

Keeping Children Safe in Education 2018 – summary of changes

Safeguarding Children with SEND

Children with SEN and Disabilities

Policy should reflect additional safeguarding challenges for children with SEN and Disabilities including:

- awareness that behaviour, mood and injury may relate to possible abuse and not just their SEN or disability;
- higher risk of peer group isolation;
- disproportionate impact of bullying; and
- difficulties with communication.

Schools should consider extra pastoral support for children with SEN and disabilities.

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There's 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, maybe 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

For online safety, there is a recognition in this guidance 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.

Emergency Contacts for Children

One aspect of safeguarding that was very clear in the consultation was this idea that schools need to have more available emergency contacts for children. There have been a 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

Following the theme of looking after children with SEN and Disabilities, 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.

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 undertake a barred list check.

S128 Checks 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 (DSL) is a 'suitable person'. This means that they are sufficiently independent from the family running the school to be able to deal with issues that occur.

It is suggested that in the written confirmation of the person's appointment as DSL, 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 the owner or a member of 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 **do** 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 undertake 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 guidance is very clear that a school's approach to these issues must be in their policy. It states 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 now 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 cover sexual violence and sexual harassment.

Further information can be found here: <https://www.safeguardinginschools.co.uk/sexual-violence-sexual-harassment-children-schools-colleges-dfe-2017/>.

We can ensure that we include this in our curriculum ie through PSHE, Relationship and Sex education:

What respectful behaviour looks like

What healthy and respectful relationships are

Gender roles, the dangers of stereotyping, equality, body confidence and self-esteem, prejudiced-based behaviours

That sexual violence and sexual harassment is always wrong, and addressing cultures of sexual harassment

Most importantly understanding how to recognise the signs and always reporting it!

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 **must be** read by all members of the staff; and for everyone working directly with children, they also need to read Annex A.

Table of changes

Annex H of the statutory guidance provides a table of all changes.

Next Steps

- Update your child protection policy
- Update the safeguarding and learning development programme for your staff
- Check that there is more than one emergency contact number for the children
- 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