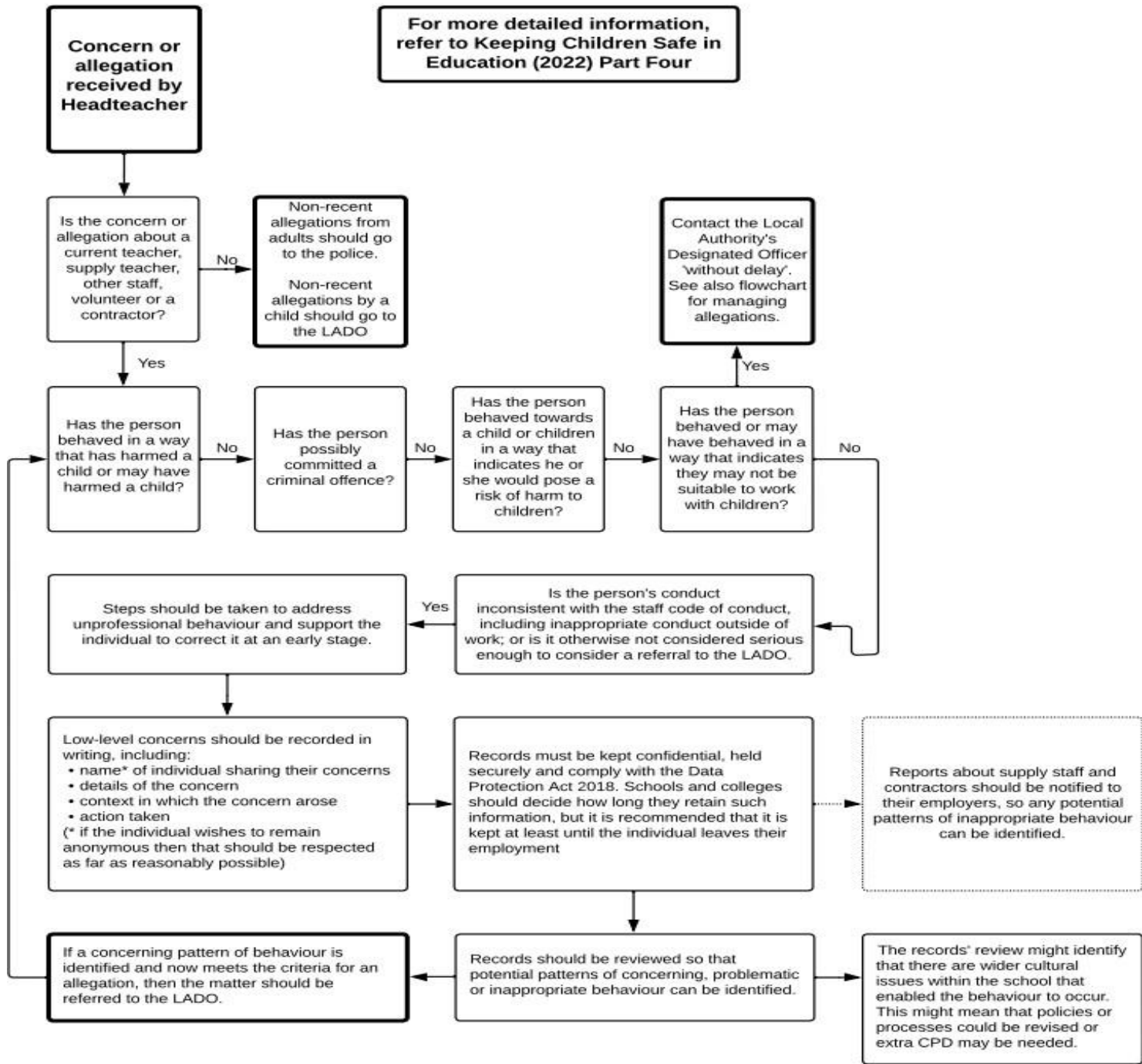
*Low level concerns must be dealt with by the Headteacher/DSL or the Governor if the LLC is regarding the Head Teacher.*

Date:

Signature:

## Managing low level concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors

For more detailed information, refer to Keeping Children Safe in Education (2022) Part Four



### What is a low level concern?

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out in KCSIE. 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:

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