Effective safeguarding governance

Tuesday 28 February 2023

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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

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Introduction

Tabitha Cave - Partner

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What do we mean by safeguarding?

It depends

AND

It's an evolving concept!

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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

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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'

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Other legal duties

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

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Moral obligation too?

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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.'

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Organisational offenders

Marcus Erooga's classifications:

- Preferential
- Opportunistic
- Situational

Elaborating the 'slippery slope'

Normal activity

Contributory factors

Boundary violations

Justifications / Normalising

Grooming

Enmeshment

Abuse — Negative outcomes
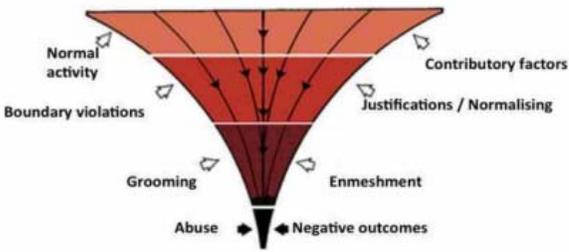
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Indicators of abuse relating to perpetrators

- Compliments
- Special attention
- Gifts, alcohol, cigarettes
- Inappropriately close physical contact
- Inappropriate professional conduct outside school context

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Indicators of abuse in children

- Knowledge or interest in sexual acts inappropriate to age
- Use sexual language or have knowledge you would not expect
- Ask others to behave sexually or play sexual games
- Physical sexual health problems
- Signs of distress or behavioural signals, such as:
  - Self harm
  - Physical injury
  - Personality or demeanour changes
  - Changes in daily behaviour
- Partial disclosures

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Barriers to reporting

Many children don't disclose abuse

This can be for a number of reasons, including:

- Fear of not being believed
- Fear of perpetrator
- Guilt, shame, embarrassment
- Concern for family or stigma
- Not knowing who to speak to

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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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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)…

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Current risk/focus areas

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

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What can you do?

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

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Legal and regulatory framework

Education law duties, Tabitha Cave - Partner

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Overview

Type of school/provision	Principal legislation	Principal regulations	Principal guidance	Principal regulator
All independent schools	Education and Skills Act 2008 Education Act 2002	• The Education (Independent School Standards) Regulations 2014 • Education (Pupil Registration) (England) Regulations 2006	• 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	• 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

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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…

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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

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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.

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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.

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Who is the proprietor?

Get Information about Schools

BETA How could we improve this service? Your feedback will help.

Get Information about Schools

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.

Find an establishment | Find an establishment group | Find a governor

Search by:

○ Name or reference number

○ Location

○ Local authority

or

○ All establishments

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KCSIE 2022

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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!

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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.

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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*'

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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

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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.

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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

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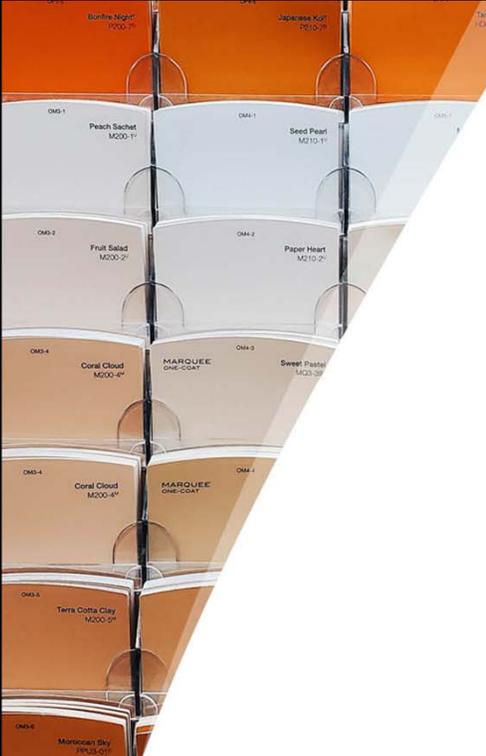
Part 2: Proprietor duties

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 all governors receive appropriate safeguarding and child protection training at induction

- 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.

