



# Woodlands Primary School and Nursery

## Low Level Concerns Policy

Date of policy creation:	September 2023
Date of policy review:	September 2024
Governing body signature:	

### Linked policies:

- Appropriate use of Social Media Policy for Parents
- Child Protection and Safeguarding Policy
- E-Safety Use of Devices Policy
- KCSIE 2023
- Managing Safeguarding Concerns and Allegations
- Whistleblowing Policy

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## 1. Introduction

At Woodlands Primary School, we take safeguarding very seriously and realise that keeping children safe is everyone's responsibility. 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. KCSIE (2023) 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. This policy sets out the detail and processes for staff regarding low-level concerns they may have.

## 2. Summary

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 Head Teacher (or Deputy Headteacher in her absence) about their concern, using a Low-Level Record of Concern Form. If the Head Teacher or Deputy Headteacher cannot be contacted, the Chair of Governors should be contacted instead.

## 3. Keeping Children Safe in Education September 2023

The following is taken from Keeping Children Safe in Education September 2022

*Concerns or allegations that do not meet the harm threshold*

*424. 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.*

**Low-level concerns**

*425. 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 (including 101 supply teachers, volunteers and contractors) are dealt with promptly and appropriately.*

*426. 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 is a low-level concern?***

427. 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.

428. 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.

429. 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 or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

430. 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 102 also protect those working in or on behalf of schools and colleges from becoming the subject of potential false low-level concerns or misunderstandings.

### ***Staff code of conduct and safeguarding policies***

431. As good practice governing bodies and proprietors should set out their low-level concerns policy within their staff code of conduct and safeguarding and child protection policies as set out in Part two of this guidance. They should make it clear what a low level concern is and the importance of sharing low-level concerns, and an explanation of what the purpose of the policy is – i.e., to create and embed a culture of openness, trust and transparency in which the school or college's values and expected behaviour set out in the staff code of conduct are lived, monitored and reinforced constantly by all staff.

432. As set out in Part two of this guidance, the governing body or proprietor should ensure their staff code of conduct, behaviour policies and safeguarding policies and procedures are implemented effectively and ensure that appropriate action is taken in a timely manner to safeguard children and facilitate a whole school or college approach to dealing with any concerns.

433. Schools and colleges can achieve the purpose of their low-level concerns policy

by:

- ensuring their 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

- empowering staff to share any low-level safeguarding concerns (see below)
- addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- handling and responding to such concerns sensitively and proportionately when they are raised, and
- helping identify any weakness in the school or colleges safeguarding system.

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

434. Schools and colleges should ensure that their low-level concerns policy contains a procedure for sharing confidentially such concerns which is clear, easy to understand and implement. Whether all low-level concerns are shared initially with the DSL (or a nominated person (such as a values champion)), or with the headteacher/principal is a matter for the school or college to decide. If the former, then the DSL should inform the headteacher/principal of all the low-level concerns and in a timely fashion according to the nature of each particular low-level concern. The headteacher/principal should be the ultimate decision maker in respect of all low-level concerns, although it is recognised that depending on the nature of some low-level concerns and/or the role of the DSL in some 103 schools/colleges, the headteacher/principal may wish to consult with the DSL and take a more collaborative decision-making approach.

435. Low-level concerns which are shared about supply staff and contractors should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

436. If schools and colleges are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they should consult with their LADO.

437. Schools and colleges should ensure they create an environment where staff are encouraged and feel confident 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.

### ***Recording low-level concerns***

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

439. Schools and colleges can decide where these records are kept, but they must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).

440. Records should be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the school or college should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a low level concern to meeting the harm threshold, in which case it should be referred to the

LADO (as per Part four, Section one). Consideration should also 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.

441. It is for schools and colleges to decide how long they retain such information, but it is recommended that it is retained at least until the individual leaves their employment

## 4. Clarity around Allegation vs Low-Level Concern vs Appropriate Conduct

### Concern or allegation that may meet harm threshold

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; 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.

