Reigate Grammar School Group

Low-Level Concerns

Including Early Years Foundation Stage

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Date Reviewed by Author:	1 August 2025
Next Review Due:	1 August 2026
Date Approved by Governing Body:	1 September 2025
Next Review by Governing Body Due:	1 September 2026

1. Policy Statement

1.1. The Reigate Grammar School Group of Schools 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 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.

1.2. As part of its whole school approach to safeguarding, the Reigate Grammar School Group will ensure that it promotes an open and transparent culture in which all safeguarding concerns and allegations about all adults working with children are dealt with promptly and appropriately.

1.3. Creating a culture in which all safeguarding concerns and allegations about adults (including those that do not meet the harm threshold) are shared responsibly and with the right person, recorded and dealt with appropriately, is crucial. If implemented correctly, this should encourage an open and transparent culture; enable the Schools to identify inappropriate, problematic or concerning 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 School.

1.4. This Low-Level Concerns Policy operates in conjunction (as appropriate) with the following:

1.4.1. The Reigate Grammar School Group Staff Code of Conduct

1.4.2. The Reigate Grammar School Group Safeguarding Policy

1.4.3. The Reigate Grammar School Group Whistleblowing Policy

2. Introduction to the concept and importance of sharing low-level concerns

2.1. Behaviour which is not consistent with the standards and values of the RGS Group and which does not meet the organisational expectations encapsulated in the 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.

2.2. All staff need to be informed about and be able to identify inappropriate, problematic or concerning behaviour and understand the importance of sharing concerns when they observe behaviour which violates the Staff Code of Conduct.

3. What is the Low-Level Concerns Policy?

3.1. The Low-Level Concerns Policy enables all staff to share any concerns – **no matter how small** – about their own or another member of staff's behaviour with the relevant Headteacher or DSL[1]. Safeguarding and promoting the welfare of children is everyone's responsibility.

4. What is the purpose of the Low-Level Concerns Policy?

4.1. The purpose of the Low-Level Concerns Policy is to create and embed a culture of openness, trust and transparency in which the clear values and expected behaviour which are set out in the School's Staff Code of Conduct are constantly lived, monitored and reinforced by all staff.

5. What are the aims of the Low-Level Concerns Policy?

5.1. The aims of the Low-Level Concerns Policy are to:

5.1.1. ensure that 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, and the delineation of professional boundaries and reporting lines;

[1]. Whether all low-level concerns are shared initially with the DSL, or with the headteacher then in the case of the DSL being the first to be made aware they should inform the headteacher of all the low-level concerns and in a timely fashion according to the nature of each particular low-level concern.

5.1.2. empower staff to share any low-level concerns with the Headteacher/DSL and to help all staff to interpret the sharing of such concerns as a neutral act;

5.1.3. address unprofessional behaviour and support the individual to correct it at an early stage;

5.1.4. identify inappropriate, problematic or concerning behaviour – including any patterns – that may need to be consulted upon with (on a no-names basis if appropriate), or referred to, the Local Authority Designated Officer ("LADO");

5.1.5. provide for responsive, sensitive and proportionate handling of such concerns when they are raised; and

5.1.6. help identify any weaknesses in the School's safeguarding system.

6. Definitions

6.1. Who does the policy apply to?

6.1.1. The policy applies to all **staff** whether working in or on behalf of the Schools, engaged as a paid employee (including supply teacher), worker or contractor, or unpaid member of staff or volunteer[2]. It also includes anyone who is part of the Governing Body.

6.1.2. **Designated Safeguarding Lead (DSL)** means the DSL at the School.

6.1.3. **Governing Body** means those individuals who are responsible for the School's governance i.e. Governors.

6.1.4. **Headteacher** means the relevant Headteacher at each of the RGS Group of Schools.

Details of the individuals currently in these roles are available from the Bursar's office.

