






Effective safeguarding governance

Tuesday 4 October 2022

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1




Agenda for the day

10.00 – 10.45	Introduction to safeguarding
10.45 – 11.30	The education law duties
11.30 – 11.45	Break
11.45 – 12.30	The company/charity law duties
12.30 – 1.00	Recruitment checks/SCR and employment law duties
1.00 – 1.45	Lunch
1.45 – 2.15	Overseeing the school's safeguarding function & having difficult conversations
2.15 – 3.15	Group discussion and feedback
3.15 - 3.30	Conclusions and questions



2




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Introduction

Tabitha Cave - Partner

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3



What do we mean by safeguarding?

It depends

AND

It's an evolving concept!

4

Definitions

Safeguarding is defined in an education context 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*
- *taking action to enable all children to have the best outcomes.*

KCSIE, para 4

And in a charity one:

...As part of fulfilling your trustee duties, you must take reasonable steps to protect from harm people who come into contact with your charity.

Safeguarding and protecting people for charities and trustees



5

Working together

'Everyone who works with children has a responsibility for keeping them safe. No single practitioner can have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action'

6



Other legal duties

Including:

- Health and safety
- Employment
- Contractual obligations
- Common law duty to take reasonable care



7



Moral obligation too?



8



9

 The background of this slide features an abstract, colorful graphic on the left side, composed of overlapping, textured shapes in shades of blue, purple, pink, and red, resembling a stylized landscape or a close-up of fabric.

Lessons learned from IICSA

'Despite 20 years of enhanced focus on safeguarding, schools are not as safe for children as they should be, and children's interests do not always come first when allegations or concerns of sexual abuse arise. This must change.'

 The logo for VWV Plus is located in the bottom right corner of the slide. It features a stylized red flower-like icon to the left of the text 'VWV Plus' in a red, sans-serif font.

10



Organisational offenders

Marcus Erooga's classifications:

- Preferential
- Opportunistic
- Situational

Elaborating the 'slippery slope'



11


IICSA: leadership and governance

'A positive culture of safeguarding can deter potential 'opportunistic sex offenders' by reducing the opportunities for abuse and increasing the likelihood of detection and reporting...'

'At most of the schools examined, at the time when the sexual abuse occurred the school had a poor organisational culture in which safeguarding was not prioritised or seen as a core responsibility of all staff.'

'Openness and transparency are key to a protective environment. Schools with a strong safeguarding culture responded promptly and appropriately to allegations and concerns, including complaints about non-recent incidents.'



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12

The changing landscape

- Shift from protection from abuse to promotion of welfare and wellbeing
- Need for a holistic approach
- Recognition of the role we all have to play in setting culture and challenging wrongdoing – being ‘active bystanders’
- More focus on stakeholder engagement
- Schools as place of safety
- Our role extends beyond the school site/day
- Need for different perspectives
- Raising concerns is a good thing (& the absence of concerns isn’t necessarily reassuring)...



13

Current focus areas

- Leadership and management of safeguarding
- Effective safeguarding culture
- Child on child abuse
- EDI
- Behaviour management
- Attendance
- On-line activity
- Commercial arrangements.

14

Leadership and management

- *Governors must understand their responsibility to put the child first, before the institution*



15

What is an effective safeguarding culture?

One which puts people first, where...

- You protect people
- You minimise the risks of any harm or abuse
- Everyone has confidence their concerns will be dealt with appropriately
- Everyone understands their role.



16



Everyone's invited

17



Summary of Ofsted review 10.6.2021

*“This rapid thematic review has revealed how prevalent sexual harassment and online sexual abuse are for children and young people. It is concerning that for some children, incidents are so commonplace that they see no point in reporting them. This review did not analyse whether the issue is more or less prevalent for different groups of young people, and there may well be differences, but it found that the issue is so widespread that it needs addressing for all children and young people. **It recommends that schools, colleges and multi-agency partners act as though sexual harassment and online sexual abuse are happening, even when there are no specific reports**”.*

18

EDI

- Focus on compliance with the Equality Act and more broadly on inclusion of all

19

Behaviour management

- New behaviour guidance
- Need for people to be clear about what is expected of them
- Recognition that misconduct can and often is a safeguarding issue too

20

Attendance

New attendance guidance came into force this September

- Poor attendance is linked to poor outcomes
- All schools must focus on monitoring and improving attendance



21

Commercial arrangements

- If hire/rent out facilities/premises, the school should ensure that appropriate arrangements are in place to keep children safe; and
- if services/activities are provided separately by another body, the school's policies may not apply and it should seek assurance that there are appropriate safeguarding and child protection policies and procedures in place & ensure that there are arrangements in place to liaise with the school on these matters where appropriate. This applies regardless of whether or not the children who attend are children on the school roll.



22


What can you do?

- Ensure you understand your role and responsibilities
- Set expected standards
- Keep your eyes and ears open and be curious
- Support and challenge
- Challenge wrongdoing when you see it
- Keep records



23

An abstract background with blue, yellow, and red elements, possibly representing a globe or a network. The background is split into a blue upper half and a white lower half.