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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.

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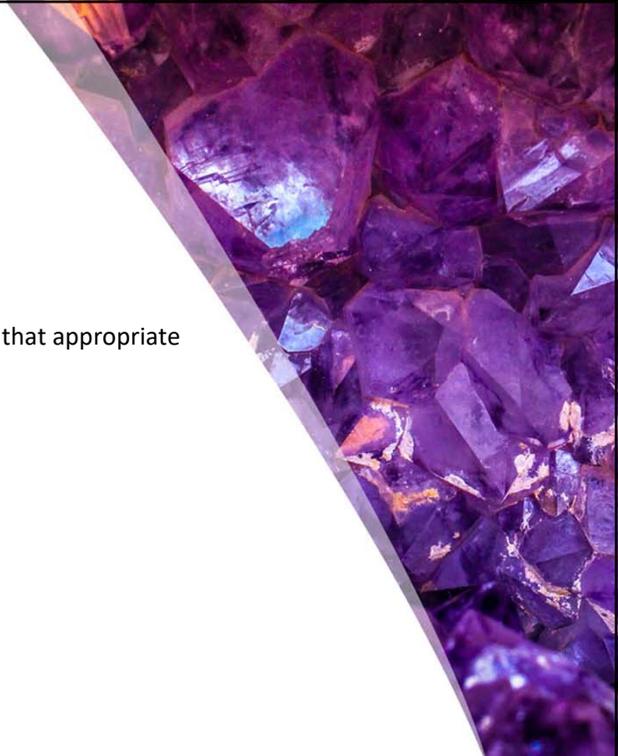
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Nominated safeguarding Governor

- 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.**

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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

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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.

What is KCSIE?

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Part 4: Management of safeguarding allegations

- Inter – agency working
- Policies and procedure
- Inspection
- Sharing information
- Insurers
- PR and Comms
- Serious incident reporting
- Reporting to regulators
- HR and Employment Law

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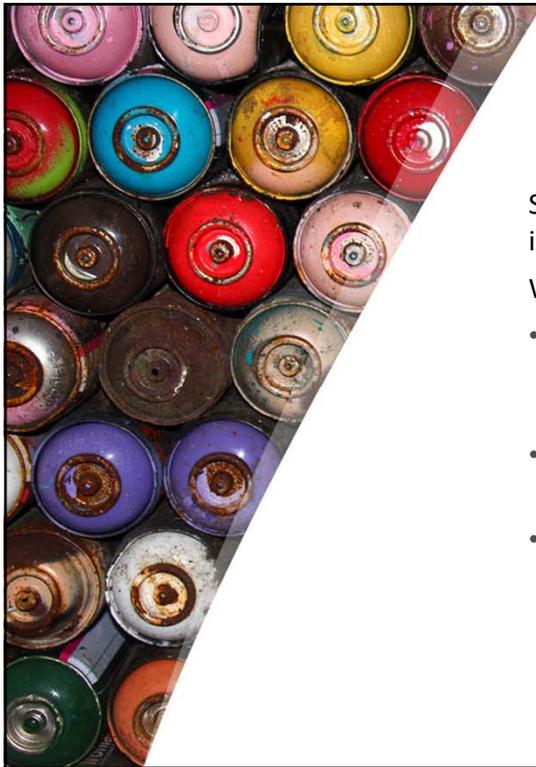
WT

