St Anne's RC Primary

MISSION STATEMENT

'To live happily, love unconditionally and learn enthusiastically with Jesus by our side.'

Low Level Concerns Policy

Date reviewed	September 2025
Date presented to Governors	October 2025
Date to be reviewed	September 2027

Managing low-level concerns in relation to staff conduct

Commitment to Equality:

This low-level concerns policy is based on a model policy from Clennell Education Solutions. The Policy was reviewed in September 2025 and will next be reviewed in September 2027.

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1 Introduction

1.1 The school is committed to creating and embedding a culture of openness, trust and transparency to ensure **all** concerns about adults can be shared responsibly, with the right person, and recorded and dealt with appropriately. It is extremely important that any allegations made, or concerns raised in relation to teachers, any other member of staff, (including supply staff, volunteers and contractors) are dealt with thoroughly and efficiently, maintaining the highest level of protection for the child whilst also giving support to the person who is the subject of the allegation.

1.2 This policy is in line with statutory guidance set−out within Keeping children safe in education 2025 (publishing.service.gov.uk) and should be used in respect of all cases where a concern has been raised about any individual working in a school (including supply staff, volunteers and contractors).

1.3 It is designed to ensure that all staff, children and parents or carers are aware of the procedures for the investigation of any concerns raised, in order that all situations are dealt with consistently, and as efficiently as possible.

1.4 For the purposes of KCSIE and this policy, 'children' includes everyone under the age of 18, regardless of their location i.e., both inside and outside of the school.

2 Purpose

2.1 The procedure for dealing with concerns raised in relation to staff depends on the situation and circumstances surrounding the concern raised. This policy focuses on:

Concerns that do not initially meet the harm threshold – referred to for the purposes of this guidance as 'low−level concerns'.

2.2 It is important to recognise that, in practice, the words 'allegation' and 'concern' can be and are used interchangeably by different people. The crucial point is that the conduct is reported. If the conduct does not meet the threshold, it should be treated as a low−level concern and this policy should be followed.

2.3 Where a member of staff has **any** concern about an adult, they should act on it immediately and it is a fundamental principle of this policy that no employee shall be treated any less favourably or suffer any detriment in their employment as a result of sharing information or reporting a concern under this policy.

2.4 This policy must be followed when dealing with concerns raised. This policy will be used alongside other relevant policies adopted by the school such as (but not limited to) the complaints policy, code of conduct, safeguarding policy and disciplinary policy.

2.5 This policy should also be read alongside:

- Local authority policy
- Local Safeguarding Children Partnership (LSCP) procedures
- Statutory guidance: Working Together to Safeguard Children
- Statutory guidance: Keeping Children Safe in Education (KCSIE)

- Non statutory guidance: Guidance for safer working practice for those working with children and young people in education settings
- Non statutory guidance: What to do if you are worried a child is being abused – Advice for Practitioners

2.6 Employees can request a copy of any additional policies referred to within this policy from their line manager or school office.

3 Data Protection

3.1 When managing a concern against a member of staff or a volunteer, the school will process personal data in accordance with its data protection policy and relevant data protection legislation. Data collected from the point at which the allegation is received is held securely and accessed by and disclosed to individuals only for the purposes of managing the case.

Governing bodies and proprietors should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the UK GDPR. This includes:

- being confident of the processing conditions which allow them to store and share information for safeguarding purposes, including information, which is sensitive and personal, and should be treated as 'special category personal data'.

- understanding that 'safeguarding of children and individuals at risk' is a processing condition that allows practitioners to share special category personal data. This includes allowing practitioners to share information without consent where there is good reason to do so, and that the sharing of information will enhance the safeguarding of a child in a timely manner. It would be legitimate to share information without consent where: it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent; and, if to gain consent would place a child at risk, and

- for schools, not providing pupils' personal data where the serious harm test under the legislation is met. * For example, in a situation where a child is in a refuge or another form of emergency accommodation, and the serious harms test is met, they must withhold providing the data in compliance with schools' obligations under the Data Protection Act 2018 and the UK GDPR. Where in doubt schools should seek independent legal advice.

The Data Protection Act 2018 and UK GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children.

Keeping Children Safe in Education

4 Staff Reporting a Concern

4.1 Because this is a statutory duty, it is a requirement that all members of staff in school, where they have safeguarding concerns – no matter how small, will report them in accordance with this policy.

