 **Keeping Children Safe in Education 2018**

**What schools need to do in September to meet the requirements of KCSiE 2018**

1. Update the CP and safeguarding policy (see LDBS draft self-evaluation document)
2. Update the staff development program and training
3. Ensure that there is more than one emergency contact number for children in school
4. Create and complete risk assessments for volunteers – example will be added into the appendix of the LDBS self-evaluation document
5. In the case of an academy trust check that all section 128 checks have been completed for department heads
6. Obtain written confirmation from alternative providers that they have completed the relevant checks
7. Check any homestay arrangements include checks for parents in whose homes overseas pupils are staying
8. Review your Disqualification by Association procedures -
   1. Identify and record staff who are covered by Disqualification under the Childcare Act - including volunteers NB Disqualification **by Association** no longer applies to schools, although staff working in Early Years and with pupils under 8 must disclose if they themselves are disqualified.
   2. Ask the relevant staff to declare that they are not Disqualified (a verbal declaration is sufficient) NB if not relevant staff then you cannot ask them e.g. Y5 teacher
   3. Remind all staff that they must inform the school where relationships in and out of the school may have safeguarding implications
   4. Decide how to record the self-declarations of relevant staff (e.g. SCR or elsewhere)
   5. You may wish to include information for staff on their duty to provide information in the staff handbook and the CP policy.
9. Destroy any historic data collected for Disqualification by Association (D by A) which is no longer required (following your review)
10. Review staffing and safer recruitment policies and procedures to take account of D by A changes

**A brief overview of the changes in KCSiE 2018.** The 2018 safeguarding self-evaluation document will be on the LDBS website shortly to support you in making necessary changes.

There is more clarity around the words MUST and SHOULD.

MUST is statutory and SHOULD is what should be done unless there is a very good reason not to e.g. not relevant to the age range in a school.

Part 1

All staff should be made aware of the referral process and the role they might be expected to play following statutory assessment. (e.g. CIN)

There is an emphasis that staff should ‘always speak to the DSL or DDSL.’ The flowchart to support staff if they have concerns is now closer to the front of the document (p13) and emphasises the need to staff to take immediate action.

Staff need to know the early help referral process.

CIN definition has been added to support understanding.

Contextual safeguarding -broadening assessments of children in school.

Schools should take account of the social sphere of children outside the school.

The new guidance is also clear about peer on peer abuse and on sexual violence and harassment.

Part 2 Management of safeguarding

There is greater clarity on CP and safeguarding policies. There is a move away from the local authority model policy and a move towards individual school policies which meet the needs of the children in the community. Information in policies must be relevant to each school. You can use a model policy as a scaffold but must ensure it is owned by the school and linked to the school’s context.

CP policy – The GB should ensure that their policy includes specific information on peer on peer abuse (see LDBS self-evaluation checklist 2018).

Looked after children and **previously** looked after children - information on previously looked after children and their vulnerability is now contained in the document.

The DSL should promote the educational achievement of previously looked after children and work with the virtual school head to do so.

Children with special needs and disabilities - there is a greater emphasis on the vulnerabilities of these pupils and the fact that these pupils are more prone to isolation than other children. Additional pastoral support is suggested to support these pupils.

Online safety - there is a recognition that most children are using data on their phones in schools meaning that staff must think about filtering and monitoring and also about how children can access the internet when they are at school.

Emergency contacts - schools should have at least two emergency contacts for every child in the school in case of emergencies (where reasonably possible).

*Inter* *-agency* is now *multi-agency*. There will be more updating on this when WTSC (2018) is published.

Information sharing: this is a new section with information on GDPR. There is more to come when WTSC is published.

Use of reasonable force emphasises real caution when this is used and when working with SEND pupils it highlights the need to be proactive with action planning to reduce the need for force.

Induction training in addition to previous documents listed in KCSiE 2016, schools must include procedures for managing children who are missing education and online safety training (refer to LDBS self-evaluation document for more details)

Part 3 – Safer recruitment

SCR- there is a clear list of what must be included on the SCR and what can be added if the school chooses. NB also clarification on who evidences information (not statutory) - see LDBS checklist.