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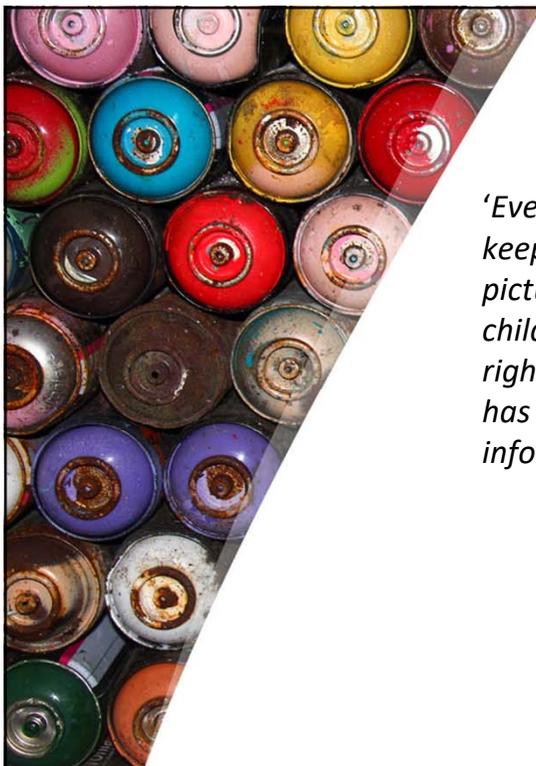
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'*Everyone who works with children has a responsibility for keeping them safe. No single practitioner can have a full picture of a child's needs and circumstances and, if children and families are to receive the right help at the right time, everyone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

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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?

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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

Ofsted
raising standards
improving lives

ISI Independent Schools Inspectorate

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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.

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Legal and regulatory framework

Charity law duties, Kate Sherlock - Associate

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Three hats

Director/ Council Member

Member of the proprietor body (Governor)

Charity Trustee

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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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Governor (member of the proprietor body)

"overarching responsibility for regulatory compliance"

Department for Education

ISI Independent Schools Inspectorate

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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

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Charity Commission

- 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

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Charity Commission Safeguarding duty

"Protecting people and safeguarding responsibilities should be a governance priority for all charities. It is a fundamental part of operating as a charity for the public benefit."

*"As part of fulfilling your trustee duties, whether working online or in person, **you must take reasonable steps to protect from harm people who come into contact with your charity."***

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Charity Commission Safeguarding Duty

"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."

Charity Governance Code – *"Trustees understand their safeguarding responsibilities and go beyond the legal minimum to promote a culture in which everyone feels safe and respected."*

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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

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Working with other organisations

- Delivery partners, trading subsidiaries, connected charities

- Due diligence

- Written agreements

- Reporting and monitoring obligations

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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

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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"*

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Thresholds

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

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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

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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

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Safer recruitment and staffing

Richard Hewitt - Partner

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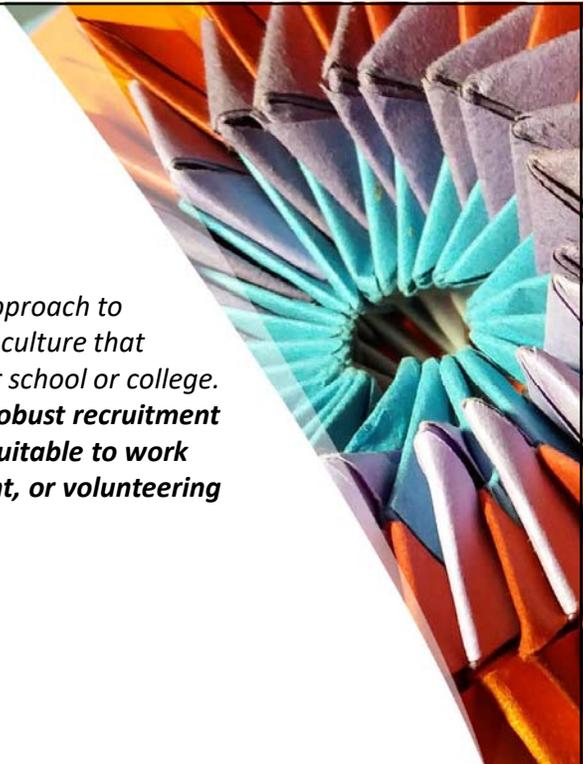
Safeguarding and safer recruitment

- **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**."*

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Pre-appointment checks and the Single Central Register