4.2 If staff have a safeguarding concern, or they receive a concern about another person working in the school (including supply staff, volunteers, and contracted staff) posing a risk of harm to children, then it must be referred to:

- the Headteacher or the Designated Safeguarding Lead
- where there are allegations/concerns about the Headteacher this must be referred to either:
  - *Chair of Governors/Trustees/HR;*
  - Local Authority Designated Officer (LADO) or
  - NSPCC Whistleblowing helpline

4.3 Staff need to understand that when sharing a safeguarding concern that the person who is the subject

of that concern will be spoken to in order to gain their account as part of any investigation and to make appropriate records which may then need to be referred to in any subsequent disciplinary proceedings.

Staff who wish to remain anonymous

4.4 If the staff member who raises the concern does not wish to be named, then the school will respect that person's wishes as far as possible.

4.5 However, there may be circumstances where the staff member will need to be named (for example, where it is necessary in order to carry out a fair disciplinary process) and, for this reason, anonymity can never be promised to staff who share low−level concerns. In circumstances where it becomes necessary to identify an individual this should be discussed with the employee and explained to them as early as possible. Where possible, the school will try to encourage staff to consent to be named, as this will help to create a culture of openness and transparency.

Initial action by person receiving or identifying an allegation/concern

4.6 The person to whom a concern is first reported should treat the matter seriously and keep an open mind.

They should:

- Make a written record of the information (where possible in the child/adult's own words), including the time, date and place of incident/s, persons present and what was said (see Appendix 1)
- Sign and date the written record
- Immediately report the matter in line with this policy

They should not:

- Investigate or ask leading questions if seeking clarification
- Make assumptions or offer alternative explanations
- Promise confidentiality but should instead give assurance that the information will only be shared on a 'need to know' basis

4.7 In some cases, staff may have concerns about someone closely associated with a member of staff (e.g. partner, member of the family or other household member) who may present a risk of harm to children for whom that individual is responsible. In these circumstances, such concerns should be reported in accordance with this policy.

4.8 There may be occasions where a member of staff feels it is necessary to self−refer, where, for example, they have found themselves in a situation which could be misinterpreted, 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. There may also be situations where a member of staff feels it necessary to voluntarily share specific information for the purpose of transparency and openness. In these circumstances, such concerns should be reported in accordance with this policy.

4.9 It is recognised that staff who are concerned about the conduct of a colleague towards a child are undoubtedly placed in a very difficult situation. They may worry that they have misunderstood the situation. All staff must remember that the welfare of children is paramount and must report their concerns immediately. Support to those who are anxious about sharing information should be considered where appropriate, including offering assurance that any detrimental behaviour because of information being disclosed will not be tolerated.

Supply Teachers and all contracted staff

4.10 In some circumstances it may be necessary to consider a concern against an individual not directly employed by the school, where the school's policies and procedures do not fully apply; for example, supply teachers or contracted staff provided by an employment agency or business.

4.11 However, in accordance with KCSIE the school will ensure concerns are dealt with properly and **under no circumstance** will a decision be made to cease using the contracted staff due to safeguarding concerns, without finding out the facts, investigating the concern and following usual procedures.

4.12 It is important that any concerns raised about agency/contracted staff are shared with their employer so that any potential patterns of inappropriate conduct can be identified.

4.13 For supply staff, it may be necessary to discuss with the supply agency (or agencies), whether it is appropriate to suspend the supply teacher, or redeploy them to another part of the school, whilst an investigation is carried out.

4.14 *Where an **allegation (meeting the harm threshold)** is made against contracted staff, the headteacher will immediately contact both the Local Authority Designated Officer (LADO) and the agency/business concerned. The school will continue to support any investigation that is required. Whilst agencies will need to be fully involved and co−operate with any enquiries from the LADO, police and/or children's social care, the school may need to take the lead on an investigation. This is due to the fact that agencies won't have direct access to children or other school staff, therefore may find it difficult to collate evidence as part of an investigation. The school may also be required to liaise with the LADO in relation to the referral process.*

> This part of the guidance should be followed where it is alleged that anyone working in the school or a college that provides education for children under 18 years of age, including supply teachers, volunteers and contractors 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 he or she 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.

Keeping Children Safe in Education

5 Timescales

5.1 It is important that concerns are shared in line with this policy as soon as reasonably possible, and within 24 hours of becoming aware of it (where the concern relates to a particular incident). However, it is never too late to share a concern where expected timescales have not been met.

