



Department
for Education

Keeping children safe in education

Government consultation

Launch date 22 December 2015

Respond by 16 February 2016

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Introduction

The purpose of this consultation is to seek views about proposed changes to the statutory guidance [Keeping Children Safe in Education July 2015](#). These are set out at pages 6-13.

Who this is for

- School and college staff
- Governing bodies, proprietors and management committees
- Children's services
- Professionals working in social care
- Teaching Unions
- Safeguarding practitioners

Issue date

The consultation was issued on 22 December 2015. As the consultation was issued over the Christmas period we have ensured that there is adequate time when schools and colleges return from the Christmas break for the consultation to be considered.

Enquiries

If your enquiry is related to the policy content of the consultation you can contact the team at: Safeguarding.SCHOOLS@education.gsi.gov.uk.

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

The response

The results of the consultation and the Department's response will be [published on GOV.UK](#) in Spring 2016. Subject to Ministerial approval we hope to publish the revised guidance in advance of its start date as part of our consultation response, in order to

give schools and colleges time to consider and act upon any new requirements. The revised guidance will come into effect for the beginning of the new school year in September 2016.

About this consultation

This consultation document explains a number of proposed changes to the existing statutory guidance. These include:

- Changes to the “Summary” to reinforce the importance of Part One as a starting point for all staff in schools and colleges to read and **understand**;
- Increasing the focus on the importance of a child centred and coordinated approach to safeguarding;
- Emphasising further the role that individual staff play in safeguarding and the fact it is **everyone’s** responsibility;
- Highlighting the importance of early help and how it sits in the wider safeguarding system;
- Highlighting the importance of data sharing;
- Clarification on the role of the designated safeguarding lead and cover for the role;
- A new section to cover online safety;
- Aligning and clarifying training requirements for the designated safeguarding lead and staff;
- Updating the inspection section to reflect the Ofsted framework; and
- A new section covering children with special educational needs and disabilities.

We have provided a copy of the proposed revised guidance and it is published alongside this document.

Annex F in the guidance is a table of changes.

Please note apart from one change to Part 3 (which reflects the recent requirement for a check to be carried out on new appointments to management positions in independent schools) the changes proposed impact Parts 1 and 2 of the guidance (and the related Annexes). Further consideration will be given to determine whether Parts 3 and 4 of the guidance would benefit from further revision and, if so, these matters would be consulted on separately.

We would like to hear your views on our proposals.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit www.education.gov.uk/consultations to submit your response.

Other ways to respond

If for exceptional reasons you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a word document version of the form and email or post it.

By email

- Safeguarding.SCHOOLS@education.gsi.gov.uk

By post

Keeping Children Safe in Education Consultation
Department for Education
Level 3, Bishopsgate House
Feethams
Darlington
DL1 5QE

Deadline

The consultation closes on 16 February 2016.

Summary

Background

The summary section sets out the legal background regarding Keeping children safe in education and who the guidance is for.

Proposals and rationale

We have reordered the paragraphs so they flow in a logical order

We have provided clarity as to what “must have regard means”.

We have strengthened the importance of the guidance; governing bodies, proprietors and management committees should not only ensure that all their staff read at least Part 1 of Keeping children safe in education but, in addition, ensure that all their staff **understand** at least Part 1. Our assumption is the majority of good schools already ensure that all staff understand their safeguarding responsibilities. The emphasis on “understand” will discourage the culture in a minority of schools that see reading Part 1 as a box ticking exercise- rather than a critical part of the safeguarding process. However we want to test this assumption via this consultation.

Questions

1. Should governing bodies, proprietors and management committees be required to ensure that all staff should not only read at least Part 1 but also **understand** it?
2. Will the new emphasis on “understand” lead to you changing process or procedure in your school? Please provide details.

Part 1

Background

Part 1 provides safeguarding information for all staff. All staff should read and understand this Part.

Part 1 provides background to the broader safeguarding environment that all schools and colleges operate in.

Part 1 provides detailed information for school and college staff on what they should know, what they should look out for, and what they should do if they have a concern regarding a child, a staff member or safeguarding practices.

