



# Safeguarding Newsletter

**THE SAFEGUARDING NEWSLETTER IS PUBLISHED BY THE EDUCATION SAFEGUARDING TEAM AND ISSUED TO SCHOOLS, EARLY YEARS PROVIDERS AND LOCAL AUTHORITY STAFF THREE TIMES EACH ACADEMIC YEAR**

**ISSUE NO. 53 – APRIL 2014**

## **INCLUDED IN THIS ISSUE**

- Team news – appointment of Safeguarding Adviser and office relocation
- New Guidance – Keeping Children Safe in Education
- New guidance – Early Years Foundation Stage
- Updated guidance - KSCB Threshold Criteria
- Ofsted issues
- eSafety
- A KSCB training opportunity

## **Team news**

We are pleased to announce that Peter Lewer has been appointed to the Area Safeguarding Adviser (Education) post covering South Kent. Peter takes up his duties on 22 April 2014 and will be based at Kroner House in Ashford. We welcome Peter to the Team and trust that links will quickly be established with schools and settings in the area.

There has also been a change of location for the North and West Kent Team with new contact details being included at the back of this Newsletter.

## **Keeping Children Safe in Education (2014)**

Schools need to be aware that revised statutory guidance for schools *Keeping Children Safe in Education* has finally been published by the Department for Education. This is far more detailed than the original document consulted on last summer which gives some reassurance that the Department has responded positively to feedback from schools and learning from recent serious case reviews.

This statutory guidance for schools and colleges replaces the previous statutory guidance issued under section 175 of the Education Act 2002 “*Safeguarding Children and Safer Recruitment in Education*” that was published in 2006.

Key messages that are helpful include:-

- The strengthening of the need for governing bodies, proprietors, and the designated safeguarding lead in schools to be familiar with the work and procedures of the Local Safeguarding Children Board (KSCB).
- The expectation that Part 1 *Safeguarding information for all*, will be given to all staff to tackle the current variation in the quality of safeguarding induction
- The reference to the importance of the “early help assessment” (synonymous with CAF Common Assessment Framework) reflecting the vital role of schools and others before referral to social care.
- Raising the importance of attending to the welfare of looked after children and those missing education.
- “*Governing bodies and proprietors should ensure there is an effective child protection policy in place together with a staff behaviour policy (code of conduct). Both should be provided to staff – including temporary staff and volunteers – on induction.*” Too often schools have updated basic child protection awareness without including the risks of abuse by staff, the importance of professional conduct, and the need for whistle blowing.
- “*The headteacher and all other staff should undergo updated child protection training which is updated regularly, in line with advice from the LSCB*” This removes the previous idea of an update every three years for whole school staff groups.
- Designated staff are still required to update their safeguarding training every two years and Safer Recruitment training (which at least one member of an interview panel has undertaken) remains a requirement. Training material however can be developed outside of the current DfE licensed model but should be informed by this guidance.
- Guidance on allegations management is helpful but it is a concern that the *Unfounded* outcome category has been removed and the *Unsubstantiated* outcome category has been bracketed with *Malicious*. This is a concern as the issues are very different and clarification is being sought from the DfE regarding the current status of *Dealing with Allegations of Abuse against Teachers and Other Staff* that was issued in 2012.

The Safeguarding in Education Team will be working on updating all relevant procedures and exemplar policies that we make available to schools early in the summer term. Training material will also be modified accordingly as a priority. DCPCs therefore need to recognise that the CDs issued during previous designated staff training sessions will now be out of date in some sections.

The Safeguarding Self Review Tool that has been developed for schools to help evaluation of their own practice and to provide a structure to preparation for Ofsted is also being updated. The revised version of this will be available to schools early in the summer term.

If schools would like to access the guidance directly this can be found at the following link.  
[www.educationsafeguarding.co.uk](http://www.educationsafeguarding.co.uk)

## **Statutory Framework for Early Years Foundation Stage**

The government has published a revised version of the Early Years Foundation Stage which takes effect from 1 September 2014. It removes requirements which are stipulated in other statutory documents or which the government deems unnecessary.

The revised 2014 EYFS makes changes within section 3 on Safeguarding and Welfare. There have been no changes to the areas of learning and development, including the early learning goals.

The main changes are in relation to training and support, and policies and provision. For example, there is additional information included to provide further clarification about disqualification and around supporting staff to take appropriate training and professional development opportunities. The Safeguarding in Education Team would encourage each setting to review the document to ensure successful implementation for September 2014. A detailed review of the changes will be included in our next Newsletter.

[https://www.gov.uk/.../attachment\\_data/file/299391/DFE-00337-2014.pdf](https://www.gov.uk/.../attachment_data/file/299391/DFE-00337-2014.pdf)

## **Kent and Medway Inter-Agency Threshold Criteria for Children in Need**

This document was updated in April 2014. It can be accessed via the following link

<http://www.kscb.org.uk/professionals/guidance.aspx>.

We would draw your attention to the following changes:

- The referral flowchart formerly appendix 4 is now appendix 2 and can be found at page 22 of the new document. This contains up to information on telephone contact details, information on timescales for response and possible outcomes of referrals.
- The timescales for child in need assessments have changed. The previous Initial and Core Assessments have been replaced by a single assessment with a maximum timescale for completion of 45 days. This had led to some concerns about possible delay, however this timescale is an absolute maximum and is expected that assessments will be completed much earlier in many cases. This is in line with Working Together 2013 which emphasises the principle of “timeliness” i.e. assessments undertaken in a timescale to meet the child’s needs.
- The expectation is still that referrers will be informed **within 24 hours** regarding the outcome of their referral. In Child in need cases written feedback should be given to referrers within 15 days.