5.2 It is imperative that once shared, concerns against staff are dealt with as quickly and efficiently as possible to:

- minimise the risk to the child
- minimise the impact on the child's academic progress

- ensure a fair and thorough investigation for all parties

5.3 To enable this to happen, all staff, parents, and children should be aware of the procedures set out in this policy.

5.4 Whilst KCSIE provides target timescales, the time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the concern. The school will endeavour to follow the timescales set out in the guidance for such investigations, as long as it is consistent with a fair and thorough investigation. However, it is acknowledged that allegations of a serious and complex nature are unlikely to be resolved quickly.

5.5 Should it be considered necessary that a concern requires immediate attention, but is received outside normal school hours, the individual receiving the concern should determine whether it meets the harm threshold and if so immediately consult Children's Social Care Emergency Duty Team or local police and inform the LADO at the first opportunity. If the concern is assessed as low level, the guidance in this policy should be followed.

6 Initial considerations

6.1 Once a concern has been raised with the Headteacher, Designated Safeguarding Lead (DSL), the procedures for dealing with concerns will be applied with common sense and judgement.

6.2 There may be circumstances where a concern is initially considered to not meet the harm threshold but after further investigation may then be considered to either meet the threshold or have the potential to. In these circumstances, or if in any doubt, advice from the LADO and the People team should be taken and at any point during an investigation the process followed can be enhanced and the relevant policy dealing with allegations that meet the harm threshold should be followed.

6.3 Where it is uncertain whether a concern meets the criteria for a referral (i.e. meets the harm threshold) the matter will be discussed first with the LADO.

7 Allegation/concerns that do not meet the harm threshold 'low level concerns'

7.1 Where a concern is raised, or an allegation has been made but does not meet the harm threshold set out in KCSIE, it will be dealt with as a low−level concern as set out in this policy.

This policy follows the advice and guidance set out in KCSIE, Part four, Section Two: Concerns that do not meet the harm threshold

It is important to understand that a concern may arise in several ways and from a number of sources. For example: suspicion; complaint; or disclosure made by a child, parent or other adult within or outside of the school; or as a result of vetting checks undertaken. It may arise in the context of the member of staff and their life outside work or at home.

Information sharing and the appropriate recording and handling of concerns are important to ensure potential patterns of concerning behaviour can be identified as soon as possible, and appropriate action taken swiftly in order to safeguard children.

7.2 What is a low-level concern?

The term 'low−level' concern does not mean that it is insignificant, it means that the conduct towards a child does not meet the threshold. This procedure enables staff to share any concern – no matter how small – about their own or another member of staff's behaviour with the appropriate safeguarding leads in school.

> A low−level concern is any 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
> - does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Keeping Children Safe in Education

7.3 KCSIE provides examples of such behaviour which could include, but are not limited to:

- being over friendly with children
- having favourites
- humiliating children
- taking photographs of children on their mobile phone
- engaging with a child on a 1−1 basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language towards or in front of a child

8 Sharing a low-level concern

8.1 It is **not necessary** for staff to be able to determine in each case whether their concern is a low−level concern, if it is meets the threshold for a referral or if it meets the criteria of either. All concerns, no matter how small, should be reported in line with Section 4 of this policy. The determination as to how the concern raised will be dealt with will be made by the relevant person as set out in paragraph 4.2 of this policy.

8.2 Where a concern is received by a member of staff other than the person as set out in paragraph 4.2, they should immediately report the concern in line with Section 4 of this policy.

9 Responding to a low-level concern

Initial action:

9.1 On first becoming aware of a concern being raised, the headteacher, Designated Safeguarding Lead (DSL) or a nominated deputy will undertake the following:

- Obtain written details (signed and dated by the person raising the concern)
- Record any information about times, dates and location of incident/s and names of any potential witnesses; and
- Record discussions about the child and/or member of staff, any decisions made, and the reasons for those decisions.

9.2 Once this information is available it should be shared with the headteacher who should consider if it is necessary to discuss with the LADO. It may be the case, at this stage, that the matter is not serious enough to consider a referral to the LADO but **may merit consulting** with and seeking advice from the LADO in relation to appropriate next steps, and on a no−names basis if necessary.