6.2. **Concern or allegation that may meet the harm threshold**. This means the behaviour in question might indicate that a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children (i.e. in connection with their employment or voluntary activity) – i.e. a concern is raised/it is alleged that they have:

6.2.1. behaved in a way that has harmed a child, or may have harmed a child; and/or

6.2.2. possibly committed a criminal offence against or related to a child; and/or

6.2.3. behaved towards a child or children in a way that indicates they may pose a risk of harm to children; and/or

6.2.4. behaved or may have behaved in a way that indicates they may not be suitable to work with children.

If a concern reaches the harm threshold – please see Appendix 2 and Safeguarding Policy for details.

6.3. **Concern or allegation that does not meet the harm threshold: Low-level concern**. 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 with children may have acted in a way that:

6.3.1. is inconsistent with the School's Staff Code of Conduct, including inappropriate conduct outside of work; and

6.3.2. does not meet the harm threshold; or is otherwise not serious enough to merit a referral to the LADO.

[2] The Headteacher should be the ultimate decision maker in respect of all low-level concerns, although it is recognized that depending on the nature of some low-level concerns and/or the role of the DSL, the Headteacher may wish to consult with the DSL and take a more collaborative decision making approach.

Staff do not need to be able to determine in each case whether the behaviour in question constitutes a low-level concern, or if it may meet the harm threshold. Once staff share what they believe to be a low-level concern, that determination should be made by the Headteacher and in consultation with the DSL if/as appropriate.

See ***Appendix 2*** for further guidance in the distinction between a concern or allegation that may meet the harm threshold, and a concern or allegation that does not meet the harm threshold – i.e. a low-level concern.

7. School Culture

7.1. The RGS Group of Schools promote an open and transparent culture in which all concerns about all adults working in or on behalf of the Schools are dealt with promptly and appropriately.

8. Data Protection and Confidentiality/Respecting the rights of all

8.1. The Schools will always respect the personal data of staff (and others, where they may be identifiable) in implementing the Low-Level Concerns Policy and in keeping records of low-level concerns secure.

8.2. The Data Protection Act 2018 includes a specific provision which permits organisations to process even the most sensitive personal data where necessary for the purposes of protecting children from harm.

8.3. A proportionate approach must be taken by all to considering what personal data is in fact necessary to share and record by way of low-level concern(s) in each case in order to support the safeguarding purpose and to ensure the information is accurate, fair and as far as possible recorded in neutral terms.

8.4. If a member of staff who raises a low-level concern does not wish to be named, then the School will respect their wishes as far as possible. However, staff should be aware that in certain circumstances this anonymity may need to be waived (as explained further in paragraph [10] below).

8.5. All staff may, under data protection law, ask to see the content of any low-level concern(s) retained by the School under the Low-Level Concerns Policy as it relates to them personally, and may make any reasonable objection as to the fairness or accuracy of that content. The School will process such requests within the period prescribed by law, subject always to any necessary protection of the rights of third parties and unless any other relevant exemptions apply (including if complying with the request would be likely to prejudice the safeguarding purpose of the Low-Level Concerns Policy). If the content of a low-level concern is disputed, it may not be appropriate for the School to delete or alter the original record, but a note may be recorded alongside reflecting the staff member's alternative account or objection(s).

8.6. All personal data processed in connection with the Low-Level Concerns Policy will be processed in accordance with the School's Data Protection Policy.

9. Who should staff share low-level concerns with?

9.1. It is important that low-level concerns are shared initially with the DSL or 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 is never too late to share a low-level concern.

9.2. If the Headteacher and DSL are absent for any reason, low-level concerns should be shared with a Deputy Head or other member of the SLT who will ensure they inform the Headteacher/DSL immediately on their return.

9.3. If any low-level concern relates to the behaviour of the Headteacher, it should be referred to the Chair of Governors.

9.4. If there is a conflict of interest in sharing a low-level concern with the Headteacher, the low-level concern should be shared with the Chair of Governors, unless there is conflict of interest in doing so, in which case it should be reported directly to the LADO.