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Legal and regulatory framework

Education law duties, Tabitha Cave - Partner

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24

Overview

Type of school/provision	Principal legislation	Principal regulations	Principal guidance	Principal regulator
All independent schools	Education and Skills Act 2008 Education Act 2002	<ul style="list-style-type: none"> The Education (Independent School Standards) Regulations 2014 Education (Pupil Registration) (England) Regulations 2006 	<ul style="list-style-type: none"> Keeping children safe in education 2022 Working together to safeguard children 2022 Disqualification under the Childcare Act 2006 Special educational needs and disability code of practice 2020 Prevent duty guidance 2021 	DfE
Boarding schools	Children Act 1989		National Minimum Standards for Boarding 2022	DfE
Early years	Childcare Act 2006	<ul style="list-style-type: none"> The Early Years Foundation Stage (Learning and Development Requirements) Order 2007 The Early Years Foundation Stage (Welfare Requirements) Regulations 2012 	EYFS Statutory Framework 2021	Ofsted/DfE



25

ISSR safeguarding requirements

Part 3: Welfare, health and safety of pupils

7. The standard in this paragraph is met if the proprietor ensures that —

- (a) arrangements are made to safeguard and promote the welfare of pupils at the school; and
- (b) such arrangements have regard to any guidance issued by the Secretary of State.

Part 4: Suitability of staff, supply staff and proprietors

18. Requires the proprietor to carry out appropriate checks...



26

What does this mean?

Safeguarding and promoting the welfare of children is defined in KCSIE 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*
- *taking action to enable all children to have the best outcomes.*

KCSIE, para 4



27

ISSR cont-

Part 8: Leadership and management

The standard about the quality of leadership and management is met if the proprietor ensures that persons with leadership and management responsibilities at the school:

- (a) demonstrate good skills and knowledge appropriate to their role so that the independent school standards are met consistently;
- (b) fulfil their responsibilities effectively so that the independent school standards are met consistently; and
- (c) actively promote the well-being of pupils.



28

Wellbeing

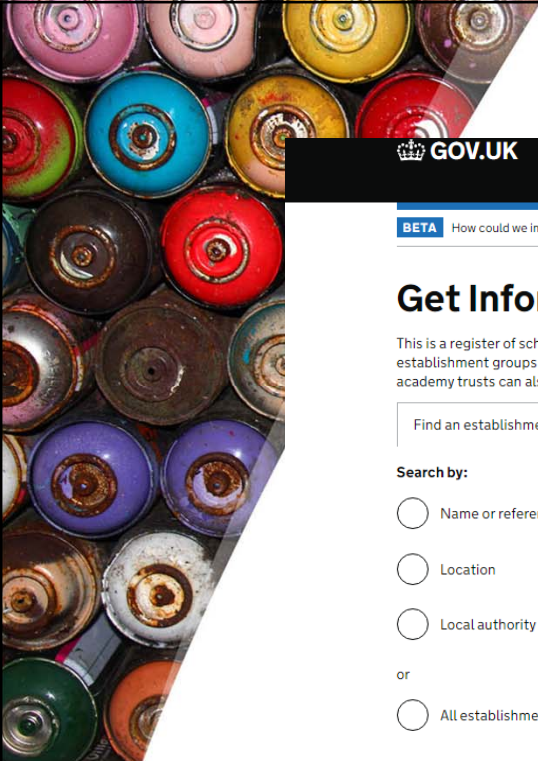
Well-being is defined with reference to the Children Act 2004, which lists the following factors:

- physical and mental health and emotional well-being;
- protection from harm and neglect;
- education, training and recreation;
- the contribution made by them to society;
- social and economic well-being.



29

Who is the proprietor?



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This is a register of schools and colleges in England. You can search for and download information on establishments, establishment groups (such as a local authority, trust or federation) or governors. Schools, local authorities and academy trusts can also update details by signing in to their DfE Sign-in account.

