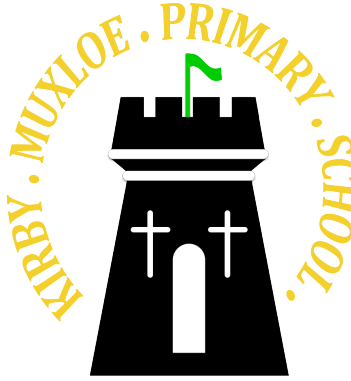


Kirby Muxloe Primary School



LOW LEVEL CONCERNS POLICY

Status: Statutory

Date adopted by Trust Board: May 2025

Date for review: Autumn 2025

Statement of intent

At Kirby Muxloe Primary School, we take safeguarding very seriously. 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. 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 risk to children but is however inappropriate. A member of staff who has a concern about another member of staff should inform the Headteacher about their concern. The Headteacher will decide whether the concern has sufficient merit to record using a Low-level Record of Concern Form. They will consider all the facts regarding the concern including where the concern originated. If the Headteacher cannot be contacted or the concern is about the Headteacher, the Trust Lead should be contacted

Keeping Children Safe in Education September 2024

The following is taken from Keeping Children Safe in Education September 2024

- As part of their whole school 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.
- 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?

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
- does not meet the harm threshold or is otherwise not considered 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 - this could include, but is not limited to, communicating with a child through personal social media or allowing inappropriate conversations or enquiries to occur with pupils e.g conversations that are about a staff members' personal life or are of a sexual nature;

- having favourites - this could include, but is not limited to, calling pupils by pet names or terms of endearment or buying pupils gifts.
- taking photographs of children on their mobile phone, contrary to school policy.
- covering viewing panels in a classroom against guidance
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or humiliating pupils.

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.

Staff need to be aware that some of the above low-levels concerns may meet the harms threshold depending on certain factors such as the age or needs of the child or the content of the exchanged messages, and that some of the above incidents may not be concerns in context e.g a pre-approved, one to one meeting with a child behind a closed door between the child and a member of staff, for example an outside counsellor or social worker who has received all appropriate safety checks

Low-level concerns may arise in several ways and from a number of sources. For example: suspicion, complaint, or disclosure by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken.

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.

While low-level concerns are, by their nature, less serious than concerns which meet the harms threshold, the school understands that many serious safeguarding concerns, e.g. child sexual abuse, often begin with low-level concerns such as being overly friendly with children. The school will ensure that all staff are aware of the importance of recognising concerns before they escalate from low-level to serious, wherever possible.

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 or 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 the Staff 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 staff Code of Conduct and the law.

Where concerns are raised directly or indirectly concerning a member of staff but the harm threshold hasn't been met and the Low-level Concerns policy does not strictly apply, the Headteacher or case manager will conduct a risk assessment of the situation and act accordingly. Mitigations regarding the concerns may be agreed with the member of staff and actioned appropriately.

Prevention amongst staff

As a school, we will ensure that all staff members are aware of the standards of appropriate behaviour expected towards pupils.

Staff will ensure that they pay due regard to the fact that:

- They are in a unique position, care, responsibility, authority and influence in relation to pupils
- There is a significant power imbalance in the pupil-staff dynamic
- There are more stringent expectations on their behaviour with regard to pupils due to their position as a pupil professional

Staff will be aware that where there is any doubt regarding whether the behaviour is appropriate, this should be reported to the Headteacher or DSL immediately.

The Headteacher will also evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff cohort where low-level concerning behaviour is seen more widely.

School culture

We understand that spotting the early signs of harmful behaviour towards children can be difficult, and that many will be hesitant to report concerns they have about their colleague's behaviour, particularly the behaviour of their superiors. Staff are encouraged to maintain an attitude that recognises that abuse can happen anywhere, in any setting, and that anyone can be a perpetrator regardless of their age, sex, level of authority, personality, etc

As a school, we will ensure that all staff members have received training as part of their induction that outlines appropriate behaviour towards pupils for staff members.