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"*

SCR
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"***

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Safer recruitment

- Ensure appropriate safer recruitment procedures are in place and implemented
- Review the Safer Recruitment Policy
- Review the SCR on an at least termly basis – one unannounced per year
- Within this review personnel files – staff appointed since last inspection and new starters
- Are governors sufficiently trained to do this?
- Create an audit trail
- Incorporate into annual review of safeguarding

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Full range of pre-appointment checks

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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Checking the SCR

- Separate entry for each individual
- Separate entry for each check
- Job title
- Start date
- Whether each check was completed and the date on which the check was completed or certificate received
- By when must checks be completed?
- Who completed the check?
- The use of 'N/A'
- Notes

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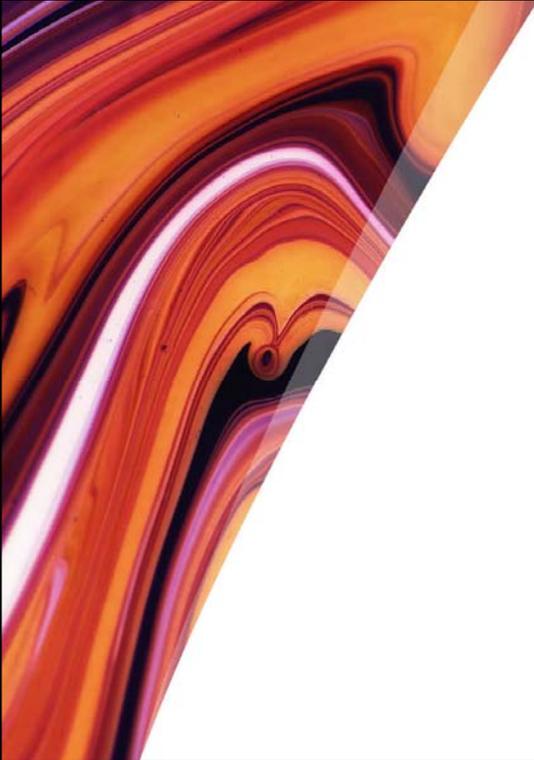
Who must be included on the SCR

Must
- Staff: teaching and support
- Self-employed individuals
- Supply staff
- Members of the proprietor body

What about:
- Staff employed by a third party
- Volunteers
- Leavers

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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
- SCR is primary source of evidence that checks carried out
- Advise some evidence on file of every check

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Contractors

- KCSIE para 290: *"where schools and colleges use contractors to provide services, they should set out their safeguarding requirements in the contract with the third party organisation"*

- KCSIE para 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"*

- Ask:
  - How regular is the work?
  - What work are they doing and when?
  - Do they have the opportunity for contact with children?
  - Where is this documented?

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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"*

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Materiality in inspection judgments

ISI Commentary - paragraph 21:

- '*More than one minor deficiency may be indicative of poor systems and/or a lax approach to compliance which would be judged in context to indicate that one or more standards have not been met*'

- If the purpose of a standard is not met the non-compliance will be material

- To assess materiality inspectors should consider the nature and extent of any non-compliance and the **effect or potential effect on pupils**

- Is there an '**underlying systemic issue'** that should be reported?

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Ongoing vigilance

- **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**.*"

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Safeguarding induction

- Introduction to the school's culture and ethos
- KCSIE para 13: all staff, governors and volunteers should be made aware of:
    - KCSIE Part 1, Annex A and/or Annex B
    - the child protection policy
    - staff code of conduct
    - pupil behaviour policy
    - DSL and DDSL – role, identity and contact detail
    - employment policies & procedures (including whistleblowing)
- Recommend use of an induction checklist

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Staff training

- Have all staff received safeguarding training? When was it last updated?
- What evidence of staff training is there?
- How does the school document who has missed training and arrange for it to be provided?
- Are regular safeguarding updates provided to staff and how?
- Which staff have undertaken safer recruitment training?
- Has there been training on dealing with safeguarding allegations against staff?
- What training have governors attended?