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or

All establishments

30

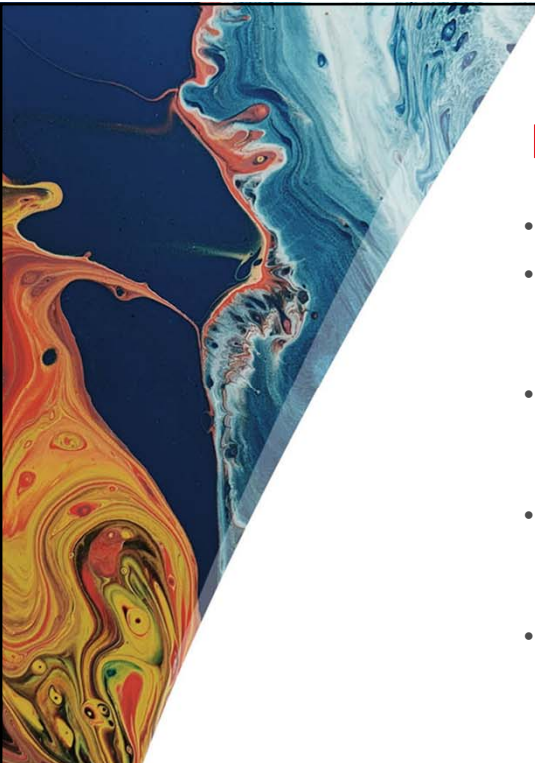




KCSIE 2022


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31



KCSIE 2022

- statutory guidance which applies to all schools
- sets out the legal duties you must follow to safeguard and promote the welfare of children and young people under the age of 18
- all school and college staff who work directly with children should read part 1, those who do not should read Part 1 or Annex A (a condense version)
- governors should read at least part 2 (management of safeguarding) & ensure that mechanisms are in place to assist staff to understand and discharge their role
- Chair and NSG should read it all!



32

Key principles

- Safeguarding and promoting the welfare of children is **everyone's** responsibility
- The school should always act in the **best interests of children**
- The trustees should ensure a **whole school approach** to safeguarding
- Information-sharing is critically important
- **All** concerns should be taken seriously
- **Children's wishes and feelings** should be taken into account
- Systems should be well promoted, easily understood and accessible.



33

Information for all staff: it could happen here...

- Aware of school's systems and local procedures
- Receive appropriate training
- Know what to do if a child tells them they are being abused, exploited or neglected*
- Reassure victims that they are being taken seriously & will be kept safe.

New wording:

- *Para 19: children may not feel ready or know how to tell someone... need for '*professional curiosity*'



34

What to look out for:

- disabled, health condition e.g. MH or SEND
- Young carer or has been in care/fostered
- Signs of being drawn in to anti-social or criminal behaviour
- Frequently missing or absent from education
- At risk of modern slavery, trafficking, exploitation, radicalisation, honour-based abuse
- Challenging family circumstances e.g. domestic abuse, or misusing alcohol or drugs themselves
- Signs of abuse or neglect



35

LA duties

Early help – to identify children & families who may benefit from early help [requires parental consent]

Statutory assessments

Section 17 – to undertake a statutory assessment of **children in need** – those who are unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled.

Section 47 – duty to lead child protection enquiries - where a local authority has reasonable cause to suspect that a child (who lives or is found in their area) **is suffering or is likely to suffer significant harm**, it has a duty to make such enquiries as it considers necessary to decide whether to take any action to safeguard or promote the child's welfare.

36

Part 1 cont-

- Frequently multiple, overlapping issues
- Technology is a major component in many safeguarding and wellbeing issues
- Be aware of the common safeguarding issues ref in Pt 1/Annex B incl. child on child abuse
- Listen to children
- Share concerns/allegations about staff or the school's safeguarding arrangements
- Don't assume someone else will take action
- Don't allow fears about sharing info to stand in the way
- Don't delay
- If unsure, speak to the DSL!
- Keep good records – summary of the concern; how it was followed up & resolved; note of action/decisions/outcome



37

Part 2: Proprietor duties

Governors and proprietors should/must:

- take strategic leadership responsibility for their school's safeguarding arrangements
- have a senior board level (or equivalent) lead to take leadership responsibility for the school's safeguarding arrangements
- ensure that safeguarding policies, procedures and training are in place, effective and comply with the law
- adopt robust recruitment procedures
- appoint an appropriate member of SLT to role of DSL
- ensure that staff can contribute to and shape safeguarding arrangements
- ensure that people know how to raise concerns & are confident that appropriate action will be taken if they do so.



38

Chair's responsibilities

Allegations and concerns

- Concerns about the Head to be referred to the Chair
- Chair should immediately discuss the allegation with LADO
- Chair becomes 'case manager'

Safer recruitment checks

Where the proprietor is a body of people, the Chair must ensure that appropriate checks are undertaken for the other members of the body.



39

Nominated safeguarding Governor

- Schools should have a senior board level (or equivalent) lead to take **leadership** responsibility for the organisation's safeguarding arrangements.

KCSIE, para 80

The Role of the School's Nominated Safeguarding Governor

- 1 Overview
- 1.1 The Governors acknowledge and understand that they have collective duties and responsibilities to safeguard and promote the welfare of children and to ensure that the School's safeguarding policies, procedures and training are effective and comply with the law at all times.
- 1.2 The Governing Body is determined to promote the well-being of children within the School's care and recognises that well-being extends beyond the protection from harm and neglect into areas such as promoting:
 - 1.2.1 physical and mental health and emotional well-being;
 - 1.2.2 social and economic well-being;
 - 1.2.3 opportunities for education, training and recreation; and
 - 1.2.4 opportunities for contributing to society.
- 1.3 The Governing Body has nominated one of its members to champion best safeguarding practice in the School, supporting the Governing Body not just to discharge its duties under legislation and guidance but to move beyond regulatory compliance. The Nominated Safeguarding Governor will:
 - 1.3.1 support the Governing Body in its commitment to promote the well-being of children within the School's care; and
 - 1.3.2 take leadership of the School's safeguarding arrangements, liaising with external agencies where this is required.
- 1.4 The appointment of the Nominated Safeguarding Governor on the terms set out below forms part of the Governing Body's acceptance of and response to its duties, not a delegation or abrogation of them.



