



# BHES

## *“Low Level Concerns Policy”*

Note: in this policy reference to governing body or governors refers to the management committee and its members.

Where contextually appropriate for school read service.

BHES: Bristol Hospital Education Service & The Meriton

LADO: Local Area designated Officer

DSL: Designated Safeguarding Lead

GDPR: General Data Protection Regulation

KCSIE: keeping Children Safe in Education

Date adopted: 14/10/2021

## HISTORY OF POLICY CHANGES

Date	Page	Details of Change
April 2022	All	Removal of Meriton logo Reformatted Reviewed – no changes to body of information
Nov 2024	All	Reviewed – no changes to body of information
Oct 2025	All	Aligned with current guidance and legislation (as of 2025): Replaced references to Keeping Children Safe in Education with Keeping Children Safe in Education 2025. Updated data protection references to ensure clarity and relevance: Data Protection Act 2018 UK GDPR Included references to ICO's Information Sharing Code of Practice and 10-step guide to sharing information. Clarified the role and threshold for LADO referrals and transferable risk under the KCSIE 2025 framework.

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## 1. Principles

As part of our safeguarding approach, we promote a culture of openness and transparency in which all concerns about adults working in or on behalf of BHES (including casual staff, volunteers and contractors) are addressed promptly and appropriately. We believe it is vital that concerns — including those that do not meet the harm threshold (see “*Managing Allegations Against Staff*” policy and *Keeping Children Safe in Education*, Section 4) — are shared responsibly with the appropriate person, recorded, and handled in a timely and proportionate way.

Our aim is to foster a culture that enables us to identify concerning, problematic or inappropriate behaviour at an early stage, minimise the risk of harm, and ensure that adults working on behalf of the Trust understand professional boundaries and act within them, in line with BHES’s values and ethos. BHES is committed to ensuring that low-level concerns are monitored, recorded and addressed appropriately, thereby creating a safer environment for all staff, pupils and visitors.

This policy has been drafted with reference to *Keeping Children Safe in Education 2025*. It should be read in conjunction with the BHES Safeguarding Policy.

## 2. Distinction between an allegation and a low-level concern

A culture that encourages reporting of low-level concerns ensures staff feel able to share any worries they may have — no matter how small — about their own or colleagues’ behaviour.

Concerns are not limited to safeguarding issues but may relate to conduct that falls short of the professional standard expected within the organisation.

- **What is an Allegation?**

An allegation refers to a claim that a person who works with children 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 toward a child or children in a way that suggests they may pose a risk of harm;
- behaved or may have behaved in a way that indicates they are unsuitable to work with children.

The final point includes behaviour that may have occurred outside BHES and may render an individual unsuitable to work with children (known as transferable risk). Examples may include:

- personal conduct that gives rise to safeguarding concerns (not necessarily directly involving a child) — e.g. an arrest for possession of a weapon;
- being subject to child protection procedures in a personal capacity;
- being closely associated with someone in their personal life (partner, family member, household member) who may pose a risk to children for whom they are professionally responsible.

- **b. What is a Low-Level Concern?**

A low-level concern does not mean it is trivial or insignificant. It is any concern about an adult's behaviour toward a child that:

- falls below the threshold of an allegation; and
- is not otherwise serious enough to merit immediate referral to the Local Authority Designated Officer (LADO).

A low-level concern may be something that causes unease or a “nagging doubt” about behaviour that:

- is inconsistent with BHES's Code of Conduct (including behaviour outside work); and
- does not reach the harm threshold or is not otherwise considered serious enough to refer to the LADO.

Examples (non-exhaustive) include:

- being overly familiar or friendly with children;
- showing favouritism;
- taking photographs of children on a personal mobile phone;
- engaging in one-to-one contact with a child in a secluded area or behind a closed door;
- using inappropriate, intimidating, sexualised or offensive language.

BHES recognises that such behaviours lie on a spectrum — from thoughtless or poorly judged conduct (which may not in itself be harmful) to more deliberate acts intended to enable harm.

### 3. Importance of Sharing Low-Level Concerns

It is essential that low-level concerns, even those that do not meet the harm threshold, are reported appropriately, so they can be recorded and addressed. Effective handling of such concerns also protects staff from misunderstandings or false allegations.

We must foster an organisational culture of openness and trust in which staff feel able to report any concern about a colleague's conduct, confident that it will be received respectfully and without reprisal. It is well documented that institutional child sexual abuse is often preceded by observable behaviours which were questioned but not reported, recorded or evaluated over time.

Since it is impossible for individuals to reliably profile perpetrators, attention should be paid to specific behaviours rather than assumptions about persons. To reduce the risk of situational offending, our organisation needs robust training, leadership, policies and a willingness to accept that abuse could occur in any setting.

## 4. Integration with Staff Code of Conduct and Safeguarding Policies

This Low-Level Concerns Policy will be issued to all staff as part of their Code of Conduct and will form an appendix to the BHES Safeguarding Policy. Its purpose is to ensure that staff understand what constitutes a low-level concern — that such concerns are not insignificant — and that reporting them is integral to our culture of transparency, aligned with BHES's values.