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Code of conduct

- All schools required to have a Staff Code of Conduct

- Serious Case Review: studies have found reduced likelihood of abuse where organisational messages and rules are clear and consistent

- Cover what is expected and what is not permitted in terms of behaviour

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Code of conduct (cont'd)

Key elements:
- a set of general guiding principles
- guidance on staff / pupil relationships
- meetings with pupils
- language and appearance
- guidance on restraint and physical contact
- conduct outside of school
- communication with pupils- use of social media
- acceptable use of technologies
- FGM
- the prevent duty

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Low level concerns

- KCSIE para 73: "*If staff have a safeguarding concern or an allegation about another member of staff…that does not meet the harm threshold, then this should be shared in accordance with the school or college low-level concerns policy*"

- KCSIE para 430: LLC policy should be set out in the Staff Code of Conduct and Safeguarding Policy

- KCSIE para 433: a LLC policy should:
    - contain a procedure for sharing concerns confidentially;
    - be clear, easy to understand and implement;
    - provide for concerns to be shared initially with the DSL, values guardian, safeguarding champion or Head/Principal
    - if shared initially with DSL or other person the Head should be informed '*in a timely fashion*'
    - Head/Principal should be the ultimate decision maker in respect of all low-level concerns

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Low level concerns (cont'd)

- What is a low level concern? KCSIE para 426
    - behaviour inconsistent with code of conduct (including outside of work) but not enough to meet the harm threshold
- Some examples (KCSIE para 426):
    - being over friendly with children;
    - having favourites;
    - taking photographs of children on their mobile phone;
    - engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or
    - humiliating children
- Key – encouraging staff to recognise and share any concern

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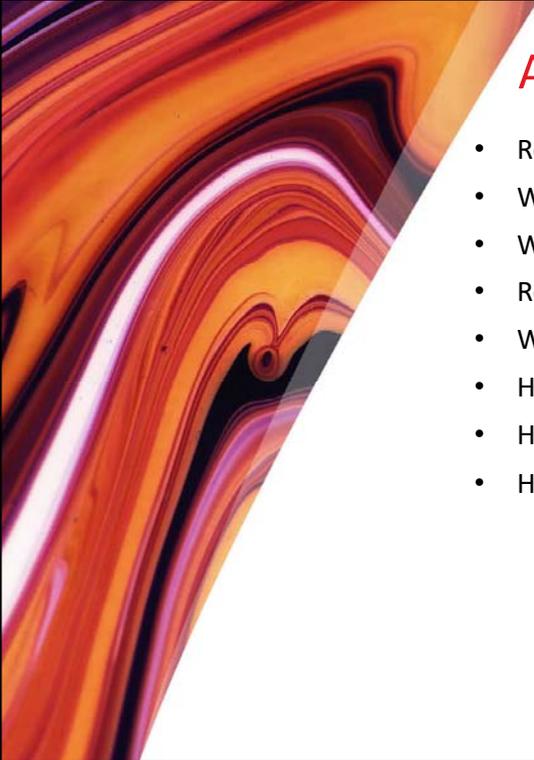
Allegations of harm involving staff

- Review the School's procedure
- What is harm?
- What staff training has been provided?
- Review a recent case file
- Was their proper engagement with LADO and police as required?
- How did the school support any pupils involved?
- How were staff supported – was suspension necessary?
- How was confidentiality managed?

