Suckley School

Low Level Concerns Policy

Responsible Person: H Field

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Review Schedule: Annually

Low-Level Concerns Policy

Introduction

At Suckley 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 Head Teacher about their concern using a Low-Level Record of Concern Form. If the Headteacher cannot be contacted, the information should be reported to the designated safeguarding lead or deputy (the most senior person in this role). The term 'low-level' concern does not mean that it is insignificant. It means that the behaviour towards a child does not meet the threshold for an allegation.

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; but
- Does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Incidents which fall short of the threshold could include an accusation that is made second or third hand and the facts are not clear, or the member of staff alleged to have done this was not there at the time.

The Difference between an Allegation and Concern

It is important to be clear whether an incident constitutes an 'allegation'. An allegation is where the alleged incident is sufficiently serious as to suggest that one or more children has or may have been harmed, or that the alleged behaviour indicates the individual may pose a risk of harm to children (or otherwise meets the criteria above).

If it is difficult to determine the level of risk associated with an incident the following should be considered:

- Was the incident a disproportionate or inappropriate response in the context of a challenging situation?
- Where the incident involved an inappropriate response to challenging behaviour, had the member of staff had training in managing this?
- Does the member of staff understand that their behaviour was inappropriate and express a wish to behave differently in the future? For example, are they willing to undergo training?
- Does the child or family want to report the incident to the police, or would they prefer the matter to be dealt with by the employer?
- Have similar allegations been made against the employee – is there a pattern developing?

Keeping Children Safe in Education, Part 4, Section 2 provides that if there is any 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 and thus should be treated as an allegation, the Local Authority Designated Officer (LADO) should be consulted.

As good practice, the school may wish to include the LADO in discussions as to whether the issue should be dealt with as an allegation of harm or a concern. If the decision is reached that the concern falls short of the harm threshold, there may still be a role for the LADO to provide advice and support to the employer. Such a consultation process may allow for concerns to be evaluated objectively and to ascertain whether similar concerns may have been raised by a previous employer but not met the threshold for investigation. Whilst the LADO will only record the details of those allegations which appear to meet the threshold for consideration set out above, the School will record the details of any low-level concern that arises in respect of a member of their staff.

Where it is decided that the incident does not meet the threshold of harm/risk of harm and is a concern only, then the school will take steps to ensure any conduct or behaviour issues are addressed with the member of staff through normal employment practices. The school should take into account Teaching Standards: Guidance for school leaders, school staff and governing bodies Teachers' Standards guidance (publishing.service.gov.uk) when considering personal and professional conduct.

Sharing Low-Level concerns

We recognise the importance of creating a culture of openness, trust, and transparency to encourage all staff to share low-level concerns so that they can be addressed appropriately.

We will create this culture by:

- Ensuring 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.
- Having clear policies and procedures.
- Empowering staff to share any low-level concerns with the DSL/Headteacher/Chair of Governors/Local Authority Designated Officers
- Empowering staff to self-refer.
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage.
- Providing a responsive, sensitive, and proportionate handling of such concerns when they are raised.

Reporting a low-level concern

Low level concerns about a member of staff should be reported to the Headteacher as per the school's Child Protection procedures. If the concern is about the Headteacher this should be reported to the Chair of Governors. Low level concerns about supply staff, contractors and local authority visiting staff will also be reported to their employers.

Staff should use the school's Low-Level Concerns Reporting Form (appendix one)

Responding to low-level concerns

Where a low-level concern has been raised this will be taken seriously and dealt with promptly. The Headteacher will:

- Speak to the person reporting the concern to gather all the relevant information;
- Speak to the individual about the concern raised to ascertain their response.

Where necessary further investigation will be carried out to gather all relevant information. This may involve speaking to witnesses. The outcome to the investigation will determine the action taken in accordance with the Suckley School Code of Conduct policy and the Statement of Procedures for Dealing with Allegations of Abuse Against Staff.

The person responsible will also ensure:

- Allegations that meet the harm threshold will be referred to the LADO for advice
- Low level concerns that the school feel may need further guidance on will be referred to the LADO for advice
- Low level concerns that the school feel they can deal with internally will be dealt with via the school's behaviour policy/code of conduct.
- The school will engage with its HR provider where it is necessary to undertake further investigation and/or deal with the concern under relevant processes.

References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance.

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 in a way that indicates that 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 the Trust's Code of Conduct ; • 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 that is entirely consistent with the Suckley School Code of Conduct and the law.

Storing and use of Low-Level Concerns and follow-up information

Low Level Concern forms and follow-up information will be stored securely within the Headteacher's secure online staff records. The only people with access to this will be the school Headteacher and the SLT if necessary. This will be stored in accordance with the school's GDPR and data protection policies.

The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the Head Teacher or those aware in the senior leadership team. Low-Level Concerns will not be referred to in references unless they relate to issues that would normally be included in a reference (e.g. misconduct or poor performance) or have been formalised into more significant concerns resulting in disciplinary or misconduct procedures.

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:

(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.

This policy links to the follow documents:

- Keeping Children Safe in Education 2025
- Safer Working Practice
- Suckley School Child Protection and Safeguarding Policy
- Suckley School Code of Conduct
- Suckley School Dealing with Allegations of Abuse Against Teachers and other Staff

Monitoring Arrangements

This policy will be reviewed every year, but can be revised as needed.

This policy will be approved by the governing body.

Appendix 1 Low Level Concern Report regarding a current member of staff.

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 Suckley 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*

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 as soon as possible. If the concern is regarding the Headteacher, please pass your concerns to the Chair of Governors, Janet Ashton jashton@suckley.worcs.sch.uk

Name of adult writing this concern	
Name of adult who the concern is about	
Date	
Signed	

Concern:

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 in a way that indicates that 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 the Trust's Code of Conduct;*
- *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 that is entirely consistent with the Trust Code of Conduct and the law.