Managing Low-Level Concerns Policy 2026-2027

Marsh Hill Nursery School & Perry Beeches Nursery School

To be read alongside the:

Child Protection and Safeguarding Policy, Staff Code of Conduct and Disciplinary Procedures

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Aim

The purpose of the policy is to help create a culture in which the clear values and expected behaviours which are set out in the Code of Conduct are adhered to and regularly monitored and reinforced by all adults working with children; where these adults can be confident about sharing low-level concerns, and our school/s can respond to any perceived breaches of the rules, which should help to create a safer and more open culture.

This policy will provide additional guidance and support, as well as highlighting the importance of sharing low-level concerns. This policy works within the range of safeguarding policies in school and adheres to the following statutory Guidance and Legislation: Children Act 1989 & 2004, Education Act 2002, Data Protection 2018, Keeping Children Safe in Education 2026, Working Together to Safeguard Children 2026.

Linked policies: Safeguarding and Child Protection Policy, Staff Code of Conduct, Disciplinary Policy, Whistleblowing Policy, Health and Safety Policy, Behaviour Policy

Statement of Intent

Our school/s aim to create a culture in which all concerns about adults (including where the threshold for an allegation is not met) are shared responsibly, dealt with appropriately and recorded effectively.

By having an open and transparent culture, we are able to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that all staff/ supply staff/ volunteers are clear about professional boundaries and act within them, in accordance with the ethos of our school. This will also help safeguard against malicious allegations.

We recognise the importance of addressing, recording and reporting all safeguarding concerns, regardless of their apparent severity. We understand that, while a concern may be perceived as low-level, it could escalate over time to become a significant safeguarding issue.

All of our staff are expected to adhere to high standards of professional conduct and recognise there may be some crossover with conduct in their personal life. We are fully committed to responding to any concerns that may arise to ensure the safety of our pupils is prioritised and the risks of any potential harm is reduced.

Differentiation Between an Allegation and a Low-Level Concern

Behaviours can exist on a wide spectrum, from the unintentional or thoughtless, through to that which is ultimately intended to enable abuse.

Concerns should not be limited to safeguarding but could relate to behaviour which does not meet the Code of Conduct and professional standards expected from any individual working within this school.

Low-level concerns are differentiated from concerns that can cause harm. The harms threshold is the point at which a concern is no longer low-level and constitutes a threat of harm to a child. This threshold is defined as accusations that an adult has:

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

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

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

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

An allegation can also relate to an adult's behaviour outside of work, and their relationships with others, if they have behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include:

• an arrest for the possession of a weapon;

• a drug-related incident;

• have, as a parent or carer, become subject to child protection procedures;

• are closely associated with someone in their personal lives (e.g., partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the adult is responsible in their employment/ volunteering.

N.B. There is a transferable risk with behaviours in the workplace, at home or in the community.

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 set above. Our school/s understand that many serious safeguarding concerns, such as child sexual abuse, can often begin with low-level concerns, e.g., being overly friendly with a child.

We determine a low-level concern as any concern where an adult working in or on behalf of the school may have acted in a way that:

• is not consistent with our 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; and

• does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

N.B. A concern could be no more than causing a sense of unease, 'nagging doubt' or gut feeling.

Culture of Safety

Appropriate and Inappropriate Behaviour

Our school/s will promote a culture in which safeguarding pupils is the uppermost priority, beyond any perceived professional loyalties to colleagues, ensuring that staff are actively encouraged to report concerns, regardless of their relationship with the staff member.

We will ensure that all staff are aware of the importance of recognising concerns before they escalate from low-level to serious, wherever possible.

We ensure all of our 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. It is not, however, the responsibility of staff to be able to determine in each case whether their concern is a low-level concern, or if it is in fact serious enough to consider a referral to the LADO, or meets the threshold of an allegation. Once staff share what they believe to be a low-level concern, that determination will be made by the Headteacher (unless it is about the Headteacher and then it will go to the Chair of the Local Governing Body, who will determine if it needs to be referred to the LADO).

