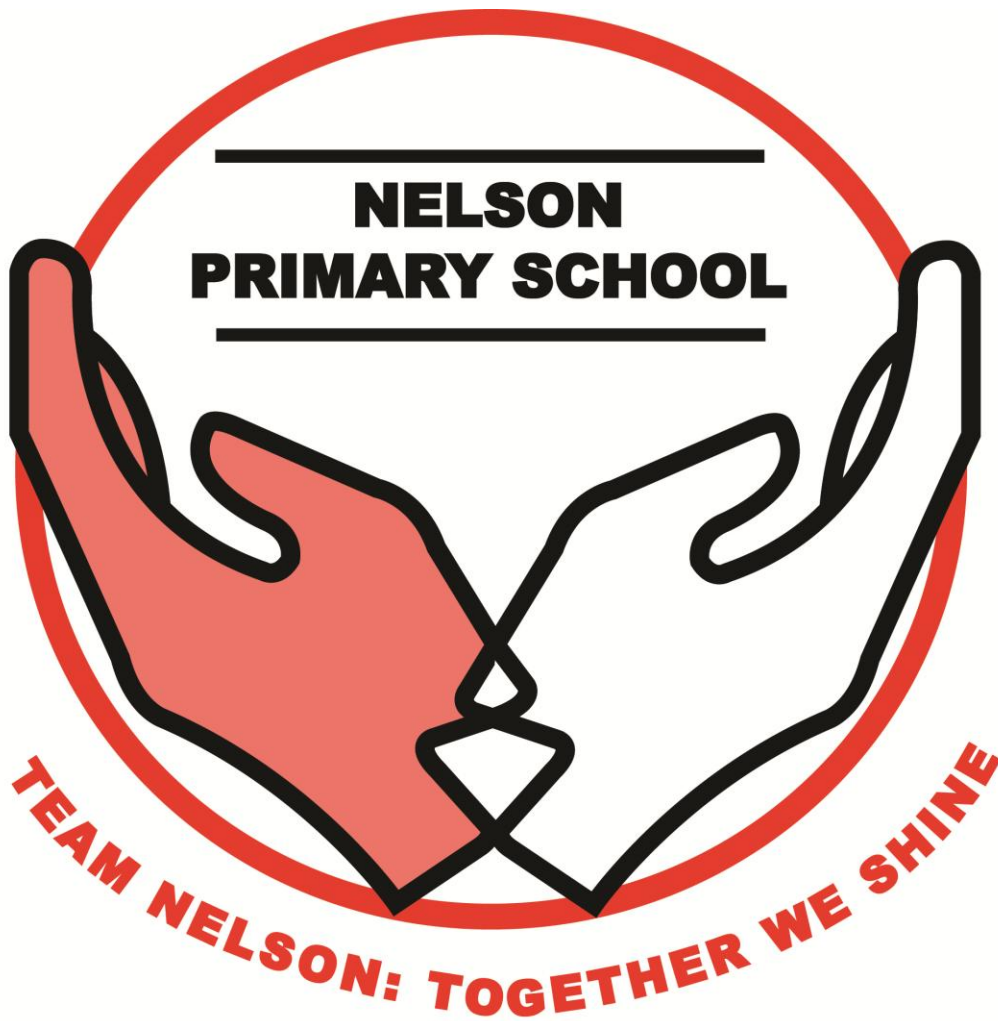


‘Low-Level’ Concern Policy

(To be read in conjunction with the Safeguarding and Child Protection Policy)



Responsibility: Miss Forrest
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Introduction

This Policy must be read in conjunction with the Safeguarding and Child Protection Policy. As part of the whole school approach to safeguarding, Nelson ensures that it promotes an open and transparent culture, in which all concerns about all adults working in or on behalf of the school (including supply teachers, volunteers and contractors), are dealt with promptly and appropriately. Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold) are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. This encourages an open and transparent culture. Identifying concerning, problematic or inappropriate behaviour early; minimises the risk of abuse; and ensures 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.

At Nelson School, we take safeguarding incredibly seriously. This includes ensuring that all 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. We set out to create and embed a culture of honesty and transparency in which the school's values and expected behaviour, are constantly lived, monitored and reinforced by all staff. Being able to report low level concerns, or indeed to self-report if a mistake has been made, is an important part of that culture. Staff should feel able to discuss with senior members of staff any difficulties or problems that they experience in their relationships with pupils or colleagues, so that appropriate advice can be provided, or action taken. Adults must model safe relationships and must adhere to the school's safer working practices (See separate document). These make sure that everyone in our community is safe and valued. This policy sets out the detail and processes for staff regarding low-level concerns they may have.

Summary

It may be possible that a member of staff acts in a way that does not cause a risk to students, but which nevertheless is concerning. A member of staff who has a concern about another member of staff should inform the Headteacher about their concern, using a Low-Level Record of Concern Form. If the Headteacher cannot be contacted, a Deputy Headteacher should be contacted instead. Members of staff have the right to remain anonymous as far as reasonably possible.

Keeping Children Safe in Education – The following is taken from Keeping Children Safe in Education September 2023

423. 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.

424. 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 supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

425. 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?

426. 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.

427. 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.

428. 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.

429. 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 misunderstandings.

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

Low-Level Concern (LLC) forms and follow-up information will be stored securely within the headteacher’s office, with access only by the Headteacher and Chair of Governors. This will be done in accordance with the Data Protection Act 2018 and UKGDPR.

The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Headteacher / Chair of Governors or those aware of the incident on the SLT.

Reports about supply staff and contractors will be notified by the Headteacher to their employers so any potential patterns of inappropriate behaviour can be identified.

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 Nelson Primary School, 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.

Process to follow when a Low-Level Concern is raised

Do not discuss with another colleague. Complete the LLC form and return it to the Headteacher without delay. If she is not available, then you should contact a Deputy Headteacher. (If the concern is regarding the Headteacher you should contact the Chair of Governors.) You may also want to discuss the concern in the first instance with the Headteacher without completing a LLC. The Headteacher will collect as much evidence as possible by speaking, where possible, with the person who raised the concern, to the individual involved and any witnesses.

Low Level Concern Form

This form will be available to staff via:

- MS Teams – Safeguarding Advice and Resources
- DSL / DDSLs
- In the Staffroom

Monitoring and Review

The school will monitor records so that any potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour 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 harms thresholds, in which case it will be referred to the LADO. 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.

The Headteacher will consult the LADO if there is any doubt as to whether a concern meets the harm threshold. This also ensures that the school balances its duty of care to the child as well as to the member of staff.

The Headteacher will report on low level concerns (anonymised) to the Governing Body Safeguarding Committee at their termly meeting.



Nelson Staff Low-Level Concern Form

Please return this form to the Headteacher. If the concern is about the Headteacher, please return to the Chair of Governors.

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:

- is inconsistent with Nelson’s School’s staff code of conduct and safe working practice, including inappropriate conduct outside of work, and
- does not meet the allegation threshold or is otherwise not serious enough to consider a referral to the LADO.

You should provide a concise record – including brief context in which the low-level concern arose, and details which are chronological, and as precise and accurate as possible – of any such concern and relevant incident(s) (and please use a separate sheet if necessary).

Name of staff member: Role in school:	
Name of individual raising the concern: Signed:	Time and Date:
Received by: At: (Time) On: (Date)	

Action Taken (specify) Name of person investigating the concern:	
Signed:	Time and Date:

This record will be held securely in accordance with Nelson's Low-Level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but Nelson School 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.