9.3 The headteacher/DSL/nominated deputy will then, (so long as the LADO/other relevant external agencies have not advised not to do so):

- Speak to the person who raised the concern (unless it has been raised anonymously)
- Speak to any potential witnesses
- Speak to the individual about whom the low−level concern has been raised

Action by the school

9.4 Following an investigation of the concern raised, the headteacher should then review the information and determine whether the behaviour:

(i) is entirely consistent with their staff code of conduct and the law
(ii) constitutes a low−level concern
(iii) is 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
(iv) when considered with any other low−level concerns that have previously been raised about the same individual, could now meet the threshold of an allegation and should be referred to the LADO/other relevant external agencies, or
(v) with the additional information shows that the concern itself now meets the threshold of an allegation and should be referred to the LADO/other relevant external agencies.

9.5 Consideration should 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.

9.6 It is important that the headteacher (or DSL/nominated deputy) makes appropriate records of;

- all internal conversations – including with the person who initially shared the low−level concern and all those discussions held as part of the investigation into the matter,
- all external conversations – for example, with the LADO/other external agencies;
- their determination (as above at paragraph 9.4);
- the rationale for their decision;
- any action taken/recommendations made.

Behaviour that is determined to be entirely consistent with the school's policies

9.7 The headteacher/DSL/nominated deputy will update the individual in question and inform them of the action taken as above.

9.8 In addition, the headteacher/DSL/nominated deputy will speak to the person who shared the low−level concern in order to provide them with feedback about how and why the behaviour is consistent with the school's policies.

9.9 The investigation into the situation may highlight for example that the staff code of conduct is not clear, or that training has not been satisfactory, and/or that the low−level concern process is not clear enough. In which case the headteacher may feel it necessary to make recommendations for a review of certain policies/training materials.

Behaviour which is determined to constitute a low-level concern

9.10 In most cases low−level concerns by their very nature are likely to be minor. Some will not require any further action. However, others may be most appropriately dealt with by means of issuing management guidance and/or training.

9.11 In most cases, a low−level concern will simply require a conversation with the individual about whom the concern has been raised. This conversation will be an opportunity to address unprofessional conduct and support the individual to correct it at an early stage.

9.12 It is important that such conversations should include being clear with the individual as to why their conduct was deemed to be of a concern, problematic or inappropriate, what change is required in their conduct, enquiring what, if any, support they might require in order to achieve and maintain that behaviour, and being clear about the consequences if they fail to reach the required standard or repeat the conduct in question. A record of the discussion should be made (via a letter of management guidance/record of discussion), which the employee should be asked to sign and be provided with a copy. A copy of the record will be held on the employee's personal file.

9.13 Where a low−level concern raises issues of more serious misconduct or poor performance the headteacher may need to refer to the school's disciplinary and/or capability procedure. The headteacher may need to seek HR advice in line with that policy.

Behaviours which require further advice from the Local Authority Designated Officer

9.14 Where it is deemed that the conduct is not serious enough to consider a referral to the LADO, but may merit consulting with and seeking advice from the LADO then action should be taken in accordance with the LADO advice.

9.15 Where conduct was considered alongside any low−level concerns that have previously been raised about the same individual, which could now meet the threshold of an allegation, or where following an investigation it is determined that the concern itself now meets the threshold of an allegation it should be referred to the LADO/other relevant external agencies in line with this policy and HR advice should be sought.

10 Recording a low-level concern

10.1 All low−level concerns will be recorded in writing. The record will include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns will also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.

10.2 Records relating to low level concerns will be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR) (see KCSIE for more information).

10.3 Records will be reviewed so that potential patterns of concerning, problematic or inappropriate conduct can be identified. Where a pattern of such conduct is identified, the school will decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harm threshold, in which case it will be referred to the LADO and further advice will be taken.

10.4 The record will be retained at least until the accused has reached normal pension age or for a period of 10 years from the date of the allegation/concern if that is longer, at which point the record will be securely destroyed. A form which could be used for the purpose or recording this information is attached as Appendix 2.

11 References

11.1 This policy is clear that only substantiated safeguarding allegations will be provided in references. Low level concerns will not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance. A low−level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference.

11.2 However, where a low−level concern (or number of concerns) has met the threshold for referral to the LADO and found to be substantiated, it will be referred to in a reference, provided that the information is factual and does not include opinions.