### 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.

### Appropriate conduct

Behaviour which is entirely consistent with the organisation’s staff code of conduct, and the law.

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

At Woodlands, LLC forms and follow-up information will be stored in a secure electronic folder, 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.

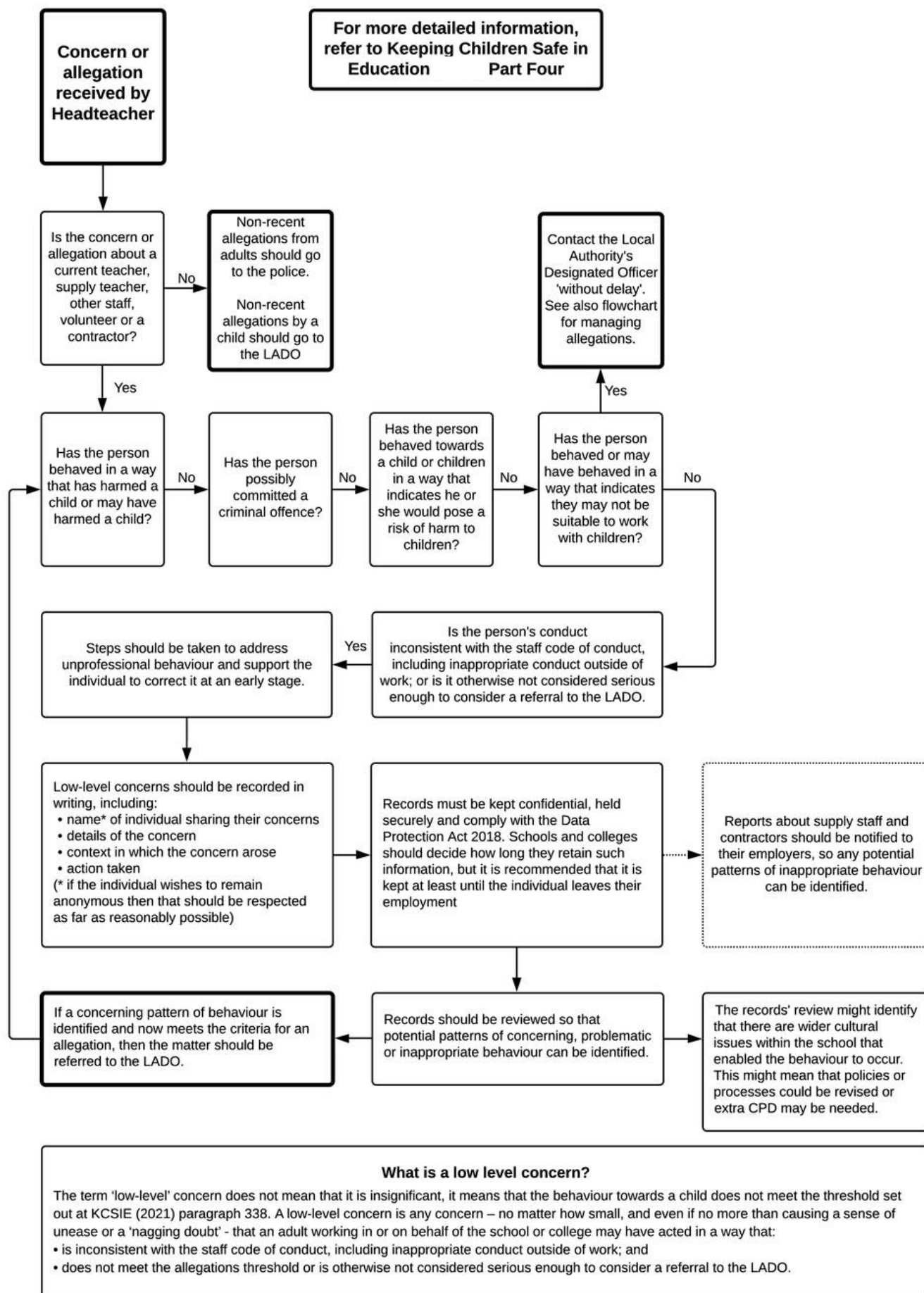
Whenever staff leave Woodlands, any record of low-level concerns which are stored about them will be reviewed as to whether or not that information needs to be kept. Consideration will be given to:

- (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.