40

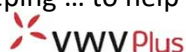
Changes to Part 2

More focus on

- Preventative education
- Governor/trustee training
- clarity & application of P&P

All governors and trustees should receive appropriate training (incl. on line safety) to *'equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding P&Ps are effective & support the delivery of a robust whole school approach to safeguarding training.'*

- Resourcing of DSL
- engagement with all stakeholders
- SG duties re contractors
- Record-keeping ... to help with management of complaints



41

KCSIE 2022 eLearning

Make sure everyone understands their duties to help keep children safe in your school.

Short 30-minute tailored courses:

1. **Part 1** course for staff working directly with children
2. **Annex A** course – for those who don't work directly with children
3. **Part 2** course to help your governors with the management of safeguarding

Interested?

Please let us know on your feedback forms and we will be in touch.

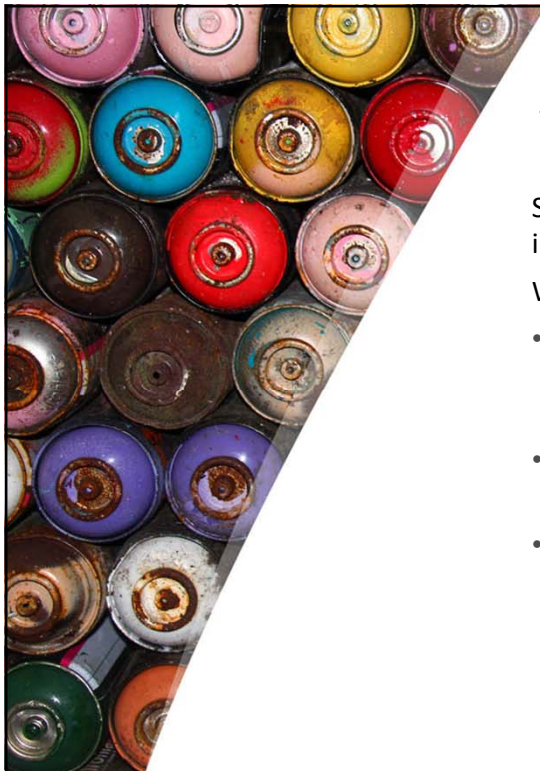


42

Part 4: Management of safeguarding allegations



43



WT

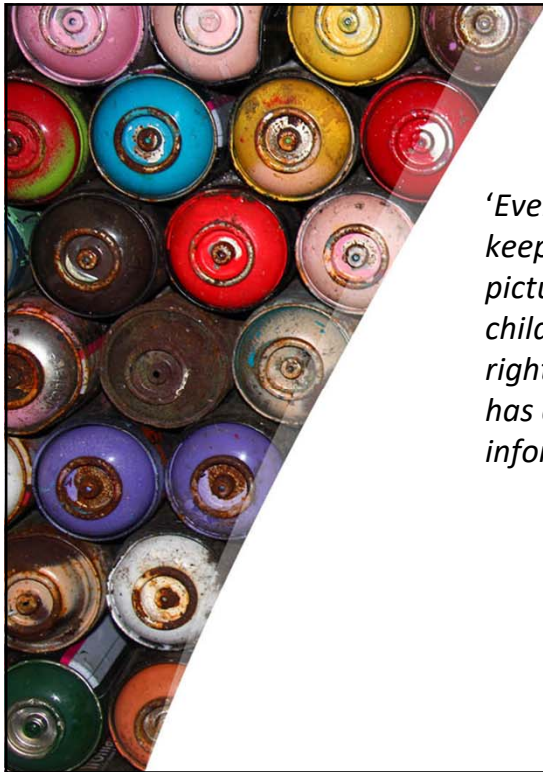
Schools must also have regard to WT, the national guide to inter-agency working.

WT sets out:

- the over-arching principles and coordinated multi-agency system for safeguarding and promoting the welfare of children
- the school's role in identifying children who may benefit from early help and/or making statutory referrals to the LA
- the importance of organisational culture & ensuring a culture of '*safety, equality and protection*'.



44



'Everyone who works with children has a responsibility for keeping them safe. No single practitioner can have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone who comes into contact with them has a role to play in identifying concerns, sharing information and taking prompt action'



45

Inspection Process

- When is your next routine inspection?
- ISI will consider:
 - Information from LA, CC and other regulators
 - Complaints
 - Pupil, parent and staff questionnaires
 - Inspection records, interviews & observations
- Likely to interview the Chair and/or NSG to examine how you ensure the effective oversight of safeguarding
- Are you ready?