10. Should staff who share low-level concerns be able to remain anonymous?

10.1. Staff are encouraged to consent to be named when sharing low-level concerns, as this will help to create a culture of openness and transparency. If the staff member who raises a low-level concern does not wish to be named, the School will respect that person's wishes as far as possible. However, there may be circumstances where the staff member who raises the concern will need to be named (for example, where disclosure is required by a court or local authority, or under a fair disciplinary process) and, for this reason, the School will not promise anonymity to members of staff who share low-level concerns.

11. Should staff share concerns about themselves (i.e. self-report)?

11.1. Occasionally a member of staff may find themselves in a situation which could be misinterpreted or might appear compromising to others. Staff should, wherever possible, proactively self-report – for example, if they know they are going to be in a situation which would be deemed a breach of the School's Staff Code of Conduct, including, for example, where a member of staff (i) has a child who is a student in the school - they may have the mobile phone number of their child's friend; (ii) plays in an external sports team with a current student and they may be on a WhatsApp group with them; and (iii) is having to drive a student somewhere - for example because a student has not been collected after a sports match and where the member of staff has sought permission from the parents and a member of SLT.

11.2. 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 School's Staff Code of Conduct. Self-reporting in these circumstances can be positive for a number of reasons, and staff are encouraged to self-report on the basis that:

11.2.1. it is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity;

11.2.2. it demonstrates awareness of the expected behavioural standards and self-awareness as to the member of staff's own actions or how they could be perceived; and

11.2.3. crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

11.3. The School's aim is to create an environment where staff are encouraged and feel confident to self-refer.

12. How should low-level concerns be shared and recorded?

12.1. The concern can be shared verbally with the Headteacher/DSL in the first instance, or a written summary of it can be provided to them.

12.2. Where the low-level concern is provided verbally, the Headteacher/DSL will make an appropriate record of the conversation, either contemporaneously or immediately following the discussion and will exercise sound professional judgment in determining what information is necessary to record for safeguarding purposes.

12.3. Where a low-level concern relates to a person employed by a supply agency or a contractor, the School will notify that person's employer so that any potential patterns of inappropriate behaviour can be identified.

13. How should a low-level concern be responded to?

13.1. Once the Headteacher/DSL has received what is believed to be a 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):

13.1.1. Speak to the person who raised the low-level concern (unless it has been raised anonymously).

13.1.2. Speak to any potential witnesses (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted).

13.1.3. 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).

13.1.4. Review the information and determine whether:

a. the behaviour is in fact appropriate – i.e. is entirely consistent with the School's Staff Code of Conduct and the law;

b. the behaviour constitutes a low-level concern;

c. there is any doubt as to whether the information which has been shared about a member of staff as a low-level concern in fact may meet the harm threshold, in which case they will consult with the LADO;

d. in and of itself the behaviour may meet the harm threshold, and should be referred to the LADO/other relevant external agencies; or

e. when considered with any other low-level concerns that have previously been shared about the same individual, the behaviour may meet the harm threshold and should be referred to the LADO/ other relevant external agencies.

13.1.5. Ensure that appropriate and detailed records are kept of all internal and external conversations regarding the concern or allegation, their determination, the rationale for their decision and any actions taken, and retain records in accordance with the Low-Level Concerns Policy.

13.1.6. Consider whether the concern or allegation also potentially raises misconduct or capability issues – taking advice from HR/the Bursar/COO or other external agencies on a named or no-names basis where necessary – and, if so, refer the matter to HR/the Bursar or other external agencies.

14. What action will be taken if it is determined that the behaviour is entirely consistent with the School's Staff Code of Conduct and the law?

14.1. The Headteacher/DSL will update the individual in question and inform them of any action taken (as above).

14.2. The Headteacher/DSL 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 School's Staff Code of Conduct and the law.

