Low Level Concerns Policy

To Include Early Years Foundation Stage (EYFS)

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Aim of policy:

Park School and Little Crickets at Park School is committed to safeguarding and promoting the welfare of all children and to creating a culture of openness, transparency, and accountability. This policy sets out how the School manages low level concerns relating to adults working in or on behalf of the School.

A low level concern is any concern—no matter how small—that an adult working with children may have behaved in a way that is inconsistent with the Staff Code of Conduct, but does not meet the threshold for referral to the Disclosure and Barring Service (DBS), Children's Social Care, or the Police.

Related Guidance and School Policies

This policy outlines the schools guidance relating to low level concerns but is not exhaustive in its scope and should be used in conjunction with the following policies, statutory guidance and advice:

Policies:

- *Safeguarding and Child Protection Policy*
- *Filtering & Monitoring Policy*
- *Artificial Intelligence Policy*

- *Behaviour & Sanction Policy*
- *Anti-Bullying Policy*
- *Early Years Framework*
- *Staff code of conduct*
- *Continuous Professional Development Policy*
- *Drug, Alcohol & Tobacco Misuse Policy*
- *First Aid Policy*
- *Administration of Medicines Policy*
- *Controlled Medicines Policy*
- *Photography & Use of Images Policy*
- *Political Impartiality Policy*
- *Risk Assessment Policy*
- *Staff Digital Acceptable Use Policy*
- *Supervision of Pupils Policy*
- *Whistleblowing Policy*

Statutory & Regulatory Guidance:

- *The Education (Independent School Standards) Regulations 2014*
- *The Independent School Standards: Guidance for Independent Schools — April 2026*
- *Keeping Children Safe in Education 2026*
- *Working Together to Safeguard Children 2026*
- *Data Protection Act 2018*
- *School and College Security — July 2026*
- *Emergency Planning and Response for Education, Childcare and Children's Social Care Settings — May 2023*
- *Guidance for Safer Working Practice for Adults Working with Children and Young People in Education Settings — February 2022*
- *Early Years Foundation Stage (EYFS) Statutory Framework — effective September 2026*
- **Public Interest Disclosure Act 1998 / Employment Rights Act 1996 — whistleblowing protection for staff raising concerns**
- **Safeguarding Vulnerable Groups Act 2006 — duty to refer to the DBS where an adult is removed from regulated activity**
- **Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 — disqualification requirements for staff in EYFS settings**

Policy Statement

This policy applies to:

- Employees
- Volunteers

- Supply staff
- Contractors
- Governors
- Any other adults working with pupils

This policy forms part of **Park School**'s staff code of conduct within the staff Employment Manual and should be read in conjunction with the school's Safeguarding Policy. The low-level concerns policy is based upon the statutory guidance 'Keeping Children Safe in Education' (KCSiE 2026) and the expectations within 'Guidance for Safer Working Practice' (latest version).
These documents are referenced throughout the policy.

Creating a culture in which all concerns about adults (including allegations that do not meet the harm threshold) are shared responsibly and with the right person, and recorded and dealt with appropriately, is crucial. If implemented well this should encourage an open and transparent culture; enable the school to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the school are clear about professional boundaries and act within them, in accordance with the ethos and values of **Park School**.

Behaviour which is not consistent with the standards and values, and which does not meet the school's expectations encapsulated in our staff code of conduct, needs to be addressed. Such behaviour can exist on a wide spectrum – from the inadvertent or thoughtless, through to that which is intended to enable abuse.

Where a concern about an individual's behaviour meets the threshold of an allegation, clear guidance exists to support the member of staff who is responding to these concerns. It is important to recognise that, in practice, the words 'allegation' and 'concern' can be and are used interchangeably by different people. Sometimes individuals may shy away from the word 'allegation' and express it as a 'concern' instead. The crucial point is that whatever the language used, the behaviour referred to may, on the one hand, be capable of meeting the harm threshold (and hence be referable), or, on the other, it does not meet the harm threshold (in which case it should be treated as a low-level concern). So, the focus should not be on the language used by the person disclosing it; the focus should, instead, be on the behaviour being described.

Purpose of the Policy

This policy enables all staff to share any concerns – no matter how small – about their own or another member of staff's behaviour with the Headteacher.