46



Inspectors' approach

- More focus on decision-making and demonstrable, evidence-based impact
- Focus on the wellbeing of all children – not just the majority
- Learning from reviews and developments



47


Likely change to Part 8


Ofsted recommendations to IICSA:

- Openness to external scrutiny
- Honesty and transparency within the governance arrangements
- The ability of those governing to have difficult conversations both internally and with those providing external scrutiny.




48



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Legal and regulatory framework

Charity law duties, Kate Sherlock - Associate


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49


Three hats



Director/ Council Member





Member of the proprietor body (Governor)



Charity Trustee

“the person or body of persons responsible for the management of the institution”

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50

Director/ Council Member



- Appointed in accordance with the Articles (or other constitution, as applicable)
- Manage and administer the business and affairs of the company



Companies Act 2006

CHAPTER 46
CONTENTS

PART 1
GENERAL INTRODUCTORY PROVISIONS
Companies and Companies Acts

- 1 Companies
- 2 The Companies Acts

Types of company

- 3 Limited and unlimited companies
- 4 Private and public companies
- 5 Companies limited by guarantee and having share capital
- 6 Community interest companies

PART 2
COMPANY FORMATION

General

- 7 Method of forming company
- 8 Memorandum of association

Requirements for registration

- 9 Registration documents
- 10 Statement of capital and initial shareholdings
- 11 Statement of guarantee
- 12 Statement of proposed officers
- 13 Statement of compliance



Companies House



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51

Governor (member of the proprietor body)



“overarching responsibility for regulatory compliance”



Department
for Education

 **ISI** Independent
Schools
Inspectorate

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52

Charity Trustee



“A person who has the general management and control of the administration of the charity”.

“Trustees have and must accept responsibility for directing the affairs of a charity, and ensuring that it is solvent, well run, and delivering the charitable outcomes for the benefit of the public for which it has been set up”



CHARITY COMMISSION
FOR ENGLAND AND WALES



53

Charity Commission



CHARITY COMMISSION
FOR ENGLAND AND WALES

- An active regulator that holds trustees to account
- Issues guidance
- Self-reporting obligations
- Extensive powers to warn, suspend, remove, replace with interim manager and sue
- Frequent inquiries and reports



54

Charity Commission Safeguarding Duty

“All charities must take reasonable steps to protect everyone who comes into contact with the charity from harm”

“Trustees should promote a fair, open and positive culture and ensure all involved feel able to report concerns, confident that they will be heard and responded to.”



55

Charity Commission – Expectations

- Providing a safe and trusted environment
- Setting an organisational culture that prioritises safeguarding
- Having adequate policies, procedures and measures to protect people
- Knowing how incidents and allegations will be handled should they arise



56

Working with other organisations

- Delivery partners, trading subsidiaries, connected charities
- Due diligence
- Written agreements
- Reporting and monitoring obligations



57

Charity Commission Regulation

- Annual return and accounts
- Auditor and independent examiner reports
- Whistle-blowers
- Complaints
- Engagement with charities
- Other bodies, departments and agencies
- Media and members of Parliament
- Serious incident reports



58

Reportable safeguarding incidents

A serious incident is *“an adverse event, whether actual or alleged, which results in or risks significant harm to your charity’s beneficiaries, staff, volunteers or others who come into contact with your charity through its work”*



59

Thresholds

- Actual or alleged incidents:
 - result in or risk significant harm
- Breaches of procedures or policies:
 - put people at significant risk of harm



60

When to report

- Promptly:
 - As soon as possible after incident/allegation
 - Immediately you become aware.
- Focus on promptness may mean you break your report into an initial report and a follow-up report
- Remember past incidents which should have been reported



61

What to include

- Opportunity to be the first to tell the Commission:
 - What the incident was
 - How it is being handled
- “full and frank”
- Take care in relation to:
 - personal data
 - confidence
 - legal privilege and without prejudice negotiations
- Trustee assurance



62



Directors duties, ESG and corporate responsibility

- Companies Act 2006 and regulation by the Registrar of Companies
- Statutory duties under the Companies Act 2006
- Subject to other legal requirements in relation to e.g. employment, health & safety, data protection
- Environmental, Social and Governance responsibilities (SCG):
 - Growing expectations
 - Reporting changes



63




Safer recruitment for Governors

Richard Hewitt - Partner



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64

Safeguarding and safer recruitment

- **KCSIE para 207:**

“It is vital that as part of their whole school or college approach to safeguarding governing bodies and proprietors create a culture that safeguards and promotes the welfare of children in their school or college. As part of this culture, it is important that they adopt robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying for or securing employment, or volunteering opportunities in schools and colleges.”



65

Governors and pre-appointment checks

ISSRs, Part 4, paragraph 18

*“The standard in this paragraph is met if... the **proprietor carries out appropriate checks**...and in the light of the information from the checks...the **proprietor considers that the person is suitable for the position to which the person is appointed**”*



66

Governors and the Single Central Register

KCSIE - paragraph 250

“Schools and colleges must maintain a single central record of pre-appointment checks, referred to in the Regulations as “the register” and more commonly known as “the single central record”

ISSRs, Part 4 paragraph 21

*“The standard in this paragraph is met if the **proprietor keeps a register which shows such of the information referred to in sub-paragraphs (3) to (7) as is applicable to the school in question**”*



67

When do we see problems arise?