Examples of inappropriate behaviour that could potentially constitute a low-level concern that should be reported to the Headteacher/ Chair of Governors may include (but not limited to):

• being overly 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 member's 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 personal mobile phones or devices (that do not constitute abuse);

• engaging with a child on a one-to-one basis in a secluded area or behind a closed door;

• using inappropriate language in the presence of children.

Staff will be made aware that some of the above low-level concerns may meet the harms threshold depending on certain factors, e.g., the age or needs of the child or the type of contact.

They will be made aware that some of the above incidents may not be concerns in context, e.g., a pre-reported approved, one-to-one meeting with a child behind a closed door where a robust risk assessment has taken place.

N.B. The context for all low-level concerns will be considered when determining threshold.

Staff will also be made aware that behaviour which raises concerns **may not be intentionally inappropriate,** but that this does not negate the need to report the behaviour. The school will ensure that all staff members are aware of the standards of appropriate behaviour expected towards pupils which is detailed in our Code of Conduct.

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

• they are in a unique position of trust, 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 professional

position.

Staff will remain aware of the fact that all pupils under the age of 18, regardless of the phase and year group they are at within the school, are children by law – resultantly, staff will ensure that they do not assume maturity on behalf of a pupil and do not engage with pupils as they would with their own peers.

Staff will be aware that where there is any doubt regarding whether the behaviour of another adult is appropriate, this should be reported to the Headteacher (or if the concern relates to the Headteacher reported to the Chair of Governing Body immediately).

In the case of the concern relating to the Headteacher, the Chair of the Governing Body will seek the appropriate advice (e.g., LADO and/ or HR).

Any staff members who engage in low-level inappropriate behaviour in relation to pupils will be made aware and supported to address this behaviour in line with the Staff Code of Conduct.

Self-Reporting

The school 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.

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; and/or

• falls below the standards set out in the Staff Code of Conduct.

The Headteacher/ Chair of the Governing Board 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.

Reporting

Staff members will be aware that concerns should still be reported even if they do not seem serious.

Staff members will report their concerns to the Headteacher/ Chair of the Governing Board verbally, who will direct them to complete a low-level concern form. When submitting concerns, staff will take care to ensure that they observe the Staff Code of Conduct with regard to confidentiality and the Staff Disciplinary Policy, and protect the identity of all individuals to whom the concern relates as far as possible.

Staff members may request anonymity when reporting a concern, and we will endeavour to respect this if possible. We will not, however, promise anonymity to staff members who report concerns in

case the situation arises where they must be named, e.g., where it 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 a low-level concern relates to the Headteacher, the concern should be reported to the Chair of the Governing Body who will take appropriate advice (LADO/ Schools HR).

Where a low-level concern relates to a person employed by a supply agency or a contractor to work in the school, staff will also be required to report this to the Headteacher who will, in turn, inform the employer of the subject of the concern.

When concerns are reported, the Headteacher will evaluate whether additional training would be beneficial for any staff members exhibiting concerning behaviour, or the staff as a whole, where low-level concerning behaviour is seen more widely.

All concerns reported to the Headteacher will be documented in line with the Records Management Policy.

Responding to Concerns (Defensible Decision Making)

When the Headteacher/ Chair of Governors has received a low-level concern, they will use their professional judgement to determine if the concern is low-level or if it must be immediately escalated. To evaluate a concern, the Headteacher/ Chair of Governors will:

• speak to the person who raised the concern (unless it has been raised anonymously), regardless of whether a written summary or completed low-level concerns form has been provided;

• review the information and determine whether the behaviour: - is entirely consistent with the organisation's Code of Conduct and the law, - constitutes a low-level concern, - is serious enough to consider a referral to the LADO, or - when considered with any other low-level concerns that have previously been raised about the same individual, should be reclassified as an allegation and referred to the LADO/ other relevant external agencies;

• where the Safeguarding Lead is in any doubt whatsoever, they should seek advice from the LADO – on a no-names basis if necessary;

• 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);

• 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

- 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 decision and the rationale for their decision.