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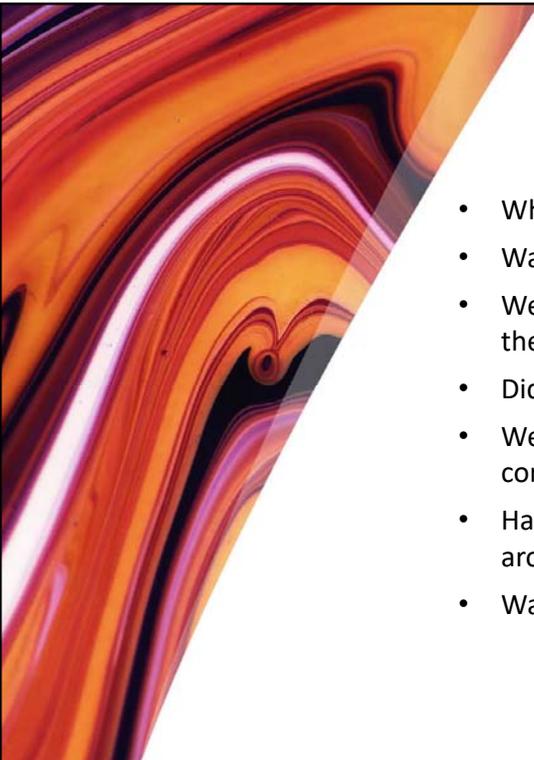
Allegations of harm involving staff (cont'd)

- What was the outcome – how was it recorded?
- Was the LADO informed of the outcome? Did they agree?
- Were governors involved in the decision making process – how did they do?
- Did the School have sufficient external support?
- Were referrals to the DBS and TRA made as required? If no was this correct?
- Has an employee reference been provided since an allegation arose?
- Was there a review of the process by the School?

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Staff turnover

- Do governors have a sufficient overview of staff turnover – both numbers and reasons?
- Do governors know where settlement agreements are used?
- Do governors know when a member of staff leaves for a safeguarding reason?
- Are exit interviews conducted and do they have a safeguarding element to them?
- How do governors ensure important knowledge is not lost when senior staff leave?

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# Overseeing the school's safeguarding function

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Question

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

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Board and committees

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                    Board of Governors
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| Safeguarding | Governor Development | Education | Finance | Strategy | Risk and regulatory | Bursary | Remuneration |

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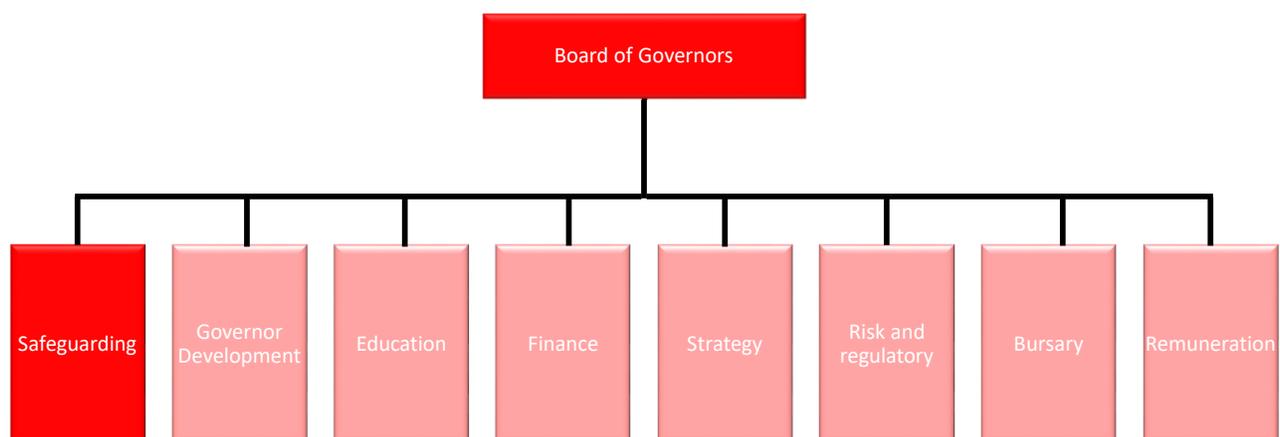
82

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

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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?

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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

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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'.

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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

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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?

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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*'.

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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?

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What is an effective safeguarding culture?

One which puts people first, where…
- You protect people
- You minimise the risks of harm or abuse
- You deal appropriately with concerns
- Everyone has confidence their concerns will be dealt with appropriately
- Everyone understands their role.

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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

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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.

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Having difficult conversations

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

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Get in touch

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