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**Dealing with Low-Level Concerns that do not meet the Harm Threshold**

**Note:** The harm threshold is met where it is alleged that an adult working (or volunteering) in the school 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.* (KCSIE 2023 paragraph 355)

Where the harm threshold is met, the school should contact the LADO in the normal way as soon as is reasonably possible, and certainly within 24 hours of becoming aware of the issue.

For concerns that do not meet the harm threshold, the concept of low-level concerns was initially introduced in KCSIE 2021. KCSIE 2023 covers them in paragraphs 423 – 445.

**What is a low-level concern?**

KCSIE 2023 says (paragraphs 426 – 429):

*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.*

*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.*

*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.*

*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.*

**What do schools need to do?**

1. Ensure your approach to dealing with low-level concerns is set out within your staff code of conduct and safeguarding and child protection policies. This can be done by:

* *ensuring staff are clear about what appropriate behaviour is, and are confident in distinguishing expected and appropriate behaviour from inappropriate, problematic or concerning behaviour, in themselves and others*
* *empowering staff to share any low-level safeguarding concerns (see below)*
* *addressing unprofessional behaviour and supporting the individual to correct it at an early stage*
* *handling and responding to such concerns sensitively and proportionately when they are raised, and*
* *helping identify any weakness in the school or colleges safeguarding system.*

(bullet points quoted from KCSIE 2023 paragraph 432).

1. Ensure all low-level concerns are appropriately shared either with the DSL, a nominated person or with the headteacher/principal, and any action taken as required.
2. Ensure all low-level concerns are recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible.
3. Keep these records appropriately. They must be kept confidential, held securely and comply with the Data Protection Act 2018 and the UK General Data Protection Regulation (UK GDPR).
4. Review records so that potential patterns of inappropriate, problematic or concerning behaviour can be identified.

Cambridgeshire provides a template recording form which can be used to record low-level concerns if required, together with a decision-making flowchart designed to assist Headteachers on when it may be necessary to report a concern to LADO.