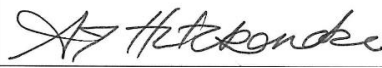




Sheepscombe Primary School

Low Level Concerns Policy

Designated Safeguarding Lead:
Vicky Dangerfield

This policy was adopted at a meeting of:	FGB
Held on:	4 th June 2024
Date to be reviewed	February 2025
Signed on behalf of the Governors:	
Name of signatory:	Sachi Hatakenaka
Signed by Head teacher	
Name of Headteacher	Vicky Dangerfield



Sheepscombe Primary School and Little Lambs Nursery fully recognises its responsibility for safeguarding children and the importance of raising awareness of child protection issues. We discharge our responsibility with the attitude that 'it could happen here' where safeguarding is concerned. Any actions we take will be in the best interests of the child and compliant with the relevant statutory guidance.

This policy applies to all staff and volunteers within the school.

Designated Safeguarding Lead (DSL) -Vicky Dangerfield (Headteacher)

Deputy DSL's -Caroline Powell, Richard Crocker, Rob Gardner

Safeguarding Governor - Tessa Lentel

Gloucestershire Safeguarding Children Board (GSCB) procedures

[Gloucestershire Safeguarding Children Partnership | Gloucestershire Safeguarding Children's Partnership](#)

This policy should be read in conjunction with:

Safeguarding and Child Protection Policy

Code of Conduct and Whistle Blowing Policy

Concerns and Complaints Policy

Managing Serial and Unreasonable Complaints Policy

Available at [Sheepscombe Primary School - Policies \(sheepscombeschool.co.uk\)](#)

Legislation and statutory guidance

This policy is based on the Department for Education's statutory guidance, [Keeping children safe in education - GOV.UK \(www.gov.uk\)](#) and [Working together to safeguard children - GOV.UK \(www.gov.uk\)](#) and the [Maintained schools governance guide - Guidance - GOV.UK \(www.gov.uk\)](#). We comply with this guidance and the procedures set out by our local safeguarding children partnership: **Gloucestershire Safeguarding Children Board (GSCB) [Gloucestershire Safeguarding Children Partnership | Gloucestershire Safeguarding Children's Partnership](#)**



This policy also meets requirements relating to safeguarding and welfare in the [Statutory framework for the early years foundation stage for group and school providers \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

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1. What is a low-level concerns policy?

It is a new policy recommended by KCSiE 2021 which enables all staff to share any concerns - no matter how small - about their own or another member of staff's behaviour with the Headteacher who is the Designated Safeguarding Lead (DSL), or with the Deputy Designated Safeguarding Leaders (DDSL). This policy applies to Sheepscombe Primary School and the school's Governor run Little Lambs Nursery.

Safeguarding and promoting the welfare of children is everyone's responsibility.

This policy should be read in conjunction with the school's Safeguarding Policy, the Staff Code of Conduct and the Concerns and Complaints Policy and the Managing Serious and Unreasonable Complaints policy.

2. Purpose

The purpose of the policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the staff code of conduct are constantly lived, monitored and reinforced by all staff.

3. Allegations of abuse made against staff

The Safeguarding and Child Protection policy and the Concerns and Complaints policy applies to all cases in which it is alleged that a current member of staff or volunteer has:

- behaved in a way that has harmed a child, or may have harmed a child, or
- possibly committed a criminal offence against or related to a child, or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children

This policy should be used when the concern or complaint does not reach the threshold for use of the Concerns or Complaints policy - see below sections for more detail

4. How we will use this Low Level Concerns policy

In order to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the staff code of conduct are constantly lived, monitored and reinforced by all staff we will:



- (a) ensure that 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, and the delineation of professional boundaries and reporting lines;
- (b) empower staff to share any low-level concerns with the Headteacher or with the Safeguarding Leaders, and to help all staff to interpret the sharing of such concerns as a neutral act;
- (c) address unprofessional behaviour and support the individual to correct it at an early stage;
- (d) identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the LADO;
- (e) provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and
- (f) help identify any weaknesses in the organisation's safeguarding system.

5. Who this policy relates to

The policy relates to all staff including volunteers, peripatetic staff, contractors and governors in our school setting – any adult working in or on behalf of the organisation.

It relates to low level concerns or allegations that do not meet the harm threshold as set out in section 3 of this document.

Low level concerns raised may be re-evaluated /escalated by the Head teacher and Safeguarding leaders when reviewed.

6. Determining low level concerns

Although it is important that staff feel comfortable with, and are clear about, the concept of low-level concerns, and know what to do if they have such a concern, they do not need to be able to determine in each case whether their concern is a low-level concern, or if it is not serious enough to consider a referral to the LADO, or whether it meets the threshold of an allegation.

Once staff share what they believe to be a low level concern, that determination should be made by the Headteacher/Safeguarding leaders, or by Governors if it is about the Headteacher or Safeguarding leaders (paragraph 74 of KCSIE).

7. Who should staff share low-level concerns with?

All low-level concerns are to be raised with the Headteacher/Safeguarding leaders.

This will allow any potential patterns of concerning, problematic or inappropriate behaviour to be identified, and ensure that no information is possibly lost.