The Headteacher/ Chair of Governors may need to seek advice from an external source, which they will do whilst adhering to Data Protection protocols.

Where the Concern is Unfounded

If it is discovered upon evaluation that the low-level concern refers to behaviour that was not considered to be in breach of the Staff Code of Conduct, and the law, the Headteacher/ Chair of Governors 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/ Chair of the Governing Board will also speak to the individual who shared the concern, outlining why the behaviour reported is consistent with school standards and the law.

The Headteacher/ Chair of Governors will take care to ensure that conversations with individuals who reported concerns that transpired to be unfounded do not deter that individual from reporting concerns in the future.

The Headteacher/ Chair of Governors will consider the information within its context and alongside any previous concerns to determine whether the behaviour, and the reporting of this behaviour, suggests some doubt in relation to school policies and procedures, or the training it offers to staff.

Where such ambiguity is found, the Headteacher/ Chair of Governors will work together with appropriate personnel (e.g., HR) to resolve this with input from other staff members, as necessary.

Where the Concern is Founded

Where the Headteacher/ Chair of Governors determines that a concern is low-level, they will respond to this in a sensitive and proportionate manner. The following procedure will be followed:

• the Headteacher/ Chair of Governors will consider whether the individual should receive guidance, supervision or any further training;

• where considered appropriate in the circumstances, the Headteacher/ Chair of Governors 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/ Chair of Governors will hold a meeting with the individual about whom the concern was reported.

During the meeting, 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 in order to achieve the proper standards of behaviour allow the individual the opportunity to respond to the concern in their own words.

The Headteacher/ Chair of Governors may ask the individual to re-read the Staff Code of Conduct and/ or the Safeguarding and Child Protection Policy.

The Headteacher/ Chair of Governors will ensure that all details of the low-level concern, including any resultant actions taken, are recorded and securely stored in line with the Data Protection Policy.

The Headteacher/Chair of Governors will ensure that these records are chronological and up to date, and that it is easy to refer back to them if any future 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 formal disciplinary procedures being used, but further similar issues may result in formal disciplinary action being used to address behaviour.

Where the Concern is Evaluated as Serious

The Headteacher/ Chair of Governors may decide on evaluation that a concern is more serious than originally thought, e.g., alongside previous concerns. Where this decision is made, the concern will be escalated, and dealt with as an allegation. The Headteacher/ Chair of Governors will then follow the procedures laid out in the Staff Disciplinary Policy.

Record Keeping and Data Protection

The school will retain (in accordance with its Data Protection Policy and Record Retention Scheme) all records of low-level concerns, including those that were found to be unfounded.

The Headteacher/ Chair of Governors will ensure that all records include the most accurate and up-to-date information and will store them in accordance with our record keeping protocols.

The Headteacher/ Chair of Governors will ensure that all low-level concerns are stored together, in an organised and consistent manner, to ensure they can be easily reviewed and analysed where necessary. These records will be held by the Headteacher/ Chair of Governors to enable oversight and highlight any patterns of behaviour.

Where the low-level concern is provided verbally, the Headteacher/ Chair of Governors will make an appropriate record of the conversation, either immediately following the discussion or as soon as possible afterwards. Sound professional judgement will be exercised in determining what information it is necessary to record for safeguarding purposes.

The following information should be recorded:

• name of the individual sharing the low-level concern – if the individual wishes to remain anonymous, this will be considered;

• 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;

- who concerns have been reported to;
- a clear and comprehensive summary of the concern;
- the view of the person about whom the concern has been raised;
- details of how the concern was followed up and resolved;
- a note of any action taken, decisions reached, and the outcome;
- signed and dated by the person carrying out the enquiry.

Low-level concern forms/ records and follow-up information, such as records of meetings and action plans, will be marked as confidential and stored securely within the school's safeguarding systems with due regard to data protection, with access only by the Headteacher or Chair of the Local Governing Body and HR.