- One MOS carries out checks and maintains the SCR in isolation
- One MOS makes judgment calls on checks without proper training or oversight from SLT
- Insufficient involvement from SLT in the recruitment process
- A lack of understanding amongst staff about the importance of completing checks before work starts
- The use of ‘casual’ staff
- The use of contractors
- A tick-box approach to recruitment



68

What can you do?

- Understand the school's recruitment process by:
 - regular engagement with Head, Bursar and HR
 - reviewing the Safer Recruitment Policy
 - reviewing staff induction arrangements
- Conduct a regular (at least termly) check of the SCR and files
- Explore the level of knowledge and engagement of staff in the recruitment process
- Create an audit trail
- Hold staff to account
- Ensure that safer recruitment is a regular agenda item at Governing Body meetings



69

How should the SCR be completed?

- Separate entry for each individual
- Separate entry for each check
- What do the ISSRs 2014 say?
 - whether each check was completed: and
 - the date on which the check was completed or certificate received
- The use of 'N/A'
- Notes
- What does ISI expect?



70



Who should be included on the SCR?

Must

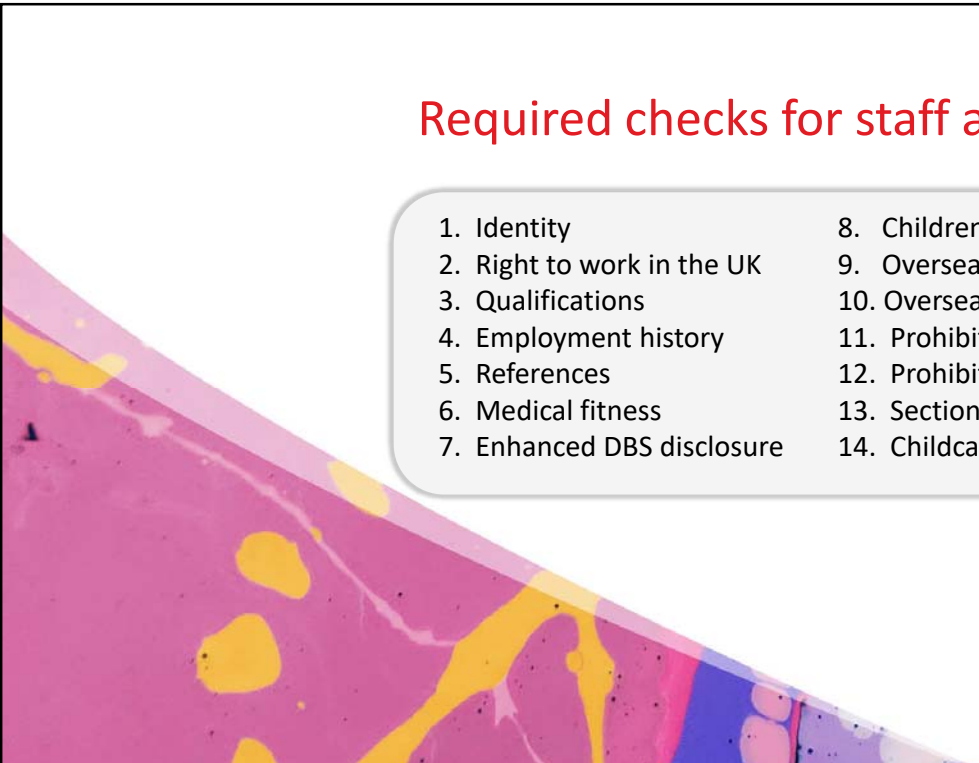
- ISSRs: staff, supply staff and members of the proprietor body

What about:

- Staff employed by a third party
- Self-employed individuals
- Volunteers
- Leavers

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71



Required checks for staff appointments

1. Identity
2. Right to work in the UK
3. Qualifications
4. Employment history
5. References
6. Medical fitness
7. Enhanced DBS disclosure
8. Children's Barred List
9. Overseas checks
10. Overseas teaching sanctions
11. Prohibition from teaching
12. Prohibition from management
13. Section 142 direction
14. Childcare disqualification

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72

Required checks for appointments to the proprietor body

1. Identity
2. Right to work in the UK
3. Enhanced DBS disclosure
4. Children's Barred List
5. Overseas checks
6. Prohibition from management
7. Section 142 direction

*Any other role specific check




73

Required checks for supply staff

- | | |
|----------------------------|---------------------------------|
| 1. Identity | 8. Children's Barred List |
| 2. Right to work in the UK | 9. Overseas checks |
| 3. Qualifications | 10. Overseas teaching sanctions |
| 4. Employment history | 11. Prohibition from teaching |
| 5. References | 12. Prohibition from management |
| 6. Medical fitness | 13. Section 142 direction |
| 7. Enhanced DBS disclosure | 14. Childcare disqualification |



74



Contractors

How should contractors be treated for compliance purposes?