Where appropriate, Part 1 provides links to additional information and guidance.

Proposals and rationale

Part 1 is designed to be a standalone starting point with regards to safeguarding for all school and college staff. It should provide the basics staff need from day one, to be aware of their safeguarding responsibilities, and provide links where appropriate to further detailed guidance.

It is important that school and college staff understand the broader safeguarding environment within which they operate. As such, additional background information has been added to the beginning of Part 1 - "A child centred and coordinated approach to safeguarding" (para 1-3). It sets out the context of the broader safeguarding system.

As Part 1 is focused on what school and college staff need to know the sub-title heading "The role of the school and college" has been removed as this information sits more comfortably under other sub headings in Part 1 and in some instances in Part 2.

In the section "The role of school and college staff" (para 6-11) additional information has been provided on the role of staff with regards to interaction with the designated safeguarding lead, early help and referrals to children's social care. It should be clear to all staff that they have a vital role to play in safeguarding children - there can be no room for any doubts with regards to the individual responsibility of all staff in schools and colleges when it comes to safeguarding children.

The section "What school and college staff need to know" (para 12-13) has been amended to reflect the importance of all staff being aware of and understanding appropriate policies as well as the systems that are in place more generally regarding early help and statutory assessments.

The section “What school and college staff should look out for” (para 14-17) has been amended to highlight the useful examples of potential signs of abuse and neglect that are available in the Departmental advice: What to do if you are worried a child is being abused 2015 - Advice for practitioners.

As arguably the most important part of the document, “What school and college staff should do if they have concerns about a child” (para 18-25) has been stripped back to make it as simple as possible and focus on the importance of making a referral as and when appropriate.

Information regarding what to do with allegations against a headteacher where the head is the sole proprietor of the school have been moved from Part 2 into the “What school and college staff should do if they have concerns about another staff member” (para 26) section.

The flow chart on page 10 has been updated to provide more information and a simpler flow for what should happen where there are concerns about a child.

As Part 1 should be the minimum read for all staff with regards to Keeping children safe in education it is currently published ([see here](#)) as a stand-alone document and sits alongside the full version of Keeping children safe in education. We have received mixed feedback on presenting Part 1 in this way. Some suggest it makes it more accessible, easier to print and as such more likely to be read and understood. Others say it is confusing to publish Part 1 alongside the full version which already includes Part 1 anyway. We would be grateful for your views on this.

Questions

3. Does the section “The role of school and college staff” make clear that safeguarding is **everyone’s** responsibility?
4. Does “What school and college staff should do if they have concerns about a child” provide a simple and easy to follow message with regards to referrals?
5. Is the new flow chart on page 10 an improvement compared to the old flow chart that it replaces?
6. What changes would you propose to improve the effectiveness of Part 1?
7. Does it help to publish Part 1 as a standalone document?
8. Will the proposed changes to Part 1 require you to adjust your safeguarding policies and procedures? Please provide details.

Part 2

Background

Part 2 sets out the responsibilities of the governing body, proprietor and management committee of a school or college. As such it is targeted at members of these bodies and the senior leaders, who will in many cases, be responsible for the day to day management of safeguarding.

Proposal and rationale

A number of paragraphs have been reordered for a better flow.

In the “Safeguarding policies” section (para 60-64) clarity has been provided as to the fact that a school should have an overarching safeguarding policy and, under that policy, various other policies e.g. a child protection policy. This reflects the fact safeguarding is a broad overarching term and child protection is one of numerous branches of safeguarding.

In the “The designated safeguarding lead” section (para 65-68) clarity has been provided as to what the cover arrangements should be for this role. In addition, the requirement for training every two years has been changed to ‘regular training, at appropriate intervals, as and when required, (at least annually)’. The general assumption is individual schools and colleges in conjunction with their Local Safeguarding Children Board (LSCB) are best placed to decide as and when training is required, but given how fast the safeguarding environment moves it would generally be expected that this would be at least annually and might be more often if circumstances warrant it.

In the “Inter agency working” (para 69-72) section, key LSCB documents to consider when formulating safeguarding arrangements have been included. In addition the importance of data sharing is highlighted.

