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The Governance of Safeguarding in 2021

7th October 2021

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www.bettergovernor.co.uk

Aims of this session:

to consider the key changes in the (Sept. 2021) edition of Keeping Children Safe in Education and their implications for safeguarding in schools;

to explore those changes that governors and trustees need to know about;

to share best practice suggestions on actions that boards should be looking for schools to take.

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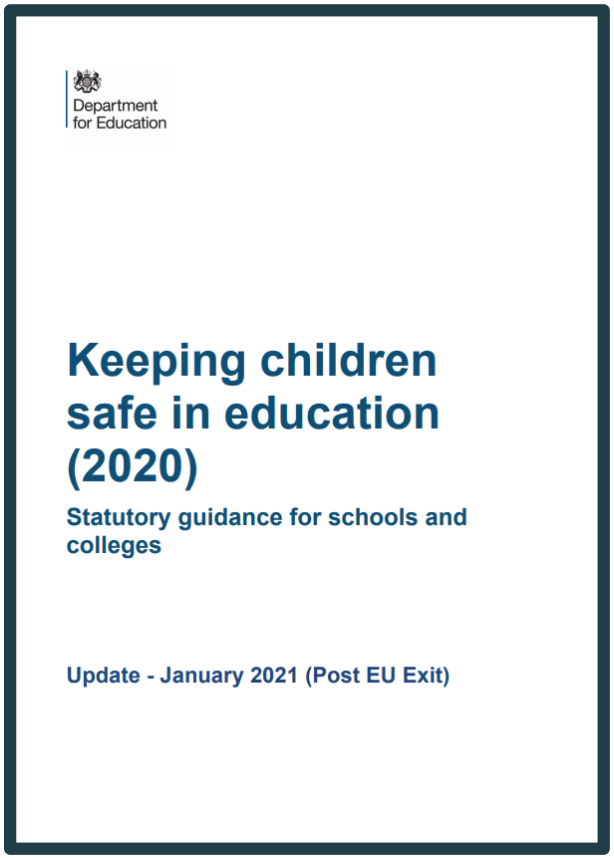
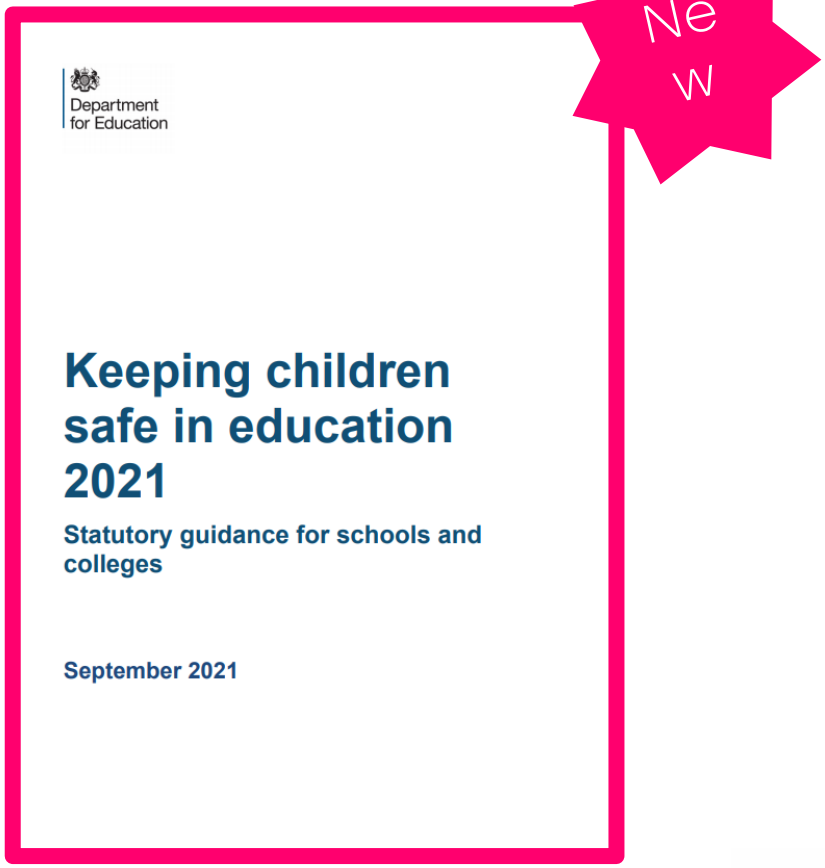
The definitive guidance:





New

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Protecting children from harm

- Bruising
- Cuts
- Burns
- Physical bullying

- Withdrawn
- Low self-esteem
- Low self confidence
- Unhappy
- Socially isolated

- Tired
- Unclean
- Hungry
- Late
- Unsupervised

- In pain
- Touching themself
- Re-enacting
- Sexualised behaviour/dress

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Changes in the new KCSIE:

Annex G: Table of substantive changes from September 2021

This table explains where we made the changes (the section) and what the change was.

