

Low-level Safeguarding Concerns about Staff Policy

No substantive changes

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Low-level Safeguarding Concerns about Staff Policy

This policy applies to:

Francis Holland Regent's Park

Francis Holland Sloane Square

Francis Holland Prep

Francis Holland Schools Central Trust Functions

Where there are differences between the schools these have been clearly highlighted.

Related Policies:

Safeguarding and Child Protection Policy

Staff Code of Conduct

Trust Employment Manual

1. Introduction

Francis Holland Schools Trust ('the Trust') fully recognises its responsibilities for safeguarding, child protection and protecting the welfare of all its pupils. Safeguarding refers to measures implemented to protect the health, wellbeing and human rights of children so that they may live free from harm, abuse, neglect and exploitation.

This policy has regard to:

- the statutory guidance issued by the Department for Education (the 'DfE') in Keeping Children Safe in Education (September 2026) ('KCSIE')
- and operates in accordance with the London Borough of Westminster and Royal Borough of Kensington and Chelsea, and other locally agreed inter-agency procedures.

The term 'harms threshold' applies where an adult within the school community has behaved in a way that:

- has harmed a child, or may have harmed a child;
- indicates he/she may pose a risk of harm to a child;
- has possibly committed a criminal offence against or related to a child; or
- indicates they may not be suitable to work with children.

In such an instance, the procedures described in the Safeguarding and Child Protection Policy should be followed.

'Low-level concerns' relate to an adult's behaviour (including outside of work) which does not meet the 'harms threshold' described above, but which is not consistent with the standards and values of the organisation, and which does not meet the organisational expectations encapsulated in the Trust's Staff Code of Conduct and therefore needs to be addressed.

This Policy applies to all low-level concerns (including allegations) about members of staff, including Governors, supply teachers, volunteers and contractors.

Concerns may arise through, for example:

- Suspicion
- Complaint
- Safeguarding concern or allegation from another member of staff
- Disclosure made by a child, parent or other adult within or outside the Trust
- Pre-employment vetting checks

We recognise the importance of responding to and dealing with any concerns in a timely manner to safeguard the welfare of children.

2. Definition of Low-level Concerns

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 may have acted in a way that is inconsistent with the Staff Code of Conduct, including inappropriate conduct outside of work.

Such behaviour can exist on a wide spectrum – from the inadvertent or thoughtless, through to that which is ultimately intended to enable abuse.

Examples of such behaviour could include, but are not limited to:

- Being overly friendly with children
- Having favourites
- Taking photographs of children on their mobile phone
- Engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- Humiliating pupils

3. Sharing of Concerns

Early identification and prompt management of all concerns about the behaviour of adults who work or volunteer with children is critical to effective safeguarding. (KCSIE 2026) requires low-level concerns to **be shared**.

Staff are required to share low-level concerns:

- To ensure there is a formalised mechanism for reporting low-level concerns;
- To allow staff to self-report to the School to protect themselves in situations where they may have found themselves compromised;
- To identify patterns of behaviour that are concerning;
- To ensure the School continues to have a culture of safeguarding in which all staff understand their responsibility to raise concerns.

Staff should therefore a) report any behaviour by another adult towards a pupil or another child that may have concerned them b) self-report in any situation where they feel their behaviour towards a pupil or another young person could be misinterpreted or misconstrued or leave them vulnerable.

4. An Open and Transparent School Culture

The Trust understands the importance of a positive culture where concerns can be identified and spoken about openly and acknowledges that this is a key element of a strong safeguarding system.

This Low-Level Concerns about Staff Policy seeks to ensure that all staff who work with children behave appropriately and to enable the early identification and prompt and appropriate management of concerns.

Creating a culture in which all concerns about adults (including supply teachers, volunteers and contractors) are shared responsibly and with the right person, recorded and dealt with promptly and appropriately, is critical. If implemented correctly, 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 Schools are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the Trust.

We will create this culture by:

- Ensuring 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
- Empowering staff to share any low-level concerns
- Empowering staff to self-refer
- Addressing unprofessional behaviour and supporting the individual to correct it at an early stage
- Providing a responsive, sensitive and proportionate handling of such concerns when they are raised
- Helping to identify any weakness in the Trust's safeguarding system

5. How to Share a Concern

All low-level concerns must be shared with the Heads or DSLs 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). However, it is never too late to share a low-level concern. Concerns may be shared in person or by completing a low-level concern form (available on Sharepoint under safeguarding resources at Regent's Park and Sloane Square).

If the DSLs receive a low-level concern it will immediately be shared with the Heads.

If any low-level concern relates to the behaviour of the Head then it should be reported to the Chair of Governors.

If the staff member who raises the concern does not wish to be named, then their wishes will be respected 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 cannot be promised to members of staff who share low-level concerns.