All staff will read, understand and adhere to the appropriate and inappropriate subsection of this policy, as well as the Staff Code of Conduct.

We will work to foster an environment where personal and professional boundaries are clearly set and respected for all individuals in our school communities, e.g. pupils are not treated as friends and an appropriate professional distance is maintained by staff.

Reporting concerns

Staff will report all safeguarding concerns they have to the Headteacher or DSL immediately in line with the procedures laid out in the Safeguarding Policy. Staff members will report concerns without undue delay. Where the report concerns a specific incident, staff will report their concerns no later than 24 hours after the incident where possible. Staff need to be aware that concerns are still worth reporting even if they do not seem serious.

Staff need to report their concerns to the Headteacher, by the agreed method for example by submitting a Low-Level Concerns Reporting Form.

Staff may request anonymity when reporting a concern, and the school will endeavor to respect this as far as possible. We cannot, however, promise anonymity to staff members who report concerns in case the situation arises where they must be named e.g. where there is necessary for a fair disciplinary hearing. In line with the Whistleblowing policy, staff will be protected from potential repercussions caused by reporting a genuine concern.

Where the low-level concern relates to the Headteacher, it should be reported to the Trust Chair.

Self-reporting

On occasion, a member of staff may feel as though they have acted in a way that:

- Could be misinterpreted
- Could appear compromising to others
- They realise, upon reflection, falls below the standard set out on the Staff Code of Conduct.

We will ensure that an environment is maintained that encourages staff members to self-report if they feel as though they have acted inappropriately or in a way that could be construed as inappropriate upon reflection. The Headteacher will, to the best of their ability, maintain a culture of approachability for staff members, and will be understanding and sensitive towards those who self report.

Staff members who self-report will not be treated more favourably during any resulting investigations than staff members who were reported by someone else; however, their self-awareness and intentions will be taken into consideration.

Evaluating concerns

Where the Headteacher or DSL is notified of a safeguarding concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated, e.g. where a child is at immediate risk of harm. When deciding if a concern is low-level, the Headteacher will discuss the concern with the DSL and seek advice from the LADO where there is any doubt about whether the concern in fact meets the harm threshold. When seeking external advice, the Headteacher will ensure they adhere to the Data Protection Policy, and the information sharing principles outlined in the Child Protection and Safeguarding Policy, at all times.

To evaluate a concern, the Headteacher and DSL will:

- Speak to the individual who raised the concern to determine the facts and obtain any relevant additional information.
- Review the information and determine whether the behaviour displayed by the individual about whom the concern was reported is consistent with the Staff Code of Conduct and the law.
- Determine whether the concern, when considered alongside any other low-level concerns previously made about the same individual, should be reclassified as an allegation and dealt with alongside the relevant disciplinary policies.
- Consult with, and seek advice from, external agencies when in doubt over the course of action to follow.

- Speak to the individual about whom the concern has been raised to inform them of the concern and to give them an opportunity to respond to it.
- Ensure that accurate and detailed records are kept of all internal and external conversations regarding evaluating the concern, and any actions or decisions taken.

Acting on concerns where the concern is unfounded

If it is discovered upon evaluation that the low-level concern relates to behaviour that was not considered to be breach of the Staff Code of Conduct and the law, the Headteacher will speak to the individual about whom the concern was made to discuss their behaviour, why and how the behaviour may have been misconstrued, and what they can do to avoid such misunderstandings in the future. The Headteacher will also speak to the individual who shared the concern, outlining why the behaviour reported is consistent with the School standards and the law. The Headteacher will take care to ensure that conversations with individuals who reported that transpired to be unfounded do not deter that individual from reporting concerns in the future,

The Headteacher will discuss the concern with the DSL (and if they have been involved, the LADO) to discern whether the behaviour, and the reporting of this behaviour, is indicative of ambiguity of the school's policies or procedures, or the training it offers to staff. Where such ambiguity is found, the DSL and Headteacher will work together, to resolve this with input from other staff members, as necessary.