To embed this policy in practice, the Management Committee will:

- Ensure all staff understand what constitutes appropriate behaviour and are able to distinguish it from concerning or inappropriate behaviour;
- Empower staff to share low-level concerns about any adult working on behalf of BHES (including volunteers, casual staff, contractors) with the Headteacher — unless the concern is about the Headteacher, when it should be shared with the Chair of Governors;
- Encourage early intervention to address unprofessional behaviour, supporting individuals to correct it;
- Ensure a responsive, sensitive and proportionate process for handling such concerns;
- Use reported concerns to identify weaknesses in safeguarding systems and processes and act to strengthen them.

## 5. Reporting Low-Level Concerns

Low-level concerns should be reported in writing to the Headteacher. If the concern is about the Headteacher, it should instead be raised with the Chair of Governors. In the event that the Headteacher is unavailable, the concern should be reported to the Designated Safeguarding Lead (DSL), and passed on to the Headteacher as soon as practicable.

BHES also encourages self-reporting, where staff believe they may have behaved in a way that falls below expected professional standards or could be misinterpreted.

Concerns relating to casual staff or contractors should also be reported to the Headteacher and recorded under this policy. Their employing organisation should be notified so that patterns of behaviour across contexts may be identified.

## 6. Recording Low-Level Concerns

All low-level concerns should initially be reported in writing and submitted to the Headteacher, who will record the subsequent actions. The record should include:

- the details of the concern;
- the context in which it arose;
- the action(s) taken;
- the name of the person raising the concern (unless they wish to remain anonymous, which should be respected as far as possible).

(This can be done using the *Low-Level Concerns Report Form* — see Appendix 1.)

Such concerns should not be recorded on CPOMS (or equivalent child protection systems) to preserve confidentiality. Instead, they should be stored securely in a separate electronic file, with strictly limited access, in compliance with the Data Protection Act 2018 and UK GDPR.

Records must be reviewed periodically as new concerns are raised, allowing patterns of behaviour to be identified. If a pattern emerges or if a concern meets the harm threshold, the Headteacher will determine whether to initiate disciplinary procedures or refer the matter to the LADO.

Consideration should also be given to whether cultural or systemic issues within BHES contributed to the behaviour, and whether remedial action (e.g. policy review, further training) is needed.

These records will normally be retained until the individual leaves BHES employment.

## 7. Responding to Low-Level Concerns

Once a low-level concern is reported, the Headteacher or Chair of Governors must act proportionately. This typically involves gathering information by:

- speaking to the person who raised the concern (unless raised anonymously);
- speaking to the individual involved and any witnesses.

The information gathered will guide categorisation of the behaviour and determination of whether any further action is required.

Actions may include informal discussion, coaching or training, closer monitoring, or — in more serious or repeated cases — escalation under disciplinary procedures or referral to the LADO.

## 8. Data Protection

Under the Data Protection Act 2018 and UK GDPR, there is specific provision for using personal data when safeguarding children. The ICO's "10-step guide to sharing information to safeguard children" makes clear that data protection should facilitate, not impede, responsible information sharing in safeguarding contexts.

Where concerns are low-level (rather than allegations), the balance between safeguarding interests and individual privacy must be carefully considered. Data should be shared only when it is lawful, necessary, and proportionate.

Records must be stored securely, access limited, and care taken not to record opinions presented as fact. Any processing of personal data should align with the data protection principles (lawfulness, fairness, transparency, data minimisation, accuracy, storage limitation, integrity/confidentiality) under UK GDPR.

If necessary, a Data Protection Impact Assessment (DPIA) should be conducted to assess risk when processing sensitive data.

## 9. References in Employment References

BHES will include in references only substantiated safeguarding allegations that met the harm threshold. Low-level concerns will not be included unless they also relate to issues that would ordinarily be included in a reference (for example, serious misconduct or performance issues). Likewise, repeated low-level concerns that have become substantiated may be referenced if they meet that threshold. This approach aligns with *Keeping Children Safe in Education* guidance.

## 10. Linked Policies and Documents

- Managing Allegations Against Staff Policy
- Keeping Children Safe in Education 2025
- Child Protection and Safeguarding Policy
- Online Safety Policy
- Acceptable Use Agreement
- Staff Code of Conduct
- UK GDPR

- Data Protection Act 2018
- Disciplinary Procedures
- ICO's Information Sharing Code of Practice

## Appendix 1 - Low-Level Record of Concern Regarding A Staff Member

Please use this form to share any concern – no matter how small, and even if no more than a 'nagging doubt' – that an adult may have acted in a manner which:

- is not consistent with BHES Code of Conduct, and/or;
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

Where possible please speak with the Headteacher as soon as possible. It is also helpful to document your concerns, which can be done using this form and then passed to the Headteacher. When completed, please pass this form to the Headteacher. If the concern is about the Headteacher, please pass it onto the Chair of Governors.

Remember, a low-level concern is different to an allegation. See the table below for a definition:

### **Allegation**

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;
- 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.

### **Low-Level Concern**

Any concern – no matter how small, even if no more than a 'nagging doubt' – that an adult may have acted in a manner which:

- is not consistent with an organisation's Code of Conduct, and/or
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's suitability to work with children.

### **Appropriate Conduct**

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

Please use the google form to record your concern:

[Low Level Concerns form](#)