



# **LINGS PRIMARY SCHOOL**

## **LOW LEVEL CONCERNS POLICY (Non- Statutory)**

**September 2023**

**Ratified by Governors – 30<sup>th</sup> January 2024**

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## Introduction

At Lings Primary School, safeguarding is at the heart of what we do and is everyone's responsibility. This includes ensuring that the adults who work with children do so in a way that is in accordance with the ethos and values of the school as set out in our policies, including the expectations that are set out in the Code of Conduct within the Staff Handbook. This policy sets out the details and processes for staff regarding any low-level concerns that may arise, that they may have about an adult's behaviour within the school and how these will be addressed.

## Purpose of the Policy

Safeguarding is everybody's responsibility. The purpose of this policy is to embed a culture of openness, trust and transparency in which the clear values and expectations of behaviour set out in the Code of Conduct are constantly adhered to, monitored and reinforced by all staff.

In order to achieve this purpose, Lings Primary school will:

- Ensure that all staff are clear about expectations around appropriate behaviour and what this looks like. Ensure staff are confident in recognising concerning, problematic or inappropriate behaviour in themselves or others.
- Recognize the importance of professional boundaries and know when to report and to whom.
- Empower all staff to share any low-level concern with the Headteacher.
- Address any unprofessional behaviour and support the individual to correct it at an early stage.
- Identify concerning, problematic or inappropriate behaviour that may need to be consulted upon with the LADO.
- Ensure all concerns that are raised are dealt with sensitively and proportionately.
- Help identify areas for development in the school's safeguarding system as well as training needs.

## Keeping Children Safe in Education 2023 (KCSIE 2023):

Keeping Children Safe in Education 2023 states that

*'As part of their whole school approach to safeguarding, schools and colleges should ensure 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 supply teachers, volunteers and contractors) are dealt with promptly and appropriately.'*

## What are low-level concerns?

The term 'allegation of harm' means that it is alleged that an adult's behaviour meets the threshold as specified below; they have:

- 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, or
- Behaved in a way that indicates s/he may pose a risk of harm to children.
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children.

If there is an allegation of harm, the member of staff must be reported to the Headteacher immediately and advice will be sought from the Local Authority's Designated Officer (LADO) (please see the Safeguarding Children and Child Protection Policy for further details about dealing with allegations of harm)

However, there may be occasions when an adult working with children in school acts in a way that does not cause risk to children and does not reach the thresholds described above but is still inappropriate. This could be a behaviour of low-level concern.

The term 'low-level' concern does not mean that it is insignificant; it means that the adult's behaviour towards the child does not reach the threshold set out above. A low-level concern is

any concern, no matter how small, that causes a sense of unease or 'nagging doubt' because an adult may have acted in a way that:

- is inconsistent with the school's code of conduct, including inappropriate conduct outside of work and,
- does not meet the allegations threshold or is otherwise not serious enough to consider a referral to the LADO.

Keeping Children Safe in Education provides the following non-exhaustive examples of behaviour which could constitute a low-level concern.

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone
- Using inappropriate sexualised, intimidating or other offensive language or tone.

Staff do not need to determine whether the concern is an allegation of harm or is a low-level concern. Their role is to share the concern with the Headteacher, and they will determine whether it is a low-level concern or whether it meets the threshold for an allegation of harm and then respond accordingly in line with this policy.

### **Sharing Low-level concerns**

All low-level concerns are shared with the Headteacher as soon as reasonably possible and, in any event, within 24 hours of becoming aware of the concern when it relates to a specific incident.

Low-level concerns must be recorded on a Low-level Concern form. (See Appendix one) These are kept in the staff room, and electronically on Teams in the Safeguarding folder.

If the Headteacher is unavailable, the form should be given to the Deputy Headteacher.

If the concern is about the Headteacher, the Chair of Governors must be contacted, and a Low-level concern form must be sent to him in a sealed envelope or electronically.

### **Self-reporting**

Occasionally, an adult within the school may find themselves in a situation that could be misinterpreted or might appear compromising to others. Equally an adult may, for whatever reason, have behaved in a way which, upon reflection, they consider may fall below the expected standards.

Self-reporting, in these circumstances, can be positive for a number of reasons; it is self-protective in that it enables a potentially difficult situation to be addressed at the earliest opportunity; it demonstrates awareness of the expected standards of behaviour; it helps to maintain an open culture where everyone recognises and aspires to the highest standards of conduct.