A separate “Staff training” (para 73-74) section has been inserted in line with training requirements for the designated safeguarding lead as set above. Many schools have asked for a minimum requirement to be included in the statutory guidance. As with the designated safeguarding lead, our assumption is schools and colleges will already provide their staff safeguarding training at least annually. We want to test this assumption.

As more classroom time and more pupil spare time is spent online a new section to cover the importance of “Online safety” (para 75-76) has been added. It is

essential that schools protect their children from harmful and inappropriate material online. This can include for example pornography, self-harm sites and extremist material such as Daesh propaganda and advice on how to travel to Syria. The majority of schools and colleges keep their children safe online already. However we believe including the requirement to ensure appropriate filtering and monitoring are in place, in statutory guidance, is proportional and reasonable in order to ensure **all** schools and colleges are meeting this requirement. We don't think including this requirement will create additional burdens for the vast majority of schools, as they are already doing this, but we are keen to test this assumption.

The "Opportunities to teach safeguarding" section (para 77-78) has been updated and now says governing bodies and proprietors "should **ensure**" rather than "should **consider**" that children are taught about safeguarding, including online, through teaching and learning opportunities. This is an important topic and the assumption is the vast majority of governing bodies and proprietors will already be ensuring the children in their school are suitably equipped with regards to safeguarding. But we are keen to hear views as to the change in emphasis.

The "Inspection" (para 79) section has been updated to reflect the Ofsted inspection framework.

The "Allegations of abuse made against other children" (para 86) section has been updated to reflect the fact that governing bodies and proprietors should not only have procedures in place but also ensure those procedures are reflected in policies that minimise the risk of peer on peer abuse and how allegations will be investigated and dealt with. We are keen to understand if any further information would help support governing bodies and proprietors with regards to peer on peer abuse.

The "Looked after children section" (para 91-92) has been updated to make clear that **all** schools should be aware of looked after children and the unique circumstances that surround them from a safeguarding perspective.

A new section on "Children with special educational needs and disabilities" (para 95) has been included to reflect the additional requirements that should be considered when safeguarding children with SEN and or disabilities.

Questions

9. Is the guidance clear as to the cover arrangements for “the designated safeguarding lead”?
10. Should “designated safeguarding lead” training be provided annually- as a minimum?
11. We are proposing staff should receive regular safeguarding refresher training, annually as a minimum. Would this result in you having to provide training more frequently?
12. How often do you provide training currently?
13. Is it reasonable to expect schools and colleges to ensure they have appropriate online filters and monitoring systems to protect children from harmful online material?
14. Would it help schools if online guidance/an online portal was created that set out what “appropriate” filters and monitoring systems looked like and advice as to how to satisfy themselves that they have them?
15. Is it reasonable to change the emphasis from “should consider” to “should ensure” with regards to teaching about safeguarding, including online?
16. Will the change in emphasis from “should consider” to “should ensure” lead to an increase in costs? Please provide details.
17. What, if any, information would help governing bodies and proprietors develop appropriate peer on peer abuse policies and procedures?
18. What changes would you propose to improve the effectiveness of Part 2?
19. Will the proposed changes to Part 2 require you to adjust your safeguarding policies and procedures? Please provide details.

Annexes

Background

Annexes provide additional detailed information that it wouldn't be appropriate to provide in the main body of the guidance.

Proposals and rationale

The old Annex A – “Legislation” has been removed. As all the relevant regulations are listed in the guidance, this page did not add value.

The Annex (now Annex A) covering the role of the designated safeguarding lead has been updated to reflect the changes that have been made in the main guidance and to ensure the role reflects the broader guidance document accurately.

The Annex that covered boarding schools, children's homes and children staying with host families has been split (into Annex B and C) to reflect the very different nature of these topics.

The Annex covering children staying with host families (now Annex C) has been updated to provide greater clarity and further information.

Annex F- Table of changes has been included so it is clear what has changed between this proposed version of the guidance and the 2015 version.

Questions

20. Do you have any comments on the change made to the Annexes?



Department
for Education

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