- ISSRs Regulation 2: “Staff” means: **“any person working at a school, whether under a contract of employment, under a contract for services, or otherwise than under a contract but not including supply staff or volunteers”**

If contractors are staff which checks are required?

- basic legal position – all checks apply;
- but see KCSIE (paragraph 291): ‘Schools and colleges should ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check’

Suggested approach - divide into two groups:

- regular and long term work – all checks; or
- temporary or occasional work - KCSIE



75

By when must checks be completed?

Staff

- Before “appointment” i.e. before first day of work
- DBS before or as soon as practicable after appointment

Supply staff

- All checks including DBS before work starts

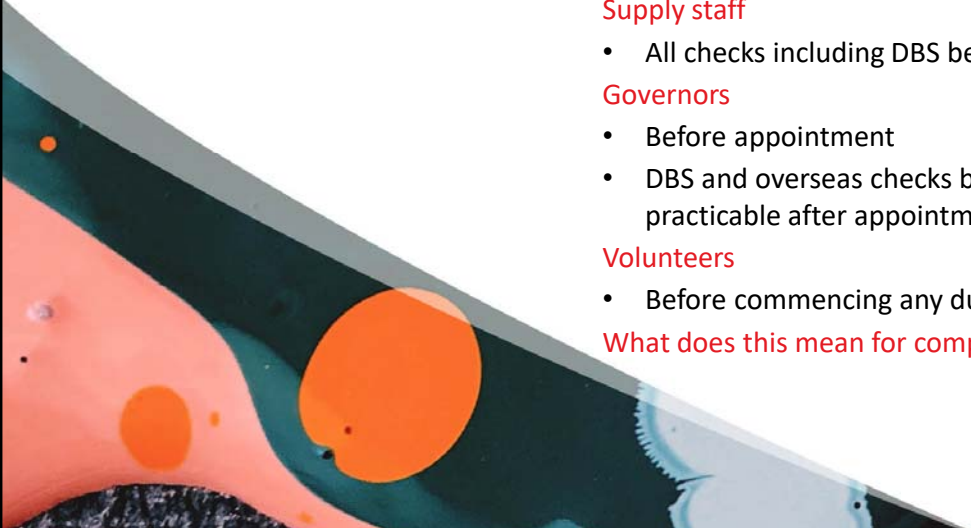

Governors

- Before appointment
- DBS and overseas checks before or as soon as practicable after appointment

Volunteers

- Before commencing any duties (unless supervised)

What does this mean for compliance?

76

Which checks must be included on the SCR?

1. Identity
2. Right to work in the UK
3. Children's Barred List
4. DBS
5. Qualifications
6. Prohibition from teaching
7. Section 142 direction
8. Prohibition from management
9. Overseas checks

References; employment history; medical fitness; childcare disqualification; and overseas teaching sanctions – **not required but is there evidence that they have been completed?**



77

Keeping evidence of checks

- ISSRs require schools to keep a SCR
- ISSRs do not require schools to retain any other evidence that checks completed
- KCSIE (para 277) requires retention of evidence that following checks completed:
 - identity;
 - right to work in the UK;
 - qualifications
- Education and Skills Act 2008 section 110 – gives inspectors a right to inspect and take copies of any records kept by a school that are required for the purposes of inspection
- SCR is primary source of evidence that checks carried out but what else does the school retain?



78

Inspection of the SCR

ISI Commentary (September 2022) paragraph 606

- “It is **possible in the case of older appointments that evidence will not be available to support the production of a fully complete SCR**”; so
- “inspectors will look to confirm that **several recent appointments have been correctly completed and recorded**”; and
- “that **reasonable efforts have been made to complete previously omitted checks that were legally required at the time of appointment**”



79

What is required for a compliant SCR?

Two conditions must be met (ISI Commentary paragraph 607)

- “the **school must have identified the issues** outside of the inspection process and **taken appropriate steps to fill gaps** so far as practicable”; and
- “there must be a **clear track record in relation to recent appointments of properly completed checks** demonstrating that the current recruitment process is effective and thorough”



80

Materiality in inspection judgments

ISI Commentary - paragraph 22:

- *‘inspectors should consider the nature and extent of any areas of weakness in compliance and the **effect or potential effect on pupils**’*
- *‘a number of small deficiencies could be **indicative of poor systems and/or a lax approach to compliance** and could be judged in context to indicate that one or more standards have not been met’*
- *Is there an **‘underlying systemic issue’** that should be reported?*



81

Safeguarding and safer recruitment

• KCSIE Para 342

“Safer recruitment is not just about carrying out the right DBS checks. Similarly safeguarding should not be limited to recruitment procedures. Good safeguarding requires a continuing commitment from governing bodies, proprietors, and all staff to ensure the safety and welfare of children is embedded in all of the organisation’s processes and procedures, and consequentially enshrined in its ethos.”



