



Merchant Taylors'  
School

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# Low Level Concern About Adults Policy

Revision and Terminology: Please refer to the School's Policies Policy.

Policy owner:	Headmaster
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Regulatory Body:	Department for Education / Independent Schools Inspectorate
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## **1. Principles**

- 1.1 The school is committed to the welfare, protection, and safekeeping of all its pupils. If school staff have any concerns about a child's welfare, both physical and mental, they must act on them immediately.
- 1.2 All children have a fundamental right to be protected from harm and from all forms of neglect, abuse and exploitation and should feel safe and secure at school.
- 1.3 Parents should be reassured that it is the aim of the school to always act in the best interests of their child and to encourage the fullest possible involvement and consultation with parents.
- 1.4 Pupils should know that they have a means of raising issues of personal concern. They should feel that their concerns are taken seriously, that they are encouraged to talk and that they are listened to.
- 1.5 Staff, parents or pupils should also raise concerns about any weaknesses in the School's safeguarding systems
- 1.6 The School is committed to creating a culture of openness, trust and transparency in which all adults understand the standards expected of them, feel confident to raise concerns, and are clear that even apparently minor concerns about adult conduct should be shared promptly.
- 1.7 The purpose of sharing low-level concerns is not to create a punitive culture, but to ensure that professional boundaries are maintained, concerns are addressed early, and patterns of behaviour can be identified before they become more serious.

## **2. Purpose of Policy**

### **2.1 What is a Low-Level Concern?**

- 2.1.1 This policy applies to low-level concerns about the behaviour of adults working in or on behalf of the School, including employees, supply staff, contractors, volunteers, governors and visitors working with pupils.
- 2.1.2 A low-level concern is any concern, no matter how small, and even if it is no more than 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, including expected professional boundaries;
  - relates to their conduct inside or outside work; and
  - does not meet the harm threshold or is not otherwise serious enough to require an immediate referral to the Local Authority Designated Officer, known as the LADO.

- 2.1.3 The term “low-level” does not mean that the concern is insignificant. Sharing low-level concerns helps the School to maintain a culture of safeguarding vigilance, identify inappropriate or concerning behaviour at an early stage, and protect pupils and staff.
- 2.1.4 Staff should not wait until they are certain that behaviour is concerning before sharing it. If a member of staff is unsure whether something is a low-level concern, they should report it so that the appropriate safeguarding judgement can be made.

## 2.2 What concerns are covered by the Policy?

- 2.2.1 Examples of low-level concerns may include, but are not limited to:
- being over-familiar with pupils;
  - showing favouritism;
  - using inappropriate, intimidating, offensive or sexualised language;
  - being alone with a pupil in a setting which is not transparent or could be misinterpreted;
  - engaging with a pupil on a one-to-one basis in a secluded area or behind a closed door without clear professional reason;
  - contacting pupils through personal devices, personal email accounts, personal social media accounts or other non-school channels;
  - taking photographs or videos of pupils on a personal device;
  - failing to maintain appropriate professional boundaries;
  - self-reporting an incident where a member of staff believes their own conduct may have fallen below expected standards or could be misinterpreted.
- 2.2.2 Such behaviour can exist on a wide spectrum, from behaviour that is inadvertent, thoughtless or capable of being misinterpreted, through to behaviour which may be more concerning or potentially intended to enable abuse.
- 2.2.3 Staff are expected to share low-level concerns promptly and must not investigate the matter themselves.

## 2.3 Concerns that are NOT covered by this Policy

- 2.3.1 This policy does not apply where a concern may meet the harm threshold. A concern may meet the harm threshold where it is alleged that an adult has:
- behaved in a way that has harmed a child, or may have harmed a child;
  - possibly committed a criminal offence against or related to a child;
  - behaved towards a child or children in a way that indicates they may pose a risk of harm to children; or
  - behaved, or may have behaved, in a way that indicates they may not be suitable to work with children.

- 2.3.2 Where a concern may meet the harm threshold, it will be managed under the School's safeguarding and allegations procedures, including consultation with or referral to the LADO where appropriate.
- 2.3.3 If there is any doubt about whether a concern is low-level or may meet the harm threshold, the School will seek advice from the LADO.

### **3. What to do if you have a low-level concern**

- 3.1 All low-level concerns about adults should be shared with the Headmaster as soon as possible.
- 3.2 Staff should report low-level concerns directly to the Headmaster. If the Headmaster is unavailable and the matter requires prompt attention, the concern should be reported to the Designated Safeguarding Lead, who will inform the Headmaster as soon as possible.
- 3.3 Staff may report concerns verbally or in writing. However, all low-level concerns must be recorded in writing using the School's agreed low-level concerns recording process.
- 3.4 If the concern is about the Headmaster, it should be reported directly to the Chair of Governors.
- 3.5 If the concern is about the Chair of Governors, it should be reported to the Vice Chair of Governors or the safeguarding governor.
- 3.6 Low-level concerns relating to supply staff, contractors or other adults working on behalf of another organisation will be shared with their employer, so that any potential patterns of inappropriate behaviour can be identified.

#### **Staff summary: what to do**

If you have a concern about the conduct of an adult, however small:

- 1. Do not ignore it.
- 2. Do not investigate it yourself.
- 3. Report it promptly to the Headmaster, or to the DSL if the Headmaster is unavailable and the matter requires prompt attention.
- 4. If the concern is about the Headmaster, report it to the Chair of Governors.
- 5. Record the concern using the School's agreed low-level concerns process.
- 6. If in doubt, report it.

### **4. Procedure for managing a low-level concern**

#### **4.1 Step 1 - Initial Concern Raised**

- 4.1.1 When a low-level concern is raised, the Headmaster, DSL or senior leader receiving the concern will ensure that a written record is made promptly.