15. What action will be taken if it is determined that the behaviour constitutes a low-level concern?

15.1. Any investigation of low-level concerns will be done discreetly and on a need-to-know basis.

15.2. 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.

15.3. Any such conversation with individuals in these circumstances will include being clear with them as to why their behaviour is inappropriate, problematic or concerning, 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.

15.4. Some low-level concerns may also raise issues of misconduct or poor performance which are unrelated to safeguarding. The Headteacher/DSL will also consider whether this is the case – by referring to the School's disciplinary and/or capability procedure and taking advice from HR/the Bursar/ and/or taking specialist advice as necessary on a named or no-names basis where necessary.

15.5. If the Headteacher/DSL considers that the School's disciplinary or capability procedure may be triggered, they will refer the matter to HR/the Bursar. If HR/the Bursar advise that the School's disciplinary or capability procedure is triggered, the individual will have a full opportunity to respond to any factual allegations which form the basis of capability concerns or a disciplinary case against them.

15.6. Staff should be aware that when they share what they believe to be a low-level concern, the Headteacher/DSL will speak to the adult who is the subject of that concern (unless advised not to do so by the LADO/other relevant external agencies, where they have been contacted) – 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 need to be referenced in any subsequent disciplinary proceedings.

15.7. How the School 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 School's disciplinary and/or capability procedure would apply; or a contractor, Governor, or volunteer. The School's response will be tailored accordingly.

16. What action will be taken if it is determined that the behaviour:

16.1. In and of itself may meet the harm threshold, or when considered with any other low-level concerns that have previously been shared about the same individual, may meet the harm threshold? Then it will be referred to the LADO/other relevant external agencies, and in accordance with the School's Safeguarding Policy, Part 4 of KCSIE 2025 and the relevant procedures and practice guidance stipulated by the School's Local Safeguarding Partnership.

17. How should low-level concerns be held?

17.1. The School will retain all records of low-level concerns (including those which are subsequently deemed by the Headteacher /DSL to relate to behaviour which is entirely consistent with the School's Staff Code of Conduct) in a central low-level concerns file[3].

17.2. Where multiple low-level concerns have been shared regarding the same individual these will be kept in chronological order as a running record, and with a timeline alongside. These records will be kept confidential and held securely with access afforded only to a limited number of individuals such as the Headteacher/DSL, Deputy Heads, Chair of Governors and Head of HR.

18. How often should the central low-level concerns file be reviewed?

18.1. The Headteacher/DSL 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 inappropriate, problematic or concerning behaviour are identified. Where a pattern of behaviour is identified in respect of a specific individual, the Headteacher/DSL will also consider whether any wider cultural issues are at play that may have enabled the behaviour and/or whether the School should arrange for additional training or a review of any of its policies to reduce the risk of it happening again.

[3] This file can be either electronic or hard copy

19. How long should records of a low-level concern be kept?

19.1. Low-level concerns will be retained securely by the School for as long as deemed relevant and necessary for a safeguarding purpose unless the School is required to disclose by law (for example, where the harm threshold is met in respect of the individual in question). In most cases, once a staff member leaves the School, any low-level concerns which are held relating to them:

19.1.1. will be retained at least until the individual leaves the School/for the same duration as that individual's personnel file[4]; and

19.1.2. will not be included in any onward reference, except as set out at paragraph 20.

20. References[5]

20.1. Low-level concerns will not be included in references unless they relate to issues which would normally be included in references, for example, misconduct or poor performance. A low-level concern which relates exclusively to safeguarding (and not to misconduct or poor performance) will not be referred to in a reference.

21. What is the role of the Governing Body?

21.1. The Headteacher/DSL will inform the Governing Body about the implementation of the Low-Level Concerns Policy and any evidence of its effectiveness, e.g. by including reference to it in any safeguarding reports and providing any relevant data.

