St Michael with St Thomas CE Primary School

Low Level Concerns Policy 2025/26

Policy Details

Policy Date:	September 2025
Policy Status:	Statutory
Policy Review Cycle:	Annual
Next Review Date:	September 2026

Contents

Introduction

This policy forms part of St Michael with St Thomas's Staff Code of Conduct 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 2025', the expectations within 'Guidance for Safer Working Practice 2022' and the principles within Farrer & Co's 'Developing and Implementing a Low Level Concerns Policy 2025'. 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 our 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 St Michael with St Thomas.

Behaviour which is not consistent with the standards and values of St Michael with St Thomas, 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 ultimately 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 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 a Low Level Concerns 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, St Michael with St Thomas 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 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.

Allegation that may meet the harm threshold

The term 'allegation of harm' means that it is alleged that a person who works with children 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 they 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.

Concern that does not meet the harm threshold: 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, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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.

Examples of such behaviour could include, but not limited:

- 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.

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.

A culture of vigilance and staff training on low level concerns

St Michael with St Thomas 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 St Michael with St Thomas' staff code of conduct. They can, as Tabachnick and Baker explain, then draw attention to "the hundreds of small comments, harassments, emotional and physical boundary violations, and other signs that may precede [child] sexual abuse" – what may be considered in the broadest sense to be [part of a conscious, or an unwitting] grooming process.

At St Michael with St Thomas 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 be a lived document; seen to apply to all staff, volunteers, visitors and committee members. All new staff will receive a briefing on low level concerns and a copy of this policy will be provided, along with a copy of Guidance for Safer Working Practice (GfSWP).

At St Michael with St Thomas we acknowledge that having a clear DBS simply confirms that an individual has not been discovered to present a risk to children; it is not predictive about potential risk. Research shows that the majority of organisational child sex offenders did not have a previous criminal record at the time they offended, although they may subsequently be found to have had numerous previous victims. We must therefore continue to have an ongoing culture of vigilance and maintain a mind-set of 'it could happen here'.

Sharing Low Level Concerns

It is critical that all low-level concerns are ultimately received by the Headteacher. Having one recipient of all such concerns should allow any potential patterns of concerning, problematic or inappropriate behaviour to be identified, and ensure that no information is potentially lost.

It is important that low-level concerns are shared with the Headteacher as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the concern relates to a particular incident) - although it should also be emphasised that it is never too late to share a low-level concern and a delay should never been seen as a barrier to sharing.
If the Headteacher is absent for any reason, low-level concerns should be shared with a clearly identified 'deputy,' who should ensure that they inform the Headteacher immediately on their return.
In our school the 'deputy' for low level concerns is Abbie Fisher/Anthony Albrecht.

If any low-level concern relates to the behaviour of the Headteacher it should be dealt with in accordance with paragraph 74 of KCSIE.

Anonymity

If the staff member who raises the concern does not wish to be named, then St Michael with St Thomas 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, St Michael with St Thomas will try to encourage staff to consent to be named, as this will help to create a culture of openness and transparency.

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 St Michael with St Thomas will ensure that there is an environment where staff are encouraged and feel confident to self-refer.

Childcare Disqualification Declaration and Annual Declaration

As part of the school's Low-Level Concerns Policy and in accordance with the Children Act 2006 and Keeping Children Safe in Education 2025, any information relating to a childcare disqualification declaration will be treated with care and sensitivity. Where a declaration is made, or concerns arise that may indicate a potential disqualification, the matter will be reviewed in line with safeguarding procedures. If appropriate, and where the threshold for serious harm is not met, such matters may be managed as a low-level concern. This approach ensures that all concerns, regardless of severity, are recorded, addressed proportionately, and support a culture of openness, trust, and transparency within the school.

Sharing and Recording of Low Level Concerns

Staff should report their low level concern by completing a simple low level concerns form, an example of which can be found in Appendix C.

The name of the individual sharing the low-level concern and their role should be stated, as should 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. If the individual wishes to remain anonymous then this should be respected as far as is reasonably possible.

If the latter individual has an opposing factual view of the incident, this will be fairly recorded alongside the concern. The record will include brief context in which the low-level concern arose, and concise details (which are chronological and as precise and accurate as possible) of any such concern and relevant incident(s). The record must be signed, timed and dated.

Responding to a Low Level Concern

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 (where they have been contacted);
- 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:

- 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 LLC 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 handled 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 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, Committee Member, Trustee, Director 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 other external agencies including the LADO;

- If the school's disciplinary procedure is triggered, St Michael with St Thomas 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 in accordance with Part 4 of KCSIE.

Storage of Low Level Concerns

St Michael with St Thomas 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 electronic 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 a limited number of individuals such as the Headteacher and the individual they report to such as the CEO or Director of Safeguarding.