Where the Headteacher or DSL determines that a concern is low-level, the school will respond to this in a sensitive and proportionate manner. The following procedure will be followed:

The Headteacher holds a meeting with the individual about whom the concern was reported, during which they will:

- Talk to the individual in a non-accusatory and sympathetic manner.
- Inform them of how their behaviour was perceived by the individual who reported the concern (without naming them, where possible).
- Clearly state what about their behaviour was inappropriate and problematic.
- Discuss the reasons for the behaviour with the individual.
- Inform the individual clearly what about their behaviour needs to change.
- Discuss any support that the individual may require to achieve the proper standards of behaviour.
- Allow the individual the opportunity to respond to the concern in their own words.

The Headteacher will ask the individual to re-read the Staff Code of Conduct.

The DSL and the Headteacher will consider whether the individual should receive guidance, supervision or any further training.

Where considered appropriate in the circumstances, the Headteacher will develop an action plan, with input from the individual, that outlines ongoing and transparent monitoring of the individual's behaviour and any other support measures implemented to ensure the staff member's behaviour improves.

Where it is necessary to undergo an investigation into the behaviour, this will be done

discreetly, and information will only be disclosed to individuals on a need-to-know basis.

Where any pupil or other individual has been made to feel uncomfortable by the individual's behaviour, they will be offered pastoral support, where appropriate.

The Headteacher will ensure that all details of the low-level concern, including any resultant actions taken, are recorded and securely stored in line with the records management guidance and the Data Protection Policy. The Headteacher will ensure that these records are kept organised and up-to-date, and that it is easy to refer to them if any other concerns are reported about the same individual.

The specific approach to handling low-level concerns will be adapted on a case-by-case basis. It is unlikely that a low-level concern will result in disciplinary procedures; however, individuals may be given warnings in line with the Disciplinary Policy and Procedure where behaviour does not improve once it is brought to their attention. Where behaviour does not improve over a longer period, the concerns will be escalated and dealt with in line with relevant disciplinary policies.

The Headteacher may decide upon evaluation that a concern is more serious than the reporter originally thought, e.g. when viewed in conjunction with other evidence or other concerns made about the same individual. Where this decision is made, the concern will be escalated, and dealt with as an allegation. The Headteacher will then follow the procedures laid out in the relevant disciplinary policies.

Storing and use of low-level concerns and follow-up information

As a school, we will retain all records of low-level concerns related to their individual schools, including those that were found to be unfounded.

Records will include:

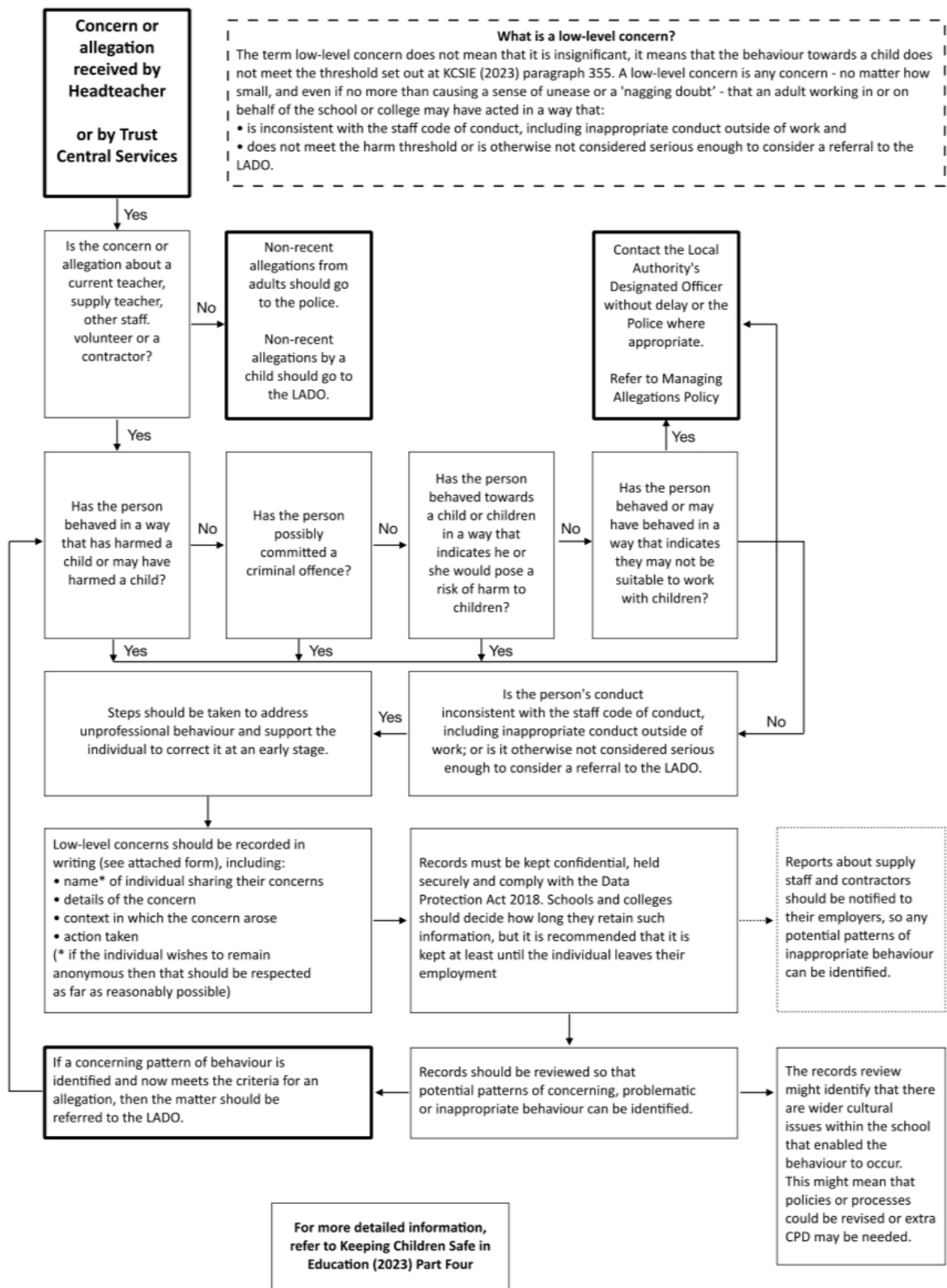
- A clear and comprehensive summary of the concern.
- The context in which the concern arose.
- Details of how the concern was followed up and resolved.
- A note of any action taken, decisions reached, and the outcome.
- The name of the individual sharing concerns – if the individual wishes to remain anonymous, this will be respected as far as reasonably possible.

Records of any outcomes from low-level concerns will be kept in the personnel file of the individuals to whom the concerns pertain. Where a concern is thought to be serious and is processed as an allegation, records of this will be kept in staff personnel files. Where multiple low-level concerns have been made about the same individual, these will be kept together, and in chronological order.

Where an allegation is made about an individual who has previously been subject to such allegations, or where a low-level concern is reclassified as a serious concern after meeting the harms threshold, all records of low-level concerns about that individual will be moved to the staff personnel file and kept alongside records of allegation.

Access is only for the Headteacher and senior staff where delegated if necessary. This will be stored in accordance with the school's GDPR and data protection policies at least until the relevant member of staff ceases employment with the school.

Process to follow when a low-level concern is raised



The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Headteacher or those aware in the senior leadership team.