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

22. Monitoring and Review

22.1. The Low-Level Concerns Policy will be monitored to ensure that it is being effectively implemented in practice and will be reviewed annually by the Headteacher and in response to any relevant legislative, statutory or regulatory changes and/or changes in relevant guidance and/or safeguarding best practice.

[4] KCSIE recommends that schools retain this information at least until the individual leaves their employment. Personnel files are ordinarily kept for 6-7 years after the staff member leaves, but safeguarding records for much longer periods, to allow for (among other things) claim limitation periods and/or their ongoing safeguarding value. However, unless meeting the harm threshold , records of low-level concerns about an individual may lose relevance following their departure. Schools will need to make their own case-by-case assessment as to the purpose and relevance of keeping them beyond this point.

[5] KCSIE makes clear, schools should only provide substantiated safeguarding concerns/allegations (including a group of low-level concerns about the same individual) that meet the harm threshold in references.

Appendix 1: Details of Headteachers and DSLS in the Reigate Grammar School Group

RGS School Group	Headteacher	DSL
Reigate Grammar School	Shaun Fenton	Sarah Arthur
Reigate St Mary's Preparatory & Choir School	Marcus Culverwell	Andrea Gower
Chinthurst School	Cathy Trundle	Lia Winchester
Micklefield School	Ryan Ardé	Gary Baguley
St Christopher's School	Bronia Grehan	Bronia Grehan
RGS Surrey Hills	Hayley Robinson	Kate Cobb
Chair of Governors	Mark Elsey	

Appendix 2: Spectrum of behaviour

Allegation that may meet the harm threshold

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. 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 with children may have acted in a way that:

- is inconsistent with the School's Staff Code of Conduct, including inappropriate conduct outside of work; and
- does not meet the harm threshold or is otherwise not serious enough to merit a referral to the LADO.

Appropriate Conduct

Behaviour which is entirely consistent with the School's Staff Code of Conduct, and the law.

Appendix 3: Safeguarding concerns and allegations (including non-recent) against adults who work with children– referral process

Procedure around allegations

Surrey's LADO procedure will be followed where it is alleged that anyone working in the setting that provides education for children under 18 years of age, including supply staff, volunteers and contractors or another 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 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 (also includes behaviour outside the school that might make an individual unsuitable to work with children - known as **transferable risk**).
- The School may also receive an allegation relating to an incident that happened when an individual or organisation was using their school premises for the purposes of running activities for children (for example community groups, sports associations, or service providers that run extra-curricular activities).

In dealing with allegations or concerns against an adult, staff must, **without delay:**

- Report any concerns about the conduct of any member of staff or volunteer to the relevant Headteacher immediately. If the Headteacher is absent then staff should refer to the Chair of Governors or to the LADO.
- Where the allegation relates to a member of supply staff provided by an agency the agency should be fully involved.
- If an allegation is made against the Headteacher, the concerns need to be raised with the Chair of Governors as soon as possible. If the Chair of Governors is not available, then the LADO (Local Authority Designated Office) should be contacted directly. Where the allegation is against the Headteacher, the Headteacher must not be informed of the allegation prior to contact with the chair and the LADO.
- Where there is a conflict of interest in reporting to the Headteacher, contact the LADO directly.
- If the concern is about the Chair of Governors, contact the LADO.
- There may be situations when the Headteacher or Chair of Governors will want to involve the police immediately if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence.
- **Once an allegation has been received by the Headteacher or Chair of Governors they will contact the LADO (as part of their mandatory duty)** on **0300 123 1650 option 3 LADO Email: LADO@surreycc.gov.uk immediately and before taking any action or investigation.**
- Following consultation with the LADO inform the parents of the allegation unless there is a good reason not to.

In liaison with the LADO, the school will determine how to proceed and if necessary the LADO will refer the matter to Children's Social Care and/or the police.

If the matter is to be investigated internally, the LADO will advise the school/college to seek guidance from local authority colleagues in following procedures set out in part 4 of KCSIE (2025) and the SSCP procedures.