KCSIE (2023) states that:

433. *Schools and colleges should ensure that their low-level concerns policy contains a procedure for sharing confidentially such concerns which is clear, easy to understand and implement. Whether all low-level concerns are shared initially with the DSL (or a nominated person (such as a values champion)), or with the headteacher is a matter for the school or college to decide. If the former, then the DSL should inform the headteacher of all the low-level concerns and in a timely fashion according to the nature of each particular low-level concern. The headteacher should be the ultimate decision maker in respect of all low-level concerns, although it is recognised that depending on the nature of some low-level concerns and/or the role of the DSL in some schools/colleges, the headteacher/principal may wish to consult with the DSL and take a more collaborative decision making approach.*
434. *Low-level concerns which are shared about supply staff and contractors should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.*
435. *If schools and colleges are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact meets the harm threshold, they should consult with their LADO.*
436. *Schools should ensure they create an environment where staff are encouraged and feel confident 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.*
437. *All low-level concerns should be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.*
438. *Schools can decide where these records are kept, but they must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).*
439. *Records should be reviewed so that potential patterns of inappropriate, problematic or concerning behaviour can be identified. Where a pattern of such behaviour is identified, the school should decide on a course of action, either through its disciplinary procedures or where a pattern of behaviour moves from a low level concern to meeting the harm threshold, in which case it should be referred to the LADO (as per Part four, Section one). Consideration should also 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.*
440. *It is for schools to decide how long they retain such information, but it is recommended that it is retained at least until the individual leaves their employment.*

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





## 6. Key Reference Document

Read this document for further information about Low-Level Concerns, which is referenced in KCSIE 2023.

<https://www.farrer.co.uk/globalassets/clients-and-sectors/safeguarding/developing-and-implementing-a-low-level-concerns-policy.pdf>

## 7. Low Level Concern Form

This form will be available to staff via:

- The school work group saved in 'Master Folder' - 'Policies'.
- The Office
- DSLs
- The Senior Leadership Team





## 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:

1. is inconsistent with Woodlands Primary school and Nursery staff code of conduct, including inappropriate conduct outside of work; and
2. does not meet the harm threshold, or is otherwise not serious enough to merit a referral to the LADO.

You should provide a concise record (online/electronically or hard copy) – including brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible. The record should be signed, timed and dated.

<b>Name of adult writing this concern:</b> (This will be kept anonymous if requested, as far as reasonably possible)	
<b>Date written:</b>	<b>Please print once completed and sign:</b>
<b>Name of adult about whom there is a concern:</b>	
<b>Please detail your concerns in the box below and include the following:</b> <ul style="list-style-type: none"><li>• a brief context</li><li>• details which are chronological, precise and accurate</li><li>• any contextual information that may be appropriate</li></ul>	
<b>Received by:</b>	<b>Action to be taken:</b>
Headteacher to decide on action to be taken and will list here (please note the Headteacher may need to seek advice from Human Resources or Family connect to proceed) <ul style="list-style-type: none"><li>•</li><li>•</li><li>•</li><li>•</li></ul>	
<b>Follow up:</b> <ul style="list-style-type: none"><li>• Headteacher to feedback actions and outcomes to the reporter</li></ul>	
<b>Monitoring:</b> <ul style="list-style-type: none"><li>• Concerns are monitored over time with subsequent actions being taken dependent on concerns e.g. Further training delivered.</li></ul>	

This record will be held securely in accordance with Woodlands Primary School and Nursery low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but Woodlands Primary School and Nursery may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations (Data Protection Act 2018 and the UK GDPR regulations)