Explains paper *or* electronic form is acceptable.

Academy trusts: don’t need a SCR for each school. A master can be kept at the headquarters of the trust. However, it must be accessible to each school instantly. As this will be technologically difficult it is likely that individual schools will continue to have their own single central record.

Volunteers - Risk assessments need to be carried out for every volunteer and need to be recorded. Based on the outcome of the RA, the school can decide whether or not to do an enhanced DBS. If the volunteer is not in regulated activity schools are not legally allowed to do a Barred List check online.

Section 128 (academies and free schools)

A section 128 direction prohibits a person from being a governor in a maintained school.

Disqualification by Association (please refer to Part 3 of Keeping Children Safe in Education).

Schools should review their staffing policies and safer recruitment procedures and make the relevant changes. Schools should ensure that they understand which staff fall into the relevant staff categories.

Under the Childcare Act 2006 (2018 regulations) it is not necessary for schools to ask staff to complete a self-declaration form to obtain information about whether a staff member is disqualified. If they *do* decide to do this it is important that the questions asked are relevant and limited to the requirement of the legislation.

List checks – the flowchart has been updated to make contractor information more consistent with the new document.

References - greater clarity on seeking and following up references – see LDBS safer recruitment section.

Allegations proven to be false and what to include in references is clarified:

*“Cases in which an allegation was proven to be false, unsubstantiated or malicious should not be included in employer references. A history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious should also not be included in any reference”.*

Legal duty to refer: Reinforces the duty to refer to the DBS when an individual is suspended or moved out of regulated activity to another post, if they meet the “harm” criteria.

Reminds schools to consider whether a teacher misconduct referral to the TRA is appropriate (para 118-119).

New paragraph (in the case of suspension) includes Children’s social care in the list of organisations that concerns should be reported to if there are concerns about the welfare of other children in the community or the teacher’s family.

Alternative provision- if a school places a child in alternative provision the school has a safeguarding responsibility for the child. *“Where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil, and should be satisfied that the provider meets the needs of the pupil. Schools should obtain written confirmation from the alternative provider that appropriate* *safeguarding checks have been carried out on individuals working at the establishment, i.e. those checks that the school would otherwise perform in respect of its own staff”.*

Private fostering- staff and volunteers should remain alert to this and report any incidences to the LA.

Part 4 Allegations of abuse made against teachers and other staff

Volunteers added to this to make it clear that this applies to them also.

See references and legal duty to refer sections above.

Part 5- NEW part added on managing reports of sexual violence and sexual harassment

The government published ‘sexual violence and sexual harassment between children in schools and colleges’ in December 2017. It was re-published in May 2018

Part 5 is a summary of this document and provides information on what governing bodies must and should do.

e.g. they must make sure that all policies and procedures include sexual violence and sexual harassment

It emphasises the importance of the school’s response to a report - all victims must be taken seriously, be kept safe and be supported. An immediate risk assessment should be made (and recorded) to assess the needs of all involved.

Actions for schools to consider following a report of sexual violence are listed to support schools.

Annex A

This includes four new topics

* Children and the court system when children are appearing as witnesses
* Children with family members in prison
* Criminal exploitation of children
* Homelessness

It provides further information on children missing from education (all staff need to know this can be a warning sign of safeguarding considerations), domestic abuse, child criminal exploitation, honour- based violence, preventing radicalisation and peer on peer abuse.

New information on homelessness has been included.

Annex B the role of the designated safeguarding lead

Training - information regarding training requirements for online safety and SEND. Staff must understand the unique risks associated with online safety and be confident that they have the knowledge and skills to keep children safe when they are online at school.

Staff should recognise the additional risks that children with SEND face when online e.g. online bullying, grooming and radicalisation.

The role of the deputy designated safeguarding lead (DDSL) has been updated to be in line with the designated safeguarding lead. The role should be explicit in the job description.

Annex C online safety

A clear link to UKCCIS guidance has been added.

Annex E Homestay and host families during exchange visits

More detail has been provided to support schools.

3RD SEPTEMBER 2018