Summary	About the guidance
What is the status of this guidance	Added - KCSIE now applies to providers of post 16 education as set out Education and Training (Welfare of Children) Act 2021 Removed link to now withdrawn interim Covid-19 guidance. Added link to departmental advice Sexual violence and sexual harassment between children in schools and colleges.
About this guidance Who is this guidance for?	Added bullet to clarify that the guidance is also for senior leadership teams. Added new paragraph to explain that there is a condensed Part one of this guidance at Annex A. We want to give governing bodies and proprietors the freedom to choose the condensed Part one where they think it will be appropriate for those staff not working directly with children.
Part one	**Safeguarding information for all staff**
Part one	A number of paragraphs have been moved in Part one to improve the flow of this section.
Paragraph 13	Made clear that child protection policies should also include procedures for dealing with peer on peer abuse.
Paragraph 18	New paragraph making clear that victims should be taken seriously, kept safe and never be made to feel like they are creating a problem for reporting abuse, sexual violence or sexual harassment
Paragraph 31	Updated to reflect the new UKCIS guidance on the sharing of nude and semi-nude images which has replaced their sexting advice.
Paragraphs 32-35 Paragraphs 36-39	New additional information added on Child Criminal Exploitation (CCE) which includes information on how children can be exploited and makes clear that the experiences of girls being criminally exploited can be very different to boys, indicators of CCE may also be different for girls.

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Five pages of

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The headlines:

- The role of staff is now extended to include ‘promote children’s welfare’ (a hint to Mental Health, sexual abuse and RSHE);
- Online safety of pupils *must* be included in induction of all staff;
- A new Annexe A condensed version, available for school staff *not* working directly with children;
- Annexe B (was A in previous version) should be read by all staff who *are*

Part 1 : what all staff must know

- *GBs should ensure that those staff who work directly with children read at least Part one of this guidance;*
- Additional content (12 -14 pages);
- *School and college staff are particularly important, as they are in a position to identify concerns early, provide help for children, promote children's welfare and prevent concerns from escalating;*
- Part 1 retains descriptors of the forms of

Annex A : new

Annex A: Safeguarding information for school and college staff

The following is a condensed version of Part one of Keeping children safe in education. It can be provided (instead of Part one) to those staff who do not directly work with children, if the governing body or proprietor think it will provide a better basis for those staff to promote the welfare and safeguard children.

The role of school and college staff

1. Safeguarding and promoting the welfare of children is **everyone's** responsibility. **Everyone** who comes into contact with children has an important role to play.

2. School and college staff are particularly important as they are in a position to identify concerns early, provide help for children, promote children's welfare and prevent concerns from escalating. It is important all staff (including those who do not work directly with children) recognise the important role they play in protecting children.

What school and college staff need to know

3. For the purposes of safeguarding, a child is anyone under the age of 18. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment;
- preventing impairment of children's mental and physical health or development;
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.

All staff should:

- be aware of the systems in their school or college which support safeguarding, and these should be explained to them as part of staff induction. As a minimum this Annex and the child protection policy should be shared with staff at induction;
- receive appropriate safeguarding and child protection training (including online safety) which is regularly updated. In addition, all staff should receive safeguarding and child protection updates (including online safety) (for example, via emails, e-bulletins and staff meetings), as required, and at least annually, to provide them with the skills and knowledge to safeguard children effectively;
- know the identity of the designated safeguarding lead (and any deputies) and how to contact them;