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

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 set out in the staff code of conduct, are constantly lived, monitored, and reinforced by all staff.

In order to achieve this purpose, at **Park School and Little Crickets at Park School** we will:

- 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.
- empower staff to share any low-level concerns with the Headteacher and to help all staff to interpret the sharing of such concerns as a neutral act.
- address unprofessional behaviour and support the individual to correct it at an early stage; · identify concerning, problematic or inappropriate behaviour – including any patterns – that may need to be consulted upon with, or referred to, the Local Authority Designated Officer (LADO)
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and
- help identify any weaknesses in the organisation's safeguarding system.

Definition of a Low-Level Concern

Low-level concern KCSIE states that, as part of their whole school approach to safeguarding, schools 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.

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 may have acted in a way that:

- is inconsistent with an organisation's 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 – but may merit consulting with and seeking advice from the LADO.

Staff 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 have shared what they believe to be a low-level concern, that determination should be made by the Headteacher and responded in line with this policy.

Examples of behaviour that do not meet the harm threshold but may be seen as a low level concern; may include (but are not limited to):

- Inappropriate comments or use of language
- Favouritism or over-familiarity with a pupil

- Engaging in one-to-one situations without transparency
- Breaching professional boundaries
- Use of social media or technology contrary to policy
- Failure to follow safeguarding procedures

What is Not a Low-Level Concern

The following should be managed via other procedures:

- Allegations that a child has been harmed, is at risk of harm, or may be harmed
- Behaviour that may constitute a criminal offence
- Serious misconduct or gross misconduct

These concerns must be reported immediately to the Designated Safeguarding Lead (DSL) and Head and managed under the Allegations Against Staff procedure.

A culture of vigilance and staff training on low level concerns

Park School and Little Crickets at Park School ensures that a culture of openness and trust is fostered within the organisation in which staff can share any concerns about the conduct of colleagues and be assured that these will be received in a sensitive manner. If we educate adults to be informed about, and to identify concerning, problematic or inappropriate behaviour, rather than think they can recognise dangerous people, they can be prepared to act when they observe behaviour which violates the staff code of conduct.

There is a commitment from leadership to adhere to, enforce and reinforce the staff code of conduct and its expectations, and to address any attempt to bypass policies or procedures – regardless of the person in question's status. Staff are briefed on the staff code of conduct and low-level concerns policy so that everyone is familiar with it, and clear on the standard of behaviour expected of them – it is a live document; seen to apply to all staff, volunteers, visitors and governors.

Reporting Low-Level Concerns

Who Can Report?

- Any member of staff, volunteer, or adult working in the School
- Concerns can be reported about any adult, including senior leaders

How to Report

Concerns should be reported:

- As soon as reasonably possible
- In writing (using the school's low-level concerns form if applicable)
- To the Head or, where the concern relates to the Head, to the Chair of Governors

Reports should include:

- The name of the individual concerned
- The nature of the concern
- Date, time, and context
- Any witnesses, where relevant

Reports should be factual, not investigative or speculative.

Managing Low-Level Concerns

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

- 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.
- speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).
- 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).
- 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
    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
    V. in and of itself meets the threshold of an allegation and should be referred to the LADO

Where they are in any doubt whatsoever, the Headteacher will always seek advice from the LADO.

While responding to any incident, the Headteacher will 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
    - their determination
- the rationale for their decision; and any action taken

Possible Outcomes from a Low-Level Concern

If it is determined that the behaviour is entirely consistent with the school's staff code of conduct and the law, the Headteacher will:

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- update the individual in question and inform them of the action taken as above.
- 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.
- Consider if the situation may indicate that the staff code of conduct or low-level concerns policy are not clear enough, or if further training is required.

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 concern's behaviour is being perceived, if not about the behaviour itself, and/or the school may need to look at the implementation of its Low Level Concern policy.