6. Self-reporting a Concern

Occasionally a member of staff may find themselves in a situation which might appear compromising to others, or which could be misinterpreted. 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. Staff in these situations may wish to refer themselves.

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.

7. Responding to Low-level Concerns

If the concern is raised via a third party, the Head will collect evidence where necessary. The Head will use the information collected to categorise the type of behaviour and determine any further action, in line with the Trust's Staff Code of Conduct.

The Head will - not necessarily in the order stated below, 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, and on a no-names basis if necessary, (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/other relevant external agencies, or (v) in and of itself meets the threshold of an allegation and should be referred to the LADO/other relevant external agencies;
- where they are in any doubt whatsoever, seek advice from the LADO - on a no-names basis if necessary;
- 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/other external agencies (where they have been contacted, and either on a no-names or names basis);
 - their determination (as above);
 - the rationale for their decision; and
 - any action taken.

Concern not upheld

If it is determined that the behaviour is entirely consistent with the Staff Code of Conduct and the law:

- it will still be important for the Head to update the individual in question and inform them of the action taken as above;

- in addition, the Head will 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 Trust’s Staff Code of Conduct and the law;
- such a situation may indicate that:
 - the staff code of conduct is not clear;
 - the briefing and/or training has not been satisfactory; and/or
 - the Low-Level Concern information is not clear enough.

If the same or a similar low-level concern is subsequently shared again by the same individual, and the behaviour in question is again inconsistent with the staff code of conduct, then this issue may need to be addressed with the subject of the concern about how their behaviour is being perceived by others, if not about the nature of the behaviour itself, and/or the implementation of the Low-Level Concern protocol.

Concern upheld

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

- it should also 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 should 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 - a ‘values-based conversation’ is more likely to be effective, and help maintain a positive professional relationship with the member of staff concerned.
- any such conversation should 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 Heads should also consider whether this is the case – by referring to the Trust’s disciplinary and/or capability procedure and taking advice from HR on a named or no-names basis where necessary. If the Heads consider that the Trust’s disciplinary or capability procedure may be triggered, they should refer the matter to HR. Any such referral should be made by the Heads having received the low-level concern and not by individual staff members. Equally, it is essential that there is close liaison and appropriate information sharing between the Heads and HR, so that an holistic view of the individual can be taken. Where a low-level concern does not raise misconduct or poor performance issues, it will not be a matter for HR;

- some concerns may trigger 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. We will exercise professional judgement and, if in any doubt, seek advice from other external agencies including the LADO;
- if HR advise that the Trust's disciplinary procedure is triggered, we 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 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, and on a no-names basis if necessary, then action (if/as necessary) should be taken in accordance with the LADO's advice; or
 - 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, or in and of itself meets the threshold of an allegation, then it should be referred to the LADO/other relevant external agencies.

8. Record Keeping

All low-level concerns, even those which turn out to be of no concern, will be recorded in writing. In addition to details of the concern raised, records will include the context in which the concern arose, any action taken and the rationale for decisions and action taken. Sound professional judgement will be exercised in determining what information is necessary to record for safeguarding purposes.

The name of the individual sharing the low-level concern, and their role, will be recorded, as well as the name of the individual about whom the concern is being raised, and their role within the Trust at the time the concern is raised. 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 electronic record will be signed and dated.

The Heads or Safeguarding Leads will regularly review the records, and inform the Governing Board about the implementation of the Low-level Concerns Policy and any evidence as to its effectiveness (for example, by including reference to it in any safeguarding reports, and providing any relevant data).

The Governing Board will also review an anonymised sample of low-level concerns at regular intervals, in order to ensure that these concerns have been responded to promptly and appropriately.

Records will be:

- Kept confidential, held securely and comply with the DPA 2018 and UK GDPR
- Reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, we will decide on a course of action, either through our disciplinary procedures or, where a pattern of behaviour moves from a concern to meeting the harms threshold as described in section 1 of this appendix, we will refer it to the designated officer at the local authority
- Retained at least until the individual leaves employment at the Trust

Where a low-level concern relates to a supply teacher or contractor, we will notify the individual's employer, so any potential patterns of inappropriate behaviour can be identified.

9. References

We will not include low-level concerns in references unless:

- The concern (or group of concerns) has met the threshold for referral to the designated officer at the local authority and is found to be substantiated; and/or
- The concern (or group of concerns) relates to issues which would ordinarily be included in a reference, such as misconduct or poor performance

10. Review

Policy author/s	RP: Deputy Head Pastoral SSq: Senior Deputy Head Pastoral Prep: Deputy Head Pastoral
This review	Summer 2026
Approved by	Safeguarding Committee, Autumn 2026
This version published	September 2026
Next review	Summer 2027

The Francis Holland Schools Trust is an educational charity which manages three leading independent girls' schools in central London, across three sites.

Registered charity number: 312745

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