**Keeping Children Safe in Education: Update**

 **June 2018**

The Government has published the ‘for information’ copy of the Keeping Children Safe in Education 2018 that will come into force on **3rd September 2018. Until then, the Keeping Children Safe (2016) is the guidance that schools should follow.**

In the updated guidance, there is an emphasis on children with SEN and disabilities, those who are care leavers, those children who were previously looked after, and adopted children. There are direct links to the guidance for designated teachers for looked after children and previously looked after children. The new guidance is also very clear about peer-on-peer abuse, on sexual violence and sexual harassment.

Keeping Children Safe in Education 2018 provides clarity that schools should have “**their own individual safeguarding and Child Protection policy”**. The policy should meet the needs of their children in their community, with the **particular kinds of issues that may be most important for them.**

**Multi-Academy Trusts may have an overarching policy, but each school must be able to include procedures and information that is particularly relevant to them.**

**Safeguarding Children with SEND**

There is a concern sometimes that, for children with SEN and disabilities, that their SEN or disability needs are seen first, and the potential for abuse second. If children are behaving in particular ways or they’re looking distressed or their behaviour or demeanour is different from in the past, staff should think about that being a sign of the potential for abuse, and not simply see it as part of their disability or their special educational needs.

Children with SEND have a higher risk of being left out, of being isolated from their peers, and they are disproportionately affected by bullying. Schools are encouraged to make sure that children with SEN and disabilities have got a greater availability of mentoring and support. Whilst most schools do offer that, this guidance is very clear that should happen.

**Online Safety**

There is recognition that most children are using data on their phones, on the 3G or the 4G network. In schools, this means that not only must staff think about filtering and monitoring within the school’s infrastructure, **they also need to have a policy about children accessing the internet whilst they’re at school through their own mobile phones.**

**Contextual Safeguarding**

One concept that has been included in Keeping Children Safe in Education 2018 that wasn’t there before is the research by Dr. Firmin at the University of Bedfordshire on safeguarding adolescents, **particularly in their social settings beyond school.** Her research is about informing policy and practice. The research shows how important it is that the assessments of children take into account all of their social sphere, not only that at school. More information can be found on the Contextual Safeguarding Network’s website: <https://contextualsafeguarding.org.uk/about/what-is-contextual-safeguarding>.

**Emergency Contacts for Children**

**Schools need to have more available emergency contacts for children**. There have couple of serious events in the last 18 months, in which parents have died and their young children have been left with them. Keeping Children Safe in Education 2018 says that **schools should have at least two emergency contacts for every child in the school in case of emergencies, and in case there are welfare concerns at the home.**

**Use of Reasonable Force**

The use of reasonable force is emphasised in Keeping Children Safe in Education 2018, as something that we really need to be cautious about. There are some circumstances when reasonable force might be a possibility, or it might be part of a strategy to deal with an incident of very challenging behaviour, but this guidance, along with previous comments from Ofsted, is very much about **creating individual plans in order to minimise the likelihood of challenging behaviour, and when it does occur, that there is less use of physical restraint and other restrictive methods.**

**Multi-Academy Trusts’ Central SCR**

The guidance is now clear that Multi-Academy Trusts do not need to have separate Single Central Records for each school. Mats can keep the master SCR at their headquarters. However, the guidance says that **it must be accessible in each school** and that is probably going to be a technological challenge.  It is likely therefore that individual schools will continue to look after their own SCR.

**Volunteer Risk Assessments**

From Keeping Children Safe in Education 2018 **schools will be required to complete a risk assessment for each volunteer to decide whether they need to do an enhanced DBS check or not.** Remember, even if it is decided an enhanced DBS is to be requested, if the volunteer is not in regulated activity, then you’re not legally allowed to do a barred list check.

**S128 in Academies, Free Schools and Independent Schools**

The s128 checks that people have not been prohibited from the management of a school. In the past, the guidance simply said that this applied to people in management positions. Keeping Children Safe in Education 2018 now specifies what that means: **governors/trustees, headteachers, members of the Senior Leadership Team and departmental heads**. If someone has been prohibited from the management of schools, then this will appear on their DBS certificate.