*In line with KCSIE, we will ensure that there is an environment in which staff feel confident to self-refer.*

### **Recording Low-level concerns**

Staff may be given the opportunity to share their low-level concern verbally with the Headteacher or to complete the Low-level Concern form.

If the concern is provided verbally, a record of the conversation must be made on the Low-level Concern form, as soon as possible after it has taken place.

The Headteacher will use professional judgement to determine what information may be needed for safeguarding purposes. The name of the individual sharing the concern, and their job role must be stated, as should the name and role of the person about whom the concern is being raised.

The record will include brief context in which the low-level concern arose, and concise details which should be in chronological order and as accurate as possible. The record must be signed, timed and dated by the person reporting the concern.

## **Responding to Low-level concerns**

Once the Headteacher has received the low-level concern, they will do the following, but not necessarily in this order as a different sequence may be appropriate on different occasions:

- Speak to the person who has raised the concern,
- Speak to any potential witnesses (unless advice has been sought from the LADO and they have advised not to do so)
- Speak to the individual about whom the concern has been raised (unless advised by the LADO not to do so)
- Review the information and determine whether the behaviour:

1. Is entirely consistent with the code of conduct and the law
2. Constitutes a low-level concern
3. Is not serious enough to consider a referral to the LADO- but may require consulting with and seeking advice from the LADO.
4. When considered with any other low-level concerns that have previously been raised about the individual, could now meet the threshold of an allegation and should be referred to the LADO
5. Meets the threshold of an allegation and should be referred to the LADO

## **Possible outcomes for Low-level concerns**

If the behaviour is not of concern and is entirely consistent with our Code of Conduct, the Headteacher will:

- Update the individual who shared the concern.
- Update the person about whom the concern was raised.
- Consider if further training or explanation about low-level of concerns is necessary.

If it is determined that the behaviour constitutes a low-level of concern, it will be responded to in a sensitive and proportionate way. Any further investigations will be done discreetly and on a need-to-know basis.

*Most low-level concerns are by their very nature likely to be minor.*

Some will require no more action than a conversation with the Headteacher or a senior member of staff.

Others may be dealt with through management guidance or specific training.

Ongoing and transparent monitoring of an individual's behaviour may be appropriate such as an action plan or risk assessment being put in place which would need to be agreed to by the individual.

Some low-level concerns may raise issues of misconduct or poor performance, and this may lead to the Headteacher taking advice from our HR provider. (If a low-level concern relates to a supply agency or contractor, the concern will be raised with their employers who will respond to the concern according to their own procedures.)

Some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures which should then be followed where appropriate. (Please see individual policies)

## **Storage of low-level concerns**

Lings Primary School will retain records of low-level concerns in a central low-level concerns file in the Headteachers Office. This file will be kept confidential and held securely with limited access given only to the Headteacher, and the Deputy Headteacher if necessary.

If multiple low-level concerns are shared about an individual, they will be kept in chronological order as a running record.

Low-level concerns will not be kept in personnel files. However, any records relating to behaviour that was referred to the LADO will be placed on the staff member's personnel file. These files will be kept in accordance with Part 4 of KCSIE which requires schools to produce a clear and comprehensive summary of all allegations, details of how the allegations were followed up and resolved, a note of action taken and how the situation was resolved and decisions that were reached. A copy is also provided for the staff member.

The Headteacher reviews the Central low-level concerns file periodically to ensure that all concerns are being dealt with promptly and appropriately.

The low-level concerns file will be kept securely and with appropriate access restrictions until notified to do otherwise in further guidance.

When a member of staff leaves, the relevant content of the low-level concerns file may be reviewed to ensure that it still has value and to assess whether it is necessary to keep or not. This is subject to the rights of an individual to object to or seek to erase or correct records about them under data protection law.

### **Low-level Concerns and references**

Only safeguarding allegations that have been substantiated should be included in references.

KCSIE states

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



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### **LOW LEVEL CONCERN RECORD**

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.

**NAME OF INDIVIDUAL SHARING  
THE CONCERN**

**DATE CONCERN RAISED**

**DATE CONCERN  
OCCURED**

**NAME & ROLE OF INDIVIDUAL  
THE CONCERN IS ABOUT**

**DETAILS OF CONCERN BEING SHARED** (Please give description and context)

**Details of any steps that may have already been taken** (this may include speaking to the individual, raising with safeguarding)

**SIGNATURE OF PERSON SHARING CONCERN :**

**DATE:**