

Butler's Hill Infant & Nursery School



Low Level Concerns Policy 2025

Head Teacher Signature:	
Date Adopted:	September 2025
Review Date:	September 2026

(Appendix 1: Section Two Managing Low level concerns - concerns that do not meet the harm threshold. Extracted from: School Disciplinary Procedure Part 2 Managing safeguarding risks and allegations/concerns of harm and abuse made against all school staff).

Allegations / concerns that do not meet the harms threshold – referred to as “low level” concerns.

Note:

- a) Part B is replicated and forms part of the School Employee Code of Conduct - Appendix 1: Managing Low level concerns - concerns that do not meet the harm threshold.
- b) Once approved by the governing body, this policy should be shared with all staff, volunteers, supply staff and contractors.

1. Introduction

The Governing body adopts this policy and process to manage, take appropriate action and record any low-level concerns relating to safeguarding children (including allegations) which do not meet the harm threshold as set out in statutory guidance and paragraph 3. The School Disciplinary Procedure Part 2 Managing safeguarding risks and allegations / concerns of harm and abuse made against all school staff Section One sets out the procedures to be followed where the threshold for harm is met. The procedures acknowledge that “low-level” concerns about behaviour or conduct 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. The policy and process sets out the appropriate action to be taken to safeguard children.

2. The purpose of the policy

As part of the whole school approach to safeguarding, this policy is intended to:

a) This policy is replicated in full in the School Employee Staff Code of Conduct - Appendix 1. The Code sets out the expected behaviour of all staff.

b) promote an open and transparent culture in which all concerns (Low level or otherwise) are reported and managed in line with statutory requirements about all adults working in or on behalf of the school (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

c) recognise the critical importance of creating a school culture in which all concerns about adults (including allegations that do not meet the harms threshold (paragraph 3) are shared responsibly and with the right person, recorded and dealt with appropriately.

d) deal with low level concerns about individuals effectively to ensure that all staff, and others working in the school, are protected against potential false allegations or misunderstandings.

e) encourage an open and transparent culture; enable the school to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that all 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.

3. The Allegations threshold

Where the school is required to manage an allegation that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in a school or college, the School Disciplinary Procedure Part 2 (A) Managing safeguarding risks and allegations/concerns of harm and abuse made against all school staff will be followed. This includes all situations where it is alleged that anyone working in the school, including supply teachers, volunteers and contractors has:

a) behaved in a way that has harmed a child, or may have harmed a child and/or;

b) possibly committed a criminal offence against or related to a child and/or;

c) behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or

d) behaved or may have behaved in a way that indicates they may not be suitable to work with children.

118 The harm test is explained on the Disclosure and Barring service website on GOV.UK. Section 31(9) of the Children Act 1989 as amended by the Adoption and Children Act 2002

If a school is in 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.

4. Low level concerns: definition

This policy and procedure will be used to manage all reports of “low-level” concern. The headteacher will 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, the headteacher may want to consult with the DSL and take a more collaborative decision-making approach.

The term ‘low-level’ concern does not mean that it is insignificant, Keeping Children Safe in Education states that it is behaviour towards a child that does not meet the harms threshold: “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 may have acted in a way that:

a) is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and

b) does not meet the harms allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.“

As part of their whole school approach to safeguarding, the Head teacher, governing body and designated safeguarding leads 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 (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.

5. Examples of low-level concern

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. 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:

- a) being over friendly with children
- b) having favourites
- c) taking photographs of children on their mobile phone, contrary to school policy
- d) engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- e) humiliating children*

*Please note whilst (a) – (e) above are a direct quote from KCSIE as examples of “low level” concerns”, the LADO does not view (c) , (d) and (e) as low level concerns. Concerns of this nature require urgent discussion / referral to LADO in the first instance. The national LADO network has raised this as an issue with the safeguarding unit of the DFE.

Potential patterns of concerning, inappropriate, problematic behaviour should be identified and appropriate action either thorough the School Disciplinary procedure or by referral to LADO where the harm threshold is met. Consideration should also be given as to whether there are wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies should be revised, or extra training delivered to minimise the risk of it happening again.