Low-level concerns will not be referred to in references, including those in settlement agreements, unless they have been formalised into more significant concerns resulting in disciplinary or misconduct procedures. The school will only refer to concerns about a staff member in employment references where they have amounted to a substantiated safeguarding allegation, i.e. it has met the harms threshold and has been found to have basis through investigation, or where it is not exclusively a safeguarding issue and forms part of an issue that would normally be included in a reference, e.g. misconduct or poor performance. Low-level safeguarding concerns will not be included in a reference, unless they have comprised a pattern of behaviour that has met the harms threshold.

Whenever staff leave the 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:

- 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
- If, on balance, any record is not considered to have any reasonably likely value, still less actionable concern, and ought to be deleted accordingly.
- If low-level concerns had not been escalated and no concerns around patterns.

Low-level Concern Follow up Form

Keeping Children Safe in Education 2024 – Low-level Concerns

This document should be used when low-level concerns as defined in Section 2 of Part 4 of Keeping Children Safe in Education 2024 are reported. This document does not replace suspension/formal disciplinary investigations in the event that concerns are either categorised as more serious than low-level or when formal disciplinary procedures are required in relation to the low-level concern.

1. Name of individual raising the concern (leave blank if concern was raised anonymously or the individual wishes to remain anonymous)	
2. Date the concern was raised	
3. Name and role of individual about whom concern has been raised	
4. Details of the concern(s) reported (give description and context) A 'low-level' concern is any 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 may have acted in a way that is inconsistent with the staff code of conduct but does not meet the allegations threshold set out in this policy.	
5. Details of steps have been taken to investigate this concern Steps should include speaking to the individual who raised the concern, the individual about whom the concern is raised and any witnesses. You will need to review the Employee Code of Conduct and Safeguarding Policies to determine if there has been a breach.	
6. Set out the individual's response to the concern	

<p>7. If this concern 'low-level' or should it be treated as an allegation against staff and managed in accordance with this policy.</p> <p>To reach this decision, consider the information set out in this policy. If you are unsure, seek advice from HR and/or safeguarding advisors and/or discuss the matter with your LADO. Set out your reasons for reaching your conclusion, including the advice provided by your advisors and any discussions with your LADO</p>	
<p>8. Have 'low-level' or other concerns been raised about this individual previously?</p>	<p>Yes [] No []</p>
<p>9. If so, please provide dates, brief details and relevant file/document reference for the concern(s). Also consider whether previous concern(s) raised coupled with this new concern meet the threshold.</p> <p>Also consider that malicious accusations can be made.</p>	
<p>Details of further action required Action could range from no action or a conversation to discuss the concern, to being clear why the behaviour is concerning and formal disciplinary action.</p>	

Completed by	Name	
	Position	
Date		
Signature		

Low Level Concern Reporting Form

Thank you for reporting your concerns; we are grateful to you for taking the safety and welfare of our pupils seriously. Please fill in the below form, including as much detail as you can, and return to the Headteacher or DSL. Please refrain from discussing this concern with anyone other than the Headteacher or DSL until the matter has been dealt with. We ask that you keep all details confidential.

Your Details	
Name (optional)	
Role	
Date and time of completing the form	
Details of individual whom the concern is about	
Name	
Role	
Details of Concern	
<p>Please include as much detail as possible. Think about the following: What behaviour and/or incident are you reporting? What exactly happened? Why does the behaviour and/or incident worry you? Why do you believe the behaviour and/or incident is not consistent with our Staff Code of Conduct?</p>	
Detail of any children involved?	
Names:	
Do you believe there is a risk of harm to the above children or young people, either now or in the future, because of the individual's behaviour?	
Next steps	
What would you like to see happen in response to your concern?	
Are you willing to meet with the headteacher and DSL to discuss your concern? Please circle as appropriate.	Yes [] No []
Please state any other information that you believe is relevant to the processing of this concern	
Signature	
For Headteacher or DSL on receipt of concern	
Date and time concern received	