If it is determined that the behaviour constitutes a low-level concern:

- It will be responded to in a sensitive and proportionate way – on the one hand maintaining confidence that such concerns when raised will be managed promptly and effectively whilst, on the other hand, protecting staff from any potential false allegations or misunderstandings. Any investigation of low-level concerns will be done discreetly and, on a need, -to-know basis • 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
- In many cases, a low-level concern will simply require a conversation with the individual about whom the concern has been raised. It has long been understood that lasting change in behaviour is least likely to be achieved by an approach experienced as critical or threatening. Any such conversation will 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
- 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
- Some low-level concerns may also raise issues of misconduct or poor performance. The Headteacher will also consider whether this is the case – by referring to the organisation's disciplinary and/or capability procedure and taking advice from the school's HR service (if necessary) on a named or no-names basis where necessary Where a low-level concern does not raise misconduct or poor performance issues, it will not be a matter for HR
- Where a low-level concern relates to a person employed by a supply agency or a contractor, that concern will be raised with their employers, so that any potential patterns of inappropriate behaviour can be identified. How an organisation responds to a low-level concern may be different depending on the employment status of the

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individual who is the subject of the concern - i.e. whether they are an employee, or worker to whom the organisation's disciplinary procedure would apply; or a contractor, Governor or volunteer who may be subject to alternative procedures

- Some concerns may trigger the school's disciplinary, grievance or whistleblowing procedures, which should be followed where appropriate. Where low-level concerns are raised which in fact require other internal processes to be followed, it is sometimes difficult to determine how best to investigate the concern and which procedure to follow. The Headteacher will exercise their professional judgement and, if in any doubt, they will seek advice from the LADO
- If the school's disciplinary procedure is triggered, **Park School and Little Crickets at Park 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 an organisation ultimately 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 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 (as above), which may be referenced in any subsequent disciplinary proceedings.

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, then action (if/as necessary) will be taken in accordance with the LADO's advice.

If, 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, then it should be referred to the LADO.

Recording and Storage

Park School and Little Crickets at Park School will retain all records of low-level concerns (including those which are subsequently deemed by the Headteacher to relate to behaviour which is entirely consistent with the staff code of conduct) in a central low-level concerns file.

Where multiple low-level concerns have been shared regarding the same individual these will be kept in chronological order as a running record. These records will be kept confidential and held securely, with access afforded only to the Headteacher.

The rationale for storing such records on a central file, rather than in staff members' personnel files, is that (a) it makes it easier to review the file and spot any potential patterns of concerning, problematic or inappropriate behaviour; and (b) it reassures staff and encourages them to share low-level concerns.

However, if a referral is made to the LADO 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.
III. or 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 the central low-level concerns file.

Material on the personnel file will be retained in accordance with Part 4 of KCSIE – which requires schools and colleges in England to produce a clear and comprehensive 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.

Reviewing the Low-Level Concerns File

The Headteacher will review the central low-level concerns file 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. A record of these reviews will be made and stored alongside the file, along with any subsequent actions taken. Governors will receive relevant data relating to low level concerns and review anonymised samples of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

Retaining Low-Level Concerns

Low-level concerns will be retained on an organisation's central low-level concerns file (securely and applying appropriate access restrictions) unless and until further guidance provides otherwise. 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 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.

Low-Level Concerns and References

KCSIE prohibits schools from referring to unsubstantiated, 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.

Confidentiality and Whistleblowing

If the staff member who raises the concern does not wish to be named, then the Headteacher 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 will never be promised to members of staff who share low-level concerns. Where possible, the school will try to encourage staff to consent to be named, as this will help to create a culture of openness and transparency.

- Information will be shared on a need-to-know basis only.
- Staff are encouraged to report concerns without fear of reprisal.
- If a member of staff feels that a concern is not being addressed appropriately, they may refer to the School's Whistleblowing Policy.

Self-Reporting

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; and, crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour. In line with KCSIE **Park School and Little Crickets at Park School** will ensure that there is an environment where staff are encouraged and feel confident to self-refer.

Support for Staff

Park School and Little Crickets at Park School recognises that:

- Raising concerns can be difficult
- Staff who are the subject of a concern may feel distressed

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Support will be offered to all parties, and the School will act fairly and transparently at all times.

Training and Culture

- All staff receive safeguarding training that includes:
    - Professional boundaries
    - Low-level concerns

    - The Staff Code of Conduct
- Leaders model an open and reflective safeguarding culture.
- The School promotes an environment where staff feel safe to speak up.

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