The record should include:

- the name and role of the adult about whom the concern has been raised;
- the name of the person raising the concern, unless anonymity has been requested;
- the date, time and location of the incident or concern, where known;
- a clear and concise summary of the concern;
- relevant context;
- any immediate action taken;
- the decision reached and the rationale for that decision.

4.1.2 Staff are encouraged to self-report where they believe they may have acted in a way that could be misinterpreted, may appear compromising, or may fall below the professional standards expected by the School. Self-reporting will normally be treated as a positive act of professional reflection and openness, although the School will still consider the matter carefully and take any necessary action.

4.1.3 If the person raising a concern wishes to remain anonymous, this will be respected as far as reasonably possible. However, staff should be aware that anonymity may limit the School's ability to investigate or respond fully.

## **4.2 Step 2 - Response by Headmaster**

4.2.1 The Headmaster will review the information and decide whether the behaviour:

- is entirely consistent with the Staff Code of Conduct and requires no further action;
- constitutes a low-level concern;
- requires advice, guidance, training, support, management action or monitoring;
- may meet the harm threshold and therefore requires consultation with or referral to the LADO;
- forms part of a pattern when considered alongside any previous low-level concerns.

4.2.2 The Headmaster may consult the DSL, HR, the Chair of Governors, the safeguarding governor or the LADO, depending on the nature of the concern.

4.2.3 The adult about whom the concern has been raised will normally be spoken to, unless this would prejudice any investigation or unless the LADO, police or children's social care advise otherwise.

## **4.3 Recording low-level concerns**

4.3.1 All low-level concerns must be recorded in writing and held securely in the School's restricted low-level concerns record.

4.3.2 Access to the record will be restricted to those who need to know, normally the Headmaster, DSL and HR.

4.3.3 Low-level concerns about adults should not be recorded as ordinary pupil safeguarding concerns unless there is also a safeguarding concern about a pupil. Where a pupil safeguarding record is required, this should be recorded through the School's usual safeguarding system and cross-referenced appropriately.

4.3.4 The record must include the concern, context, actions taken, decisions reached, and the rationale for those decisions.

#### 4.4 Step 3 –Decision Making and Next steps

##### 4.4.1 **Concern is not a low-level concern**

If the behaviour is found to be consistent with the Staff Code of Conduct, the Headmaster may:

- explain the outcome to the person who raised the concern, where appropriate;
- speak to the adult concerned, where appropriate;
- consider whether any clarification of the Staff Code of Conduct, policy wording or staff training is needed.

##### 4.4.2 **Concern is a low-level concern**

Where the behaviour is found to be a low-level concern, the School's response will be sensitive, proportionate and appropriate to the circumstances. Possible actions may include:

- a reflective conversation;
- clarification of expectations;
- advice or guidance;
- additional training;
- pastoral or professional support;
- management guidance;
- monitoring;
- disciplinary action, where appropriate.

##### 4.4.3 **Concern may meet the harm threshold**

If the information suggests that the concern may meet the harm threshold, or if further information raises the level of concern, the Headmaster will seek advice from the LADO and follow the School's safeguarding and allegations procedures.

##### 4.4.4 **Borderline concerns**

In borderline cases, or where there is uncertainty about whether the concern is low-level or may meet the harm threshold, the School will seek advice from the LADO. This may be done on a no-names basis where appropriate.

###### 4.4.4.1

## **5. Regular Reviews and previous low-level concerns**

5.1 Low-level concern records will be reviewed periodically by the Headmaster, DSL and HR to identify any patterns of concerning, problematic or inappropriate behaviour.

5.2 The review will consider whether there are patterns relating to:

- an individual adult;
- a particular department, activity, site or setting;
- particular types of behaviour;
- wider cultural issues within the School;
- areas where further training, policy clarification or supervision may be required.

5.3 Where a pattern of behaviour is identified, the School will consider whether the matter should be reclassified, whether LADO advice is required, and whether further action is needed under safeguarding, capability, disciplinary or other relevant procedures.

## **6. Recording and Retention of Information**

6.1 All records of low-level concerns, including concerns which are ultimately found to be consistent with the Staff Code of Conduct, will be retained securely in the School's restricted low-level concerns record.

6.2 Access to low-level concern records will be restricted to those who need to know, normally the Headmaster, DSL and HR.

6.3 Low-level concerns will not normally be placed on an individual's personnel file unless the concern has led to formal action under another procedure, such as disciplinary, capability, grievance, whistleblowing or allegations procedures.

6.4 Where a concern is reclassified as an allegation, or where it meets the threshold for referral to the LADO, records will be managed in accordance with the School's safeguarding and allegations procedures.

6.5 Where disciplinary or other formal employment procedures are triggered, relevant records may also be held on the personnel file.

6.6 Records will be stored securely and processed in accordance with data protection legislation.

## **7. Timeframe**

- 7.1 Low-level concern records will be retained at least until the individual leaves employment or ceases working with the School.
- 7.2 When an individual leaves employment or ceases working with the School, the record will be reviewed to determine whether continued retention is necessary and proportionate, taking account of safeguarding, employment, regulatory and legal considerations.

## **8. References**

- 8.1 Low-level concerns will not normally be included in employment references unless they relate to matters which would usually be included in a reference, such as misconduct or poor performance.
- 8.2 Substantiated safeguarding allegations, including a pattern of low-level concerns which has met the harm threshold, will be considered in accordance with KCSIE, safer recruitment guidance and the School's safeguarding procedures.

## **9. Other information**

- 9.1 This policy is non-contractual and will be reviewed annually, or sooner if there are changes to statutory guidance, local safeguarding procedures or School practice.
- 9.2 Further guidance on low-level concerns can be found in Part Four of Keeping Children Safe in Education