Low-level concerns should be shared as soon as reasonably possible, within 24 hours of becoming aware of it (where the concern relates to a particular incident) – although it should also be emphasised that it is never too late to share a low-level concern.

8. Should staff who share concerns be able to remain anonymous?

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.

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 should never be promised to members of staff who share low-level concerns.

9. Should staff share concerns about themselves (i.e. self-report)?

Occasionally a member of staff may find themselves in a situation which could be misinterpreted, or might appear compromising to others. Equally, a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the staff code of conduct.

Self-reporting in these circumstances can be positive for a number of reasons:

- it is self protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity;
- it demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived;
- crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

KCSIE states that schools and colleges should ensure that they create an environment where staff are encouraged and feel confident to self-refer.

10. How should low-level concerns be shared and recorded?

Staff should be given the option of sharing their low-level concern verbally with the Headteacher/Safeguarding leaders, providing them with a written summary of it, logged on the schools reporting software My Concern. The concern should be marked as 'low level' when logging.

Where the low-level concern is provided verbally, the Headteacher/Safeguarding leaders should make an appropriate record of the conversation, either contemporaneously or immediately following the discussion.

Sound professional judgement should be exercised by them in determining what information is necessary to record for safeguarding purposes. The name of the individual sharing the low-level



concern, and their role, should be stated, as should the name of the individual about whom the concern is being raised, and their role within the organisation at the time the concern is raised.

If the latter individual has an opposing factual view of the incident, this should be fairly recorded alongside the concern. The record should include brief context in which the low-level concern arose, and concise details (which are chronological and as precise and accurate as possible) of any such concern and relevant incident(s).

11. How should a low-level concern be responded to by the Headteacher/Safeguarding leaders

Once the Headteacher/Safeguarding leaders have received the low-level concern, they should (not necessarily in the below order but in an appropriate sequence according to the nature and detail of the particular concern shared with them):

- (a) speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary, has been provided;
- (b) speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted);
- (c) speak to the individual about whom the low-level concern has been raised (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted);
- (d) 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) in and of itself meets the threshold of an allegation and should be referred to the LADO/other relevant external agencies;
- (e) where they are in any doubt whatsoever, seek advice from the LADO - on a no-names basis if necessary;
- (f) make appropriate records of:
 - all internal conversations - including with the person who initially shared the low-level concern (where this has been possible), the adult about whom the concern has been shared (subject to the above), and any relevant witnesses (subject to the above);
 - all external conversations - for example, with the LADO/other external agencies (where they have been contacted, and either on a no-names or names basis);
 - their determination
 - the rationale for their decision; and



- any action taken.

The Headteacher/Safeguarding leaders approach should also be informed by the following:

1. If it is determined that the behaviour is entirely consistent with the organisation's staff code of conduct and the law:

(a) it will still be important for the Headteacher/Safeguarding leaders to update the individual in question and inform them of the action taken as above;

(b) in addition, the Headteacher/Safeguarding leaders should speak to the person who shared the low-level concern - to provide them with feedback about how and why the behaviour is consistent with the organisation's staff code of conduct and the law;

(c) such a situation may indicate that:

- the staff code of conduct is not clear;
- the briefing and/or training has not been satisfactory; and/or
- the LLC policy is not clear enough.

If the same or a similar low-level concern is subsequently shared by the same individual, and the behaviour in question is also consistent with the staff code of conduct, then an issue may need to be addressed about how the subject of the concerns behaviour is being perceived, if not about the behaviour itself, and/or the organisation may need to look at the implementation of its LLC policy.

If it is determined that the behaviour constitutes a low-level concern, it should also be responded to in a sensitive and proportionate way - on the one hand maintaining confidence that such concerns when raised will be handled promptly and effectively whilst protecting or being mindful of protecting staff from any potential false allegations or misunderstandings.

(a) Any investigation of low-level concerns should be done discreetly and on a need-to-know basis;

(b) most low-level concerns by their very nature are likely to be minor. Some will not give rise to any ongoing concern and, accordingly, will not require any further action. Others may be most appropriately dealt with by means of management guidance and/or training;

(c) in many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised.

(d) any such conversation should include being clear with the individual as to why their behaviour is concerning, problematic or inappropriate, what change is required in their behaviour, enquiring what, if any, support they might need in order to achieve and maintain that, and being clear about the consequences if they fail to reach the required standard or repeat the behaviour in question.



(f) ongoing and transparent monitoring of the individual's behaviour may be appropriate.

An action plan or risk assessment which is agreed with the individual, and regularly reviewed with them, may also be appropriate;

(g) some low-level concerns may also raise issues of misconduct or poor performance.

12. Misconduct or poor performance

The Headteacher/ Safeguarding leaders should also consider whether misconduct or poor performance is the case - by referring to the organisation's disciplinary and/or capability procedure and taking advice from HR on a named or no-names basis where necessary.

If the Headteacher/ Safeguarding leaders consider that the organisation's disciplinary or capability procedure may be triggered, they should refer the matter to HR. Any such referral should be made by the Headteacher/Principal or Safeguarding Lead having received the low-level concern and not by individual staff members.