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; or
(iii) 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.

School Committees 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 possible 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.

Appendices

Appendix A – 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; 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 they 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.

Low-Level Concern

Does not mean that it is insignificant, it means that the adult's behaviour towards a child does not meet the threshold set out above. 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, and on a no-names basis if necessary.

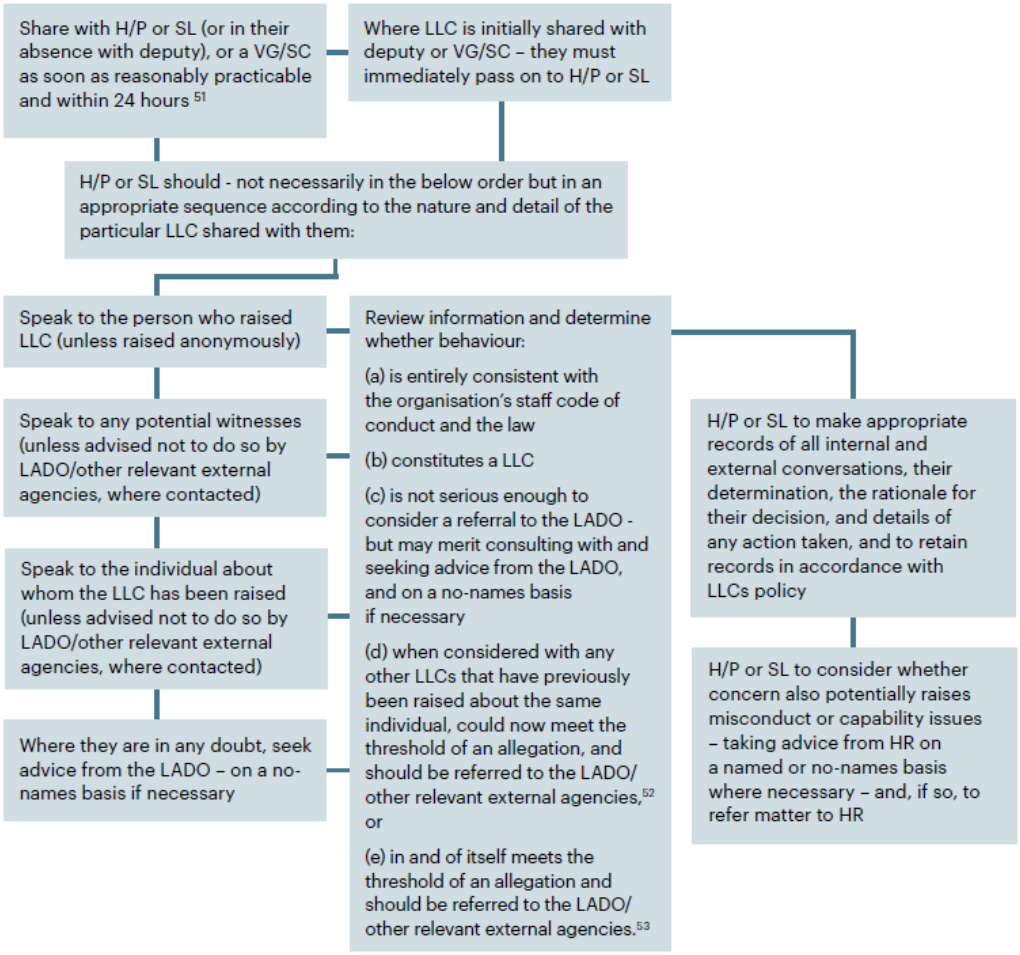
Appropriate Conduct

Behaviour which is entirely consistent with the organisation's staff code of conduct, and the law.

Appendix B – Responding to a low level concern flowchart

KCSIE now requires low-level concerns to be shared with the Headteacher/Principal – unless they relate to the Headteacher/Principal – as per paragraph 74 of KCSIE (set out in our main guidance).[50]

ACTION REQUIRED



Keeping Children Safe in Education 2025 - 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 2025 are reported. This document does not to 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- 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 Section 1 of Part 4.*	
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 your Code of Conduct and Safeguarding Policies to determine if there has been a breach.*	
6. Set out the Individual's response to the concern	
7. Is this concern 'low level' or should it be treated as an allegation against staff and managed in accordance with Section 1 of Part 4? *To reach this decision, consider the information set out in 5 and 6 above. If you are unsure, seek advice from your 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	
8. Have 'low level' or other concerns been raised about this individual previously? ***If so, please provides 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 set out in Section 1 of Part 4.***	Yes [ ] No [ ]
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.***	

Completed by:	Name	
	Position	
Date:		
Signature:		