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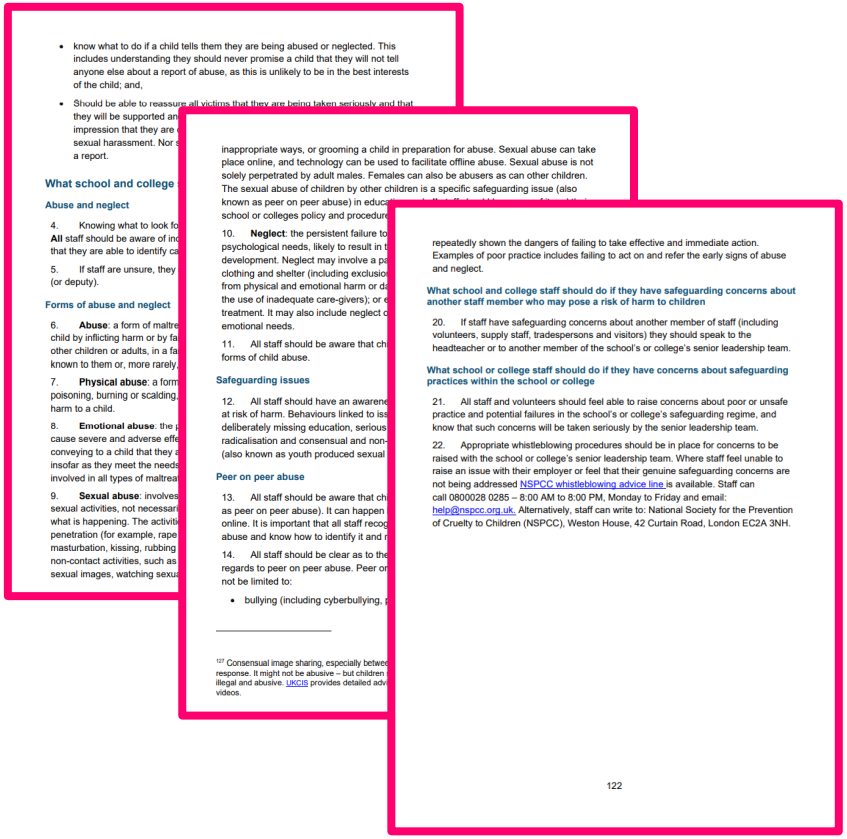

- know what to do if a child tells them they are being abused or neglected. This includes understanding they should never promise a child that they will not tell anyone else about a report of abuse, as this is unlikely to be in the best interests of the child; and,
- Should be able to reassure all victims that they are being taken seriously and that they will be supported an impression that they are sexual harassment. Nor a report.

What school and college

Abuse and neglect

4. Knowing what to look fo **All** staff should be aware of in that they are able to identify ca

5. If staff are unsure, they (or deputy).

Forms of abuse and neglect

6. **Abuse**: a form of maltre child by inflicting harm or by fa other children or adults, in a fa known to them or, more rarely,

7. **Physical abuse**: a form poisoning, burning or scalding, harm to a child.

8. **Emotional abuse**: the p cause severe and adverse effe conveying to a child that they a insofar as they meet the needs involved in all types of maltrea

9. **Sexual abuse**: involves sexual activities, not necessar what is happening. The activit penetration (for example, rape masturbation, kissing, rubbing non-contact activities, such as sexual images, watching sexu

inappropriate ways, or grooming a child in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Females can also be abusers as can other children. The sexual abuse of children by other children is a specific safeguarding issue (also known as peer on peer abuse) in educ school or colleges policy and procedur

10. **Neglect**: the persistent failure to psychological needs, likely to result in t development. Neglect may involve a pa clothing and shelter (including exclusio from physical and emotional harm or da the use of inadequate care-givers); or c treatment. It may also include neglect c emotional needs.

11. All staff should be aware that ch forms of child abuse.

Safeguarding issues

12. All staff should have an awarene at risk of harm. Behaviours linked to iss deliberately missing education, serious radicalisation and consensual and non- (also known as youth produced sexual

Peer on peer abuse

13. All staff should be aware that ch as peer on peer abuse). It can happen online. It is important that all staff recog abuse and know how to identify it and r

14. All staff should be clear as to the regards to peer on peer abuse. Peer or not be limited to:

- bullying (including cyberbullying,

[127] Consensual image sharing, especially betwe response. It might not be abusive – but children illegal and abusive. UKCIS provides detailed adv videos.

repeatedly shown the dangers of failing to take effective and immediate action. Examples of poor practice includes failing to act on and refer the early signs of abuse and neglect.

What school and college staff should do if they have safeguarding concerns about another staff member who may pose a risk of harm to children

20. If staff have safeguarding concerns about another member of staff (including volunteers, supply staff, tradespersons and visitors) they should speak to the headteacher or to another member of the school's or college's senior leadership team.