## **Ofsted: Complaints about schools referred to the Local Authority**

Most schools will be aware that where Her Majesty’s Chief Inspector (HMCI) or the Secretary of State has concerns about the performance of any school covered by the Inspection Framework, HMCI has powers to inspect at any time under section 8 of the Education Act 2005 (as amended). Such concerns may be identified through the risk assessment process or when Ofsted becomes aware through other means of concerns about a school’s performance or the safety of pupils.

There has been an increase in cases where disgruntled parents or disaffected staff are making complaints about schools directly to Ofsted. In the majority of cases referred to the Local Authority by Ofsted, it would appear that the school has not been given the opportunity to investigate or respond to the complainant in line with the school’s complaints procedure. In some cases the school was even unaware of the parental concern as it had not been formalized with the Headteacher.

In these circumstances, Ofsted does not have the authority to investigate complaints in schools but they do have a duty to take action. It has become evident that if an appropriate response is not received from the LA after contact has been made with the school, an emergency inspection of the school can be triggered.

Ofsted also operate a Whistle blowing helpline that receives complaints from members of staff who have concerns, usually about safeguarding practice that are also referred to the LA. If the concern relates to an allegation against an individual this will be referred to the LADO, but if concerns are about bullying or general safeguarding practice in a school, Ofsted will refer the matter to the LA.

During the Autumn term the LA received 6 such referrals from Ofsted regarding complaints about schools that had a safeguarding concern to follow up. These included academies and an independent boarding school outside of local authority control. In all cases the schools cooperated fully with the LA, which enabled a formal response to be made to Ofsted, thereby reducing the risk of an earlier or an emergency inspection. In every case there was no evidence that schools had not taken concerns seriously or failed to follow procedures.

Schools that have had this experience are concerned about how a complaint made to Ofsted, sometimes regarding what is considered to be a quite trivial matter, can quickly escalate a situation out of all proportion. This point has been made to the regulatory body in a meeting with Ofsted in January 2014, which had been convened to help revise their processes following representation being made by a number of different local authorities, including Kent. A further meeting is being arranged in the summer so if any schools have a view, based on experience or would like to discuss this matter further, please contact Kel Arthur by phone or e-mail (contact details attached).

## **Ofsted : Revised Inspection Framework**

On a related issue, the Inspection Framework for schools has been revised (April 2014) and applies to all schools in England that are to be inspected under section 5 of the Education Act 2005 (as amended). This includes all maintained schools and state-funded independent schools, and certain non-maintained independent schools.

Although safeguarding is no longer a limiting judgement in school inspections, policy, practice and process is considered under leadership, management and governance arrangements. The behaviour and safety of pupils is also inspected robustly with particular attention paid to standards for inspecting e-safety.

From data published on the last inspection outcome for all schools in Kent it is evident that nearly 74% were considered Good or Outstanding with only 3% being considered inadequate. As safeguarding is not a stand-alone judgement a school can be judged inadequate with no safeguarding concerns being evident.

The most common theme for inadequate safeguarding arrangements is currently the rigour that is applied to formal risk assessment, particularly if a school has contractors on site. Other technical areas deemed inadequate might be a safeguarding policy statement being out of date or a failure to record accurate vetting checks undertaken on staff captured in the single central record. Failure to have effective oversight and governance arrangements is also a feature of inadequate safeguarding arrangements. It is reassuring to confirm that no school has been judged inadequate due to practice that suggests an immediate risk to children.

## **e-Safety**

You are reminded that you can keep up-to-date with e-Safety via the Schools e-Safety Blog: [www.kentesafety.wordpress.com](http://www.kentesafety.wordpress.com). Alternatively you can contact the e-Safety Officer regarding e-Safety practice issues. Details can be found at the end of this Newsletter.

## Ofsted and e-Safety – April 2014 Update

Schools will already be familiar with the importance of e-Safety within “Leadership and Management” and “Behaviour and Safety”. The full document can be accessed here: [www.ofsted.gov.uk/resources/briefings-and-information-for-use-during-inspections-of-maintained-schools-and-academies](http://www.ofsted.gov.uk/resources/briefings-and-information-for-use-during-inspections-of-maintained-schools-and-academies)

On the 4<sup>th</sup> April 2014, Ofsted released an updated version of the 'Inspecting e-safety in schools' briefing document. Overall, the inspection guidance regarding e-Safety remains unchanged but there has been an amendment to the key features of good and outstanding practice for management of personal data.

This now reads:

- The impact level of personal data is understood and data is managed securely and in accordance with the statutory requirements of the Data Protection Act 1998.
- Any professional communications that utilise technology between the school and pupils/students, their families or external agencies should:
  - take place within clear and explicit professional boundaries
  - be transparent and open to scrutiny
  - not share any personal information with a child or young person.

Schools will need to review their e-Safety, data security, safeguarding and child protection policies to ensure that everything is covered and up-to-date. Schools may wish to check that all members of staff have received appropriate and up-to-date training which covers protecting professional online reputation and the schools expectations regarding safe and appropriate use of technology and communication with the wider school community. Schools will need to ensure that use of social networking and other forms of contact (such as email) with children, parents/carers and other professional colleagues is highlighted within the schools Acceptable Use Policy (AUP) and there are clear boundaries regarding this.

Schools need to be aware that use of personal contact information