**Alternative Provisions**

Schools are responsible for the safeguarding of their pupils when they’re placed in an alternative provision. The new guidance says that schools should **obtain a written statement from the provider that they have completed all the vetting and barring checks that are necessary on their staff.**

**Proprietor-led Schools and DSLs**

In proprietor-led schools, which are often owned by one or two people, and without governors, this latest guidance makes it statutory to ensure that the person who is the Designated Safeguarding Lead is a ‘suitable person’. This means that they are sufficiently independent from the family running the school to be able to deal with things that occur.

It is suggested that in the written confirmation of the person’s appointment as DSL, that they will be required to talk to the Local Authority Designated Officer about any issue where they are concerned, particularly, but not solely, where there may be allegations against a member of the owner or their family. This enables there to be a separation between the family running the school and the DSL. Consideration should also be given as to whether they should have access to an education lawyer or to another external company who the DSL can ask for advice.

**Home-stays (Exchange Visits)**

If children are staying with parents from overseas as part of an exchange, the guidance is now very clear, **they need to have an enhanced DBS check.** The DBS service will process these checks without payment because those parents are volunteers. If there are other people in the family aged over 16, then the school can decide whether they will do an enhanced DBS check for those 16 and 17 year olds who live in the house.

**Peer on Peer Abuse**

A key theme in the guidance is around peer-on-peer abuse and, in particular, sexual violence and sexual harassment. Peer-on-peer abuse includes bullying, physical abuse, sexual violence and sexual harassment, sexting, and so-called initiation ceremonies. **The school’s approach to these issues must be in their policy**. It needs to state how the school deals with these particular issues, how the risk of peer-on-peer abuse is going to be minimised, how these incidents are recorded, investigated and dealt with, how the victims, and perpetrators, are to be supported. It is very clear that this abuse should always be treated seriously, and never just as banter or part of growing up. **Staff need to understand what’s meant by peer-on-peer abuse, and how the school is dealing with it.**

**Sexual Violence and Sexual Harassment**

The ‘Sexual violence and sexual harassment between children in schools and colleges’ guidance, which was published by the government in December 2017, has now been republished with a May 2018 date. A summary of the document has been

included in Keeping Children Safe in Education (2018) as **Part 5**, which gives it statutory status. Schools need to make sure that all their systems and policies, procedures, and training includes sexual violence and sexual harassment.

This Part 5 section covers in detail:

* how schools should respond to incidents of sexual violence and sexual harassment, emphasising the need for effective training and policies in schools and colleges
* the need for risk assessments in school following reports of incidents of sexual violence or sexual harassment
* the action needed to support victims and alleged perpetrators of sexual violence or harassment.

**Safeguarding Learning and Development for staff** Induction training, must now include the school’s behaviour policy and the school’s procedures for managing children who are missing education, as well as the staff code of conduct, and the child protection policy.

Keeping Children Safe in Education Part 1 has to be read by all members of the staff;and**, for everyone working directly with children, they also need to read Annex A.**

**Annex A:** includes four key topics that were not included previously:

* **Children and the court system, when children are appearing as witnesses**
* **Children with family members in prison**
* **Criminal Exploitation of children (County Lines)**
* **Homelessness**

**Next steps for DSLs:**

* Update your safeguarding policy– also consider ‘local’ issues which affect your school community. THE SCIES UPDATED POLICY WILL BE AVAILABLE READY FOR SEPTEMBER 2018
* Update the safeguarding and learning development programme for your staff. SCIES TRAINING WILL BE UPDATED READY FOR SEPTEMBER 2018
* Ensure that there is more than one emergency contact number for all children
* If you are a Multi Academy Trust, make a decision on having separate or one overarching Single Central Record
* Create and complete risk assessments for volunteers
* Check that all Section 128 checks have been completed for any departmental heads
* Obtain written confirmation from Alternative Providers that they have completed relevant checks
* Check any future home-stay arrangements include Enhanced DBS checks for parents where overseas pupils stay

Please find below the link to the guidance:

[Keeping children safe in education](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2?utm_source=513cc7ac-ff11-4bb9-b455-a1f017ecd8b5&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate)

For further support or information you can contact the SCiES Team on 01606 275039 or email us at SCiESTeamEast@cheshireeast.gov.uk