What school or college staff should do if they have concerns about safeguarding practices within the school or college

21. All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime, and know that such concerns will be taken seriously by the senior leadership team.

22. Appropriate whistleblowing procedures should be in place for concerns to be raised with the school or college's senior leadership team. Where staff feel unable to raise an issue with their employer or feel that their genuine safeguarding concerns are not being addressed NSPCC whistleblowing advice line is available. Staff can call 0800028 0285 – 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk. Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

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Other key messages in part 1:

- **Mental Health** – recognising indicators of children/families potentially requiring 'Early Help' now includes mental health and others;
- **Technology** - significant component in many safeguarding and well being issues;
- **Child Sexual Exploitation (CSE)** grown from 3 to 5 pages
- **Annexe B reminder**

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Questions for governors to ask:

- What is our policy regarding Part 1 v Annexe A ?
- How do governors seek assurance that all staff understand Part 1/Annex A?
- Have the key changes in Part 1 been communicated/shared with staff since 1st Sept?

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Part 2 – The management of safeguarding

Part two: The management of safeguarding

The responsibility of governing bodies, proprietors and management committees

Legislation and the law

78. Governing bodies and proprietors[20] have a strategic leadership responsibility for their school's or college's safeguarding arrangements and **must** ensure that they comply with their duties under legislation. They **must** have regard to this guidance, ensuring policies, procedures and training in their schools or colleges are effective and comply with the law at all times.[21]

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Part 2 (Clarification)

80. Governing bodies and proprietors should have a senior board level (or equivalent) lead to take **leadership** responsibility for their school's or college's safeguarding arrangements.[22]

Misleading

The designated safeguarding lead

89. Governing bodies and proprietors should ensure an appropriate **senior member** of staff, from the school or college **leadership team**, is appointed to the role of designated safeguarding lead. The designated safeguarding lead should take **lead responsibility** for safeguarding and child protection (including online safety). This should be explicit in the role-holder's job description (see Annex C, which describes the broad areas of responsibility and activities related to the role).

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Part 2: Key changes

- Emphasis that individual schools must have their own safeguarding and behaviour policies;
- DSL to take lead responsibility including for online safety;
- Sig additional content on peer-on-peer sexual abuse;
- New section on teaching safeguarding – inc. online threats and 'one-size doesn't fit all' = curriculum adaptations.
- Use of premises, elective home

Questions for governors to ask:

- Are we compliant?
- Is KCSIE on the agenda this term and how will governors be assured that all changes have been implemented?

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Questions for Governors to ask:

- Have staff received training on the new version of KCSIE?
- Has induction for new staff been updated?
- When was the last time governors updated their safeguarding knowledge?

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Part 3 – Safer Recruitment

- Part 3 looks v different, but changes are mainly cosmetic – legal framework unchanged but now 34 pages (was 23)
- Fours sections:
  - Recruitment & selection process
  - Pre-appointment checks
  - Other checks
  - Ongoing safeguarding and duty to report

Part 3 – key messages:

- GBs should *ensure that those involved with recruitment of staff have received safer recruitment training*
- Reminder and more detail on shortlisted candidates self declaration on criminal record;
- Para 253 (page 66) has helpful checklist for Single Central

When did governors last monitor safer

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Part 4 - Allegations:

- Extended from 6 to 19 pages (new content);
- Two sections:
  - **Allegations** that may meet the harms threshold
  - **Concerns** that do not meet the harm threshold

Does your safeguarding policy reflect this new

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Part 5 – peer-on-peer sexual abuse:

- New layout and new content reflecting current levels of concern;
- Expectation that schools should *respond to all reports and concerns*
- Recommended to be read in conjunction with DfE detailed guidance

Is the profile of this form of abuse as high as it should be in

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Questions for governors to ask:

- When are we expecting Ofsted?
- Are we compliant on RSHE etc?
- Do we have a narrative on peer-on-peer sexual abuse and violence?
- Can governors clearly articulate the Covid story and the school's or trust's response?
- When did the board last review the status of the school's curriculum offer?

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Any Questions?

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References:

- Keeping Children Safe in Education 2021

  https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1014057/KCSIE_2021_September.pdf

- DfE Peer on Peer Abuse guidance

  https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges

Thank you

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