



Ryhope Infant School Academy

'Low Level' Concern Policy

Updated: April 2024

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Ratified by: Governing Body –

Signed: 
Chair of Governors

Review Date: April 2025

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Purpose of policy

At Ryhope Infant School Academy, 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 Behaviour Policy (Code of Conduct). This policy sets out the detail and processes for staff regarding low-level concerns they may have.

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 (appendix 1). If the Head Teacher cannot be contacted, the Chair of Governors should be contacted instead.

Keep Children Safe in Education 2023 (KCSIE, 2023)

The following is taken from Keeping Children Safe in Education September 2023

425. As part of their whole school or college 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.

426. 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?

427. 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:

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

428. *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.*

429. *Low-level concerns 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 organisation; or as a result of vetting checks undertaken.*

430. *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.*

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 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 an organisation's Code of Conduct/Behaviour Policy 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 the adult's suitability to work with children.

Appropriate Conduct

Behaviour which is entirely consistent with the organisations Staff Behaviour Policy (Code of Conduct), and the Law.

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

Low-Level Record of Concern forms (appendix 1) and follow-up information will be stored securely on the school server in the safeguarding drive, which can only be accessed by the leadership team. 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 have been formalised into more significant concerns resulting in disciplinary or misconduct procedures.

Whenever staff leave Ryhope Infant School Academy, 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.

442 Low-level concerns 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. It follows that a low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) should not be referred to in a reference.

Responding to Low Level Concerns

443. The school or college low-level concerns policy should set out the procedure for responding to reports of low-level concerns. If the concern has been raised via a third party, the headteacher/principal (or a nominated deputy) should collect as much evidence as possible by speaking

- *directly to the person who raised the concern, unless it has been raised anonymously, and*
- *to the individual involved and any witnesses.*

444. The information collected will help them to categorise the type of behaviour and determine what further action may need to be taken. This information needs to be recorded in writing along with the rationale for their decisions and action taken.

(KCSIE, 2023)

Ryhope Infant School Academy's process for responding to reports of low-level concerns is detailed in appendix 2 of this policy.

Appendix 1 - Low-Level Record of Concern Form

Low-Level Record of Concern 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 Ryhope Infant School Academy Code of Conduct/Behaviour Policy, 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.

| | |
|----------------------------|--------------|
| Name of staff: | Role: |
| Details of Concern: | |

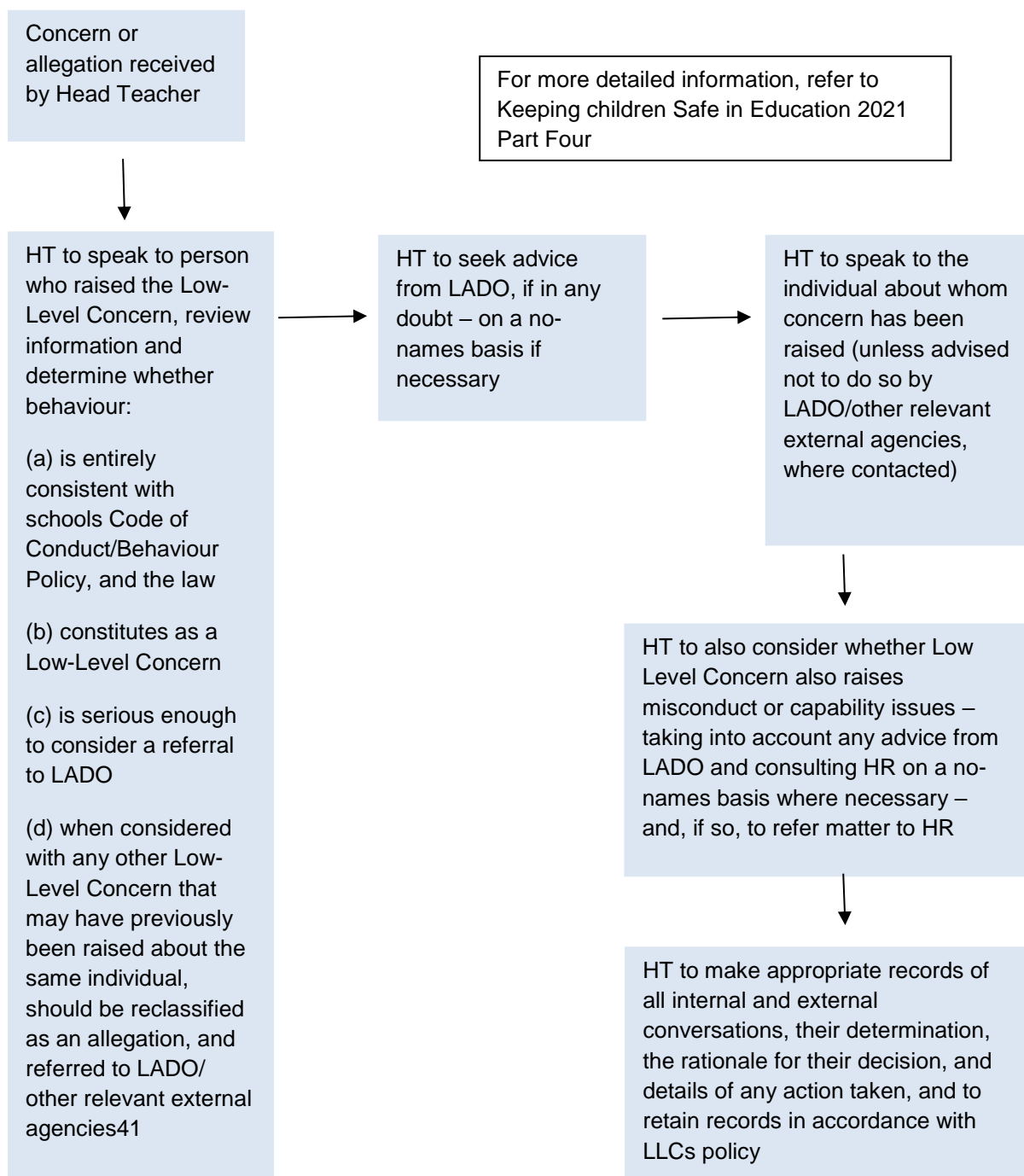
| | |
|----------------|-----------------------|
| Signed: | Date and time: |
|----------------|-----------------------|

| | |
|----------------------|-----------------------|
| Received by: | Date and time: |
| Action taken: | |

| | |
|----------------|-----------------------|
| Signed: | Date and time: |
|----------------|-----------------------|

This record will be held securely in accordance with Ryhope Infant School Academy's low-level concerns policy. Please note that low-level concerns will be treated in confidence as far as possible, but Ryhope Infant School Academy may in certain circumstances be subject to legal reporting requirements or other legal obligations to share information with appropriate persons, including legal claims and formal investigations.

Appendix 2 - Process to follow when a Low-Level Concern is raised



What is Low Level Concern?

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 out in KCSIE 2021 paragraph 338. 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:

- Is inconsistent with the Staff Code of Conduct/Behaviour Policy, including inappropriate conduct outside of work and
- Does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.