Where a low-level concern does not raise misconduct or poor performance issues, it will not be a matter for HR.

KCSIE states that where a low level concern relates to a person employed by a supply agency or a contractor, that concern should be notified to their employers, so that any potential patterns of inappropriate behaviour can be identified.

The school's response will be tailored accordingly, some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures, which should be followed where appropriate.

Where low-level concerns are raised require other internal processes to be followed, the school will exercise its professional judgement and, if in any doubt, advice will be sought from other external agencies including the LADO

If HR advise that the school's disciplinary procedure is triggered, the school will ensure that the individual has a full opportunity to respond to any factual allegations which form the basis of a disciplinary case against them.

If the school disciplines or dismisses a staff member for cumulative alleged 'breaches' of the staff code of conduct which were not brought contemporaneously to the individual's attention, and to which they have not had a proper opportunity to respond, clearly there will be a lack of fairness and natural justice and the risk of a finding of unfair dismissal by an Employment Tribunal.

Staff therefore need to understand that when they share what they believe to be a low-level concern, the Headteacher/Safeguarding leaders will speak to the adult who is the subject of that concern - no matter how 'low' level the concern may be perceived to be, to gain the subject's account - and to make appropriate records, which may be referenced in any subsequent disciplinary proceedings.



However, if it is determined that the behaviour:

- whilst not sufficiently serious to consider a referral to the LADO nonetheless merits consulting with and seeking advice from the LADO, and on a no-names basis if necessary, then action should be taken in accordance with the LADO's advice; or
- when considered with any other low-level concerns that have previously been shared about the same individual, could now meet the threshold of an allegation, or in and of itself meets the threshold of an allegation, then it should be referred to the LADO/other relevant external agencies, and in accordance with the school's safeguarding policy, concerns and complaints policy and/or Part 4 of KCSIE

All organisations (including schools and colleges in England) are, in any event, required to comply - in all matters relating to safeguarding - with the relevant procedures and practice guidance stipulated by their Local Safeguarding Partnership.

13. How should low-level concerns be held?

Whereas KCSIE requires schools and colleges in England to keep allegations on staff personnel files unless they are malicious, no guidance exists, in KCSIE or otherwise, on the storing of records relating to low level concerns.

The school will should retain all records of low-level concerns (including those which are subsequently deemed by the Headteacher/Safeguarding leaders to relate to behaviour which is entirely consistent with the staff code of conduct) on the school reporting software My Concern.

Records will be kept confidential and held securely.

Some low-level concerns may also involve issues of misconduct or poor performance, or they may trigger an organisation's disciplinary, grievance or whistleblowing procedures. Where these issues would ordinarily require records to be made and retained on the staff member's personnel file, this will be done in the usual way.

14. Reclassifying concerns

There may be circumstances where a low level concern (or group of concerns) requires reclassification following determination by the Headteacher/Safeguarding leaders, and/or recording on the relevant staff member's personnel file.

In such cases, we still consider it vitally important to retain the low-level concern(s) (as originally shared) on My Concern as well as on the personnel file.

If a referral is made to the LADO/other external agencies where the behaviour in question: (i) had not originally been considered serious enough to consider a referral to the LADO but merited consulting with and seeking advice from them; (ii) is determined to meet the threshold of an allegation when considered with any other low level concerns that have previously been raised about the same individual; or (iii) in and of itself meets the threshold of an allegation



then records relating to the behaviour should be placed and retained on the staff member's personnel file, whilst also being retained on My Concern.

A summary of all allegations (except those which are found to have been malicious), details of how the allegation was followed up and resolved, and a note of any action taken and decisions reached, to be kept on the confidential personnel file of the staff member, and a copy provided to them.

15. Should low-level concerns held on My Concern be reviewed?

The Headteacher/Safeguarding leaders should review the central low-level concerns held on My Concern periodically to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified.

16. How long should records of a low-level concern be kept?

The school adopts a purpose-based approach to retention and deletion.

Low-level concerns should be retained on My Concern (securely and applying appropriate access restrictions) unless and until further guidance provides otherwise.

However, when a staff member leaves and/or takes up new employment, that creates a natural point at which the content of the file may be reviewed to ensure it still has value (either as a safeguarding measure or because of its possible relevance to future claims), and is therefore necessary to keep.

This is subject to the rights of individuals to object to or seek to erase or correct records about them under data protection law.

17. Should a low-level concern be referred to in a reference?

KCSIE prohibits schools and colleges in England from referring to unsubstantiated, unfounded, malicious or false allegations in references. Only safeguarding allegations that have been substantiated should be included in references.

KCSIE states that:

- 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
- low level concerns (or a group of concerns) which have not met the threshold for referral to the LADO which relate only to safeguarding should not be included in references unless they relate to issues which would normally be included in a reference, for example, misconduct or poor performance.



18. What is the role of the Governing Body?

The Headteacher/Safeguarding leaders should regularly inform the Governing Body about the implementation of the low-level concerns policy and any evidence as to its effectiveness. For example, by including reference to it in any safeguarding reports, and providing any relevant data.

The Governing Body should also review an anonymised sample of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.