The staff member(s) reporting the concern must keep the information confidential and not share the concern with others apart from the relevant personnel (Headteacher, Chair of the Local Governing Body, CEO, Chair of the Trust Board).

The Headteacher/ Chair of Governors will periodically review the relevant recent low-level concerns log to ensure that they are being appropriately dealt with and to check for any concerning behaviour patterns amongst the staff cohort as a whole. The Headteacher/ Chair of Governors will keep records of these reviews.

Staff will be informed of their right to make a Subject Access Request and of any entries made in this log which relate to them, unless sharing such information compromises the safeguarding of others or threatens the anonymity of the person who shared the concern.

Where there are multiple low-level concerns relating to the same individual these will be kept in chronological order as a running record. These records are kept confidential and held securely, with restricted access by the Headteacher/ Chair of Governors or HR as required.

Records of low-level concerns will not be kept in the personnel file of the individuals to whom the concerns pertain, unless there have been multiple low-level concerns made about the same individual that has resulted in formal disciplinary action. 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 the allegation.

References

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. Allegations which are proven to be false, unsubstantiated or malicious, should not be included in employer references.

Likewise, a history of repeated concerns which have all been found to be false, unsubstantiated or malicious should not be included in any reference.

Misconduct or consistent poor performance, where relevant, may be included. This would not normally include low-level safeguarding concerns unless the threshold is met for referral and found to be substantiated, where it should then be referred to in a reference. Where KCSIE does not apply, consideration must be given to legal obligations and duty of care in giving accurate references.

There is no statutory guidance on the retention period for records of low-level concerns. We will retain the information for the period of an individual's employment. When a staff member for whom we have any record of low-level concerns leaves our school/s, records will be reviewed and a decision will be made as to whether that information needs to be kept, the rationale for keeping it and the period of time for which it will be retained. The normal data retention for HR records is +6 years. The same process will apply when a staff member for whom we have any record of low-level concerns leaves the central team.

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.

Role of the Local Governing Body

Any concerns or issues relating to the Managing Low-Level Concerns Policy will be included in the termly reports provided by the Headteacher for the Local Governing Body and will be anonymous.

The Local Governing Body will monitor the implementation of the policy and assess its effectiveness.

Spectrum of behaviour

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 has acted in a manner which:

• is not consistent with an organisation's Code of Conduct; and/or

• relates to that conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about the adult's suitability to work with children.

Appropriate conduct behaviour which is entirely consistent with the organisation's Code of Conduct and the law

Low-level Concern Reporting Form

Please use this form to share any concern – no matter how small, and even if no more than a 'nagging doubt' – that an adult may have acted in a manner which:

• is not consistent with our School 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.

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.

Please return this form directly to the Head Teacher/ Executive Head Teacher. Please refrain from discussing this concern with anyone other than this individual until the matter has been investigated. We ask that you keep all details, including the name of the staff member to whom the concern pertains, confidential.

Report From: Low Level Concerns

Your details		
Name		
Role:		
Date and time of completing this form:		
Details of whom this concern is about:		
Name:		
Role:		
Relationship to the individual reporting the concern e.g. manager, colleague:		
Details of the concern: 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?		
Details of any children or young people involved:		
Name(s) of children:		
Do you believe there is a risk of harm to the above children or young people, either now or in the future as a result of the individual's behaviour? Explain your answer:		
Staff member's signature:		
FOR USE BY THE HEAD TEACHER UPON RECIEPT OF CONCERN		
Date and time concern received:		
Head Teacher's Signature:		

Actions to be taken, e.g. no action/ investigation/ reclassification as allegation meeting the harms threshold:	

Policy Adopted:

By Chair's Action: 09.11.2026

IEB: 09.11.2026

Date for next renewal: 09.11.27

Signed: _____ Sean Delaney

Chair of Governors

Signed: _____ Shilpa Rathore

Acting Headteacher