6. Reporting safeguarding concerns, including low level concerns about staff

All staff (including supply staff, volunteers, and contractors) should understand the schools processes and procedures to report and manage any safeguarding concerns about other staff members. In order to ensure that issues are appropriately managed and reported, if staff have safeguarding concerns, low level concerns or otherwise, or an allegation is made about another member of staff (posing a risk of harm to children), then:

- a) this should be reported to the headteacher or DSL;
- b) where there are concerns/allegations about the headteacher, this should be referred to the chair of governors, chair of the management committee or Trust Board;
- c) where an employee or other person working at the school, feels unable to report a concern in this way they should refer to the Whistleblowing and Confidential Reporting Policy and /or contact an appropriate external agency, the Corporate Director for Children, Young People and Schools, Nottinghamshire County Council or their own professional body.

7. Staff code of conduct and safeguarding policies

The School Employee Staff Code of Conduct reinforces professional and appropriate behaviour by setting out the expected standards of personal and professional conduct in relation to safeguarding children. This policy forms part of the Code of Conduct – Appendix 1 and other existing school systems to ensure all children are safe in this school.

8. Behaviour of all staff

All staff are expected to understand the appropriate standards of conduct required and ensure that safeguarding policies and procedures are implemented effectively. Where concerns are raised, the head teacher and the governing body will ensure appropriate action is taken in a timely manner to safeguard children and facilitate a whole school approach to dealing with any issues raised about the conduct of staff. The head teacher and the governing body will achieve the purpose of their low-level concerns policy by, for example:

- a) ensuring all staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from concerning, problematic or inappropriate behaviour, in themselves and others;
- b) empowering staff (including supply staff, volunteers and contractors) to share any low-level safeguarding concerns
- c) creating 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.
- d) addressing unprofessional behaviour and supporting the individual to correct it at an early stage;
- e) providing a responsive, sensitive and proportionate handling of such concerns when they are raised; and,
- f) helping identify any weakness in the school or colleges safeguarding system.

9. Sharing low-level concerns

The school will ensure that any reported low-level concerns about supply staff and contractors are referred on to their employers, so any potential patterns of inappropriate behaviour can be identified.

10. Recording low-level concerns and confidentiality (GDPR)

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.

The records will be kept confidential, in accordance with the schools Data Protection Policy, held securely to comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR). The Act does not prevent the sharing of information for the purposes of keeping children safe and fears of 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.

Records will be reviewed as appropriate so that that 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 threshold, a referral to the LADO. The school will keep under review whether there are wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies will be revised or extra training delivered to minimise the risk of it happening again.

Information regarding low level concerns will be retained on the employee's school personnel file

11. References

In accordance with statutory guidance, the school will only provide substantiated safeguarding allegations 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, where there is evidence of misconduct or poor performance. Low-level concerns which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference. However, where a low-level concern (or group of concerns) has met the threshold for referral to the LADO and found to be substantiated, they will be referred to in a reference.

12. Responding to and recording low-level concerns

The school will respond to reports of low-level concerns in the following way. If the concern has been raised via a third party, the headteacher/chair of governors or other nominated person will gather as much evidence as possible by speaking:

a) directly to the person who raised the concern, unless it has been raised anonymously;

b) to the individual involved and any witnesses.

c) where appropriate the individuals involved will be asked to provide a written statement

The head teacher, Chair of governors or other nominated person will use the information gathered to help categorise the type of behaviour and determine what further advice and action may need to be taken. The school will record this information together with the rationale and justification for the decision and subsequent action taken.

The school recognises that the management of low-level concerns will be a reflection and extension of the School's Employee Code of Conduct/ behaviour policy.

More detailed guidance and case studies on low-level concerns can be found in Developing and implementing a low-level concerns policy (farrer.co.uk).

Appendix 1:

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: is inconsistent with Butler’s Hill Infant and Nursery School staff code of conduct, 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.

Name of adult writing the concern:	
Name of adult whom the concern is about:	
Date written:	
Signature:	

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).

The record should be signed, timed and dated and returned to the Headteacher

Details of Concern

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