82



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Overseeing the school's safeguarding function


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83

Question

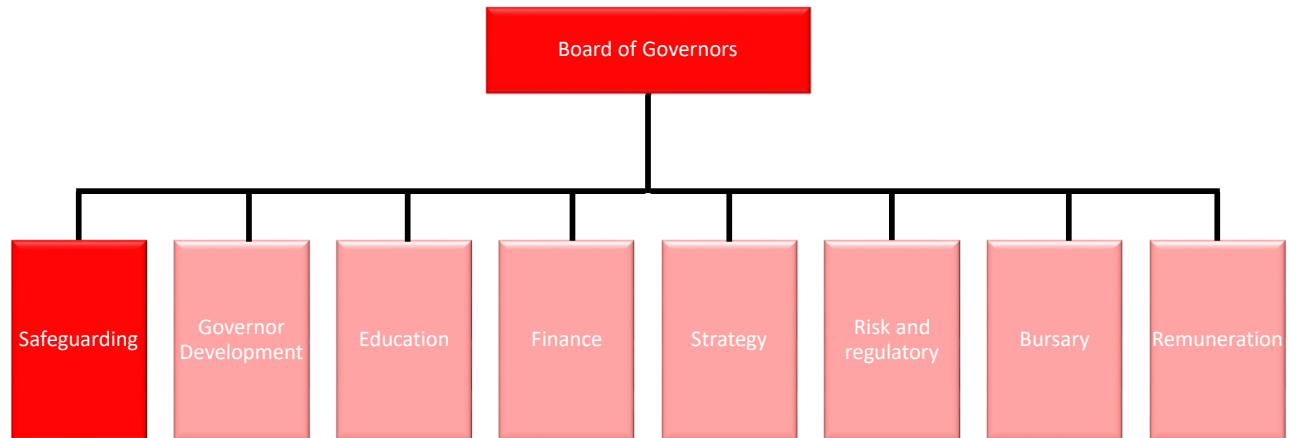
What structures does your Board have in place to oversee safeguarding?



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84

Board and committees



85

Board responsibilities

- Nominations Committee ensures appropriate skills and experience
- Board training
- Safeguarding training for all with specific training for Chair and Nominated Safeguarding Governor (NSG)
- Clear terms of reference for committees/roles

86




Safeguarding committee

- Do you have one?
- Who sits on it?
- How often does it meet?
- Does it deal with current and non-recent issues?
- Does it cover school and broader safeguarding responsibilities?
- Does it oversee policies and procedures and compliance with them?
- How do you share information (a) with the Board and (b) the school?




87



Annual review of safeguarding

- Responsibility of the whole board
- How is it undertaken? Suggest written report which is discussed at Board level
- Should be minuted and minutes should record board engagement with it



88

Commission guidance

‘Every trustee should have clear oversight of how safeguarding and protecting people from harm are managed within their charity.’

This means you need to monitor your performance, not just using statistics, but with supporting information, such as qualitative reports. This will help you to understand common themes, identify risks and gaps so you can ensure they are addressed’.



89

Annual review of safeguarding

Content of report:

- Review and revision of safeguarding policies and procedures
- Review of evidence of implementation:
 - Training records
 - Induction records
 - Single Central Register and employee files
 - Complaints records
 - Interviews with staff and pupils



90

Questions re oversight

What structures does your school have in place to manage safeguarding?

How do you review the charity's management of safeguarding concerns?

What information do you see?



91

IICSA

'Governors must be provided with sufficient information about safeguarding issues which arise so that they can monitor whether policies are being implemented and whether those policies are effective.'

'Governors did not monitor the effective implementation of safeguarding arrangements through the scrutiny of safeguarding incidents which arose in the school.'

'There was no evidence of challenge or questioning.'



92

Safeguarding culture

'Governors or proprietors set the strategic vision for a school. Where safeguarding is part of the stated aims and objectives of the school, this helps to create a positive culture in which the welfare of children is prioritised...'

Question:

How do you set a positive safeguarding culture & measure it?



93

Setting an effective safeguarding culture

- Define the school's mission, vision and values
- Set the school's safeguarding strategy
- Maintain a safeguarding risk register
- Ensure effective delegation
- Assess safeguarding performance
- Be transparent and accountable



94

Measuring culture

- Safeguarding cases
- Complaints, grievances and claims
- Reports to regulators
- Recruitment checks/training plans/appraisals & exit interviews
- Internal review/reports e.g. GB meeting minutes and ARS
- Sample cases
- Staff/stakeholder surveys
- Speaking to people and asking for feedback
- External investigation/audit/inspection.




95

Having difficult conversations

- Examples eg staff/parents/pupils/relevant agencies/inspectors
- How to prepare?
- Strategies to utilise





96



Get in touch

<p>Tabitha Cave Partner</p> <p>07747 075 825 tcave@vww.co.uk</p>	<p>Richard Hewitt Partner</p> <p>07909 642 718 rhewitt@vww.co.uk</p>	<p>Kate Sherlock Associate</p> <p>0117 314 5398 ksherlock@vww.co.uk</p>
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