Orchard Lea Federation

Low Level Concerns Policy

Reviewed: November 2025

Due to be reviewed: November 2026

1.0 Policy statement

1.1 Our federation recognises its statutory and moral duty to safeguard and promote the welfare of pupils and understands that staff play a vital role in meeting these responsibilities. This policy should be read in conjunction with other safeguarding polices which can be found on our website.

1.2 Our schools work to ensure that we promote an open and transparent culture in which all concerns about adults working in or on behalf of the schools are dealt with promptly and appropriately.

2.0 Scope

2.1 All employees employed at this school including:

- Teachers
- Support staff
- Supply teachers
- Volunteers
- Local Authority visiting staff
- Contractors

2.2 The term 'staff' throughout this policy refers to all of the above.

2.3 Any concerns about third party staff, for example, supply teachers will be passed to their employers.

3.0 Policy aims

3.1 To help create a culture in which all concerns about adults are shared responsibly, with the right person and are recorded, and dealt with appropriately.

3.2 To enable staff to identify concerning, problematic or inappropriate behaviour early.

3.3 To minimise the risk of abuse occurring.

3.4 To ensure that adults working in or on behalf of the schools are clear about professional boundaries and act within these boundaries and in accordance with the ethos and values of the federation.

3.5 To help create an environment where staff are comfortable to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

4.0 Definition

4.1 The term 'low level' concern does not mean that it is insignificant. It means that the behaviour towards a child does not meet the harm threshold for an allegation.

4.2 'Keeping Children Safe in Education' defines a low level concern as:
"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 allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO"*

4.3Examples 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.

5.0 Avoiding low level concerning behaviour

5.1 Behaviour defined as a 'low level concern' can exist on a spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate but is not in specific circumstances, through to that which is ultimately intended to enable abuse.

5.2 Staff education and reinforcement on avoiding circumstances which may put them in a difficult situation is key to avoiding the need for dealing with these types of concerns.

5.3 Our schools ensure that staff are clear about what appropriate behaviour is through their induction and regularly reinforcement of documents such as:

- Staff Code of Conduct

- ‘Avoiding Allegations’ guidance
- Safeguarding and Child Protection policies and regular training
- Teachers’ Standards (for teaching staff)

6.0 Reporting a low level concern

6.1 Low level concerns about a member of staff should be reported to the DSL and/or Executive Headteacher/Head of School as per the school’s child protection procedures. If the concern is about the Executive Headteacher this should be reported to the Chair of Governors.

6.2 Low level concerns about supply staff, contractors and local authority visiting staff will also be reported to their employers.

6.3 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.

6.4. 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 from becoming the subject of potential false low-level concerns or misunderstandings.

7.0 Dealing with a low level concern

7.1 Where a concern is raised about the practice or behaviour of a member of staff, this information must be recorded and passed to the Executive Headteacher/Head of School.

7.2 The Executive Headteacher/Head of School must then make an assessment to determine if the matter is a ‘low level concern’ or an ‘allegation’ and follow one of the following routes.

- 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 schools feel they can deal with internally will be dealt with via the usual child protection investigation process.

7.3 The schools will engage with its HR provider where it is necessary to undertake further investigation and/or deal with the concern under relevant processes.

8.0 Recording a low level concern

8.1 All low level concerns should be formally recorded by a member of staff when they are made aware of them. This record should then be passed to the Executive Headteacher/Head of School (or Chair of Governors if the concern is about the Headteacher).

8.2 The record should include:

- Details of the concern,
- The context in which the concern arose,
- The outcome of the investigation and any action taken, and
- The name of the individual sharing their concerns (if known) (unless the individual wishes to remain anonymous which must be respected as far as possible).

8.3 Relevant records will be retained confidentially on the SMT file. A separate record will also be kept of low level concerns to more easily identify patterns that may involve more than one member of staff. All records must be kept in line with data protection principles.

9.0 Reviewing a low level concern

9.1 Records will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified.

9.2 Where a pattern of such behaviour is identified, the Executive Headteacher/Head of School will decide on a course of action, which may include:

- Disciplinary investigation and/or proceedings.
- Management Advice, including recommendations for training.
- Referral to the LADO (where a pattern of behaviour moves from a concern to meeting the harm threshold).
- No further action.

9.3 The school will take advice, where appropriate, from their HR provider in respect of low level concerns.

9.4 The schools will also review appropriate policies and training, or other wider cultural issues in the federation, to see whether anything needs to be done to minimise the risk of similar behaviour happening again.

9.5 Relevant records will be retained confidentially on the SMT file. A separate record will also be kept of low level concerns to more easily identify patterns that may involve more than one member of staff. All records must be kept in line with data protection principles.

9.6 Low level concerns will not be included in a reference unless they relate to issues which would normally be included in a reference (e.g. misconduct or poor performance). Low level concerns which relate solely to safeguarding will not be included in a reference, subject to paragraph 9.7.

9.7 A low level concern (or group or pattern of concerns) which has met the harm threshold and has therefore been referred to the LADO may be included in a reference depending on the circumstances. When a concern is part of a reference, advice will be sought from Education Personnel.

9.8 The definitions that should be used when schools and colleges determine the outcome of an allegation are set out below:

• Substantiated: there is sufficient evidence to prove the allegation.
• Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation..
• False: there is sufficient evidence to disprove the allegation
• Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence, or
• Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.

10.0 Related guidance

10.1 The policy links to the following guidance documents:

- Keeping Children Safe in Education (DfE)
- Staff Code of Conduct
- Avoiding Allegation guidance (Manual of Personnel Practice)
- Safeguarding Policy
- Child Protection Policy
- Whistleblowing Policy

11.0 Policy governance

Employees of non-Hampshire County Council bodies are excluded from this policy and should refer to their own employer's policies and procedures.