Appendix 1: Staff conduct cause for concern form

Concern in relation to: (print name of member of staff)		
Name of person completing form (print):		
Time of concern:	**Date of concern:**	**Place of concern:**
Concern:		
Detailed Account: Please bullet point. Do not interpret what is seen or heard; simply record the facts. After completing the form, pass it immediately to the Headteacher or the Designated Safeguarding Lead.		
Signature:	Date:	

Please provide a copy to the Headteacher or the Designated Safeguarding Lead

Appendix 2 **Record of action of low-level concern in relation to staff conduct**

Name:	
Job Title:	
School/college:	
Date of incident/concern:	
Initial concern reported to:	

Summary of concern(s):

- **Obtain written details, signed and dated by the person receiving (see reporting form)**
- **Record any information about times, dates and location of incident/s and names of any potential witnesses; and**
- **Record discussions about the child and/or member of staff**

Local Authority Designated Officer Discussion (if applicable)

Contact made by:		**Date:**	

Outcome of Discussion:	**Meets the harm threshold** **YES** ☐ **NO** ☐ **Referral to LADO required** **YES** ☐ **NO** ☐ **Allegation Management Meeting** **YES** ☐ **NO** ☐		
Action Points from LADO Call (if applicable)			
What		**Who**	**When**
1.			
2.			
3.			
Action Taken			
● **Record any actions taken, any decisions made, and the reasons for those actions and decisions**			
Date internal investigation concluded:			
Recommendation from investigation:	**Behaviours consistent with policy - NFA** ☐ **Recorded as LLC - Informal Action** ☐ **- Formal Action Considered** ☐ **Discussion with LADO required;** **- Due to outcome of investigation** **- Due to frequency of concerns**		
Date of informal action:			
Date of disciplinary hearing: (if applicable)			
Date of appeal hearing: (if applicable)			
Additional information			
● **Record any further actions required including monitoring and scheduled review meetings**			

Important Information
This form should be completed in all cases where a low-level concern has been raised against a member of staff. A copy of this form should then be kept in the Schools Low Level Concern Folder, on the employee's personal file and a copy provided to the employee. **Where allegations are found to have been malicious this form will be removed from personal records.**

Signed by Headteacher:	
Employee Signature:	
Date:	

Appendix 3 Flowchart: Managing low level concerns about staff conduct

1a. Concern shared with:

Headteacher (HT)

Designated Safeguarding Lead (DSL)

If the concern is received by another staff member, they should immediately inform HT or DSL

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2. HT decision (within 24 hours where possible):

a. Contact LADO (if harm threshold met)
b. No action
c. Proceed with school action

↓

3. School Action

The HT defines area(s) of concern and interviewees and starts to investigate (or appoints the DSL/nominated deputy*).

This will include:

- Interviewing and take statements from all parties concerned: person reporting concern, child(ren), other adult(s) including potential witnesses and parents
- Check corroborative evidence

Written details (report) will be presented to HT.

These will include:

- Times/dates/locations/potential witnesses
- Discussion about concerns
- Evidence
- Decisions made and reasons

***Paragraph 449, KCSIE,**

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4. HT reviews report

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5. HT determines outcome:

- Progress to enhance level as evidence indicates it meets harm threshold and HT contacts LADO
- Consult with LADO for advice (not serious enough for referral)
- Manage internally

→ **1b. If the concern is about the HT,** information should be directed to either:

- Chair of Governors/Trustees/HR Lead
- Local Authority Designated Officer (LADO)
- NSPCC Whistleblowing helpline

6a. Internal management

HT determines any additional actions:

e.g. Revise Code of conduct/policy/provide training

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6b. Internal management

HT relays management strategy to individual being investigated. (HT can refer to previous concerns and determine if new information warrants progression to disciplinary/capability):

a. Concerns not substantiated – no further action
b. Share concerns and changes required (warning/training)
c. If issues of poor performance or misconduct evident, HT may refer to disciplinary/capability procedure
d. Offer support (a, b and c)

A record of discussion is made (letter of management guidance/record of discussion). Employee receives a signed copy and copy on personal file

↓

7. Feedback

HT/DSL/nominated deputy speaks with all other parties to inform of conclusion of process and share outcome. Support offered for parties involved

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8. HT monitors as required.

It is important for HT/DSL/nominated deputy to record all internal and external conversations, decisions, rationale, actions and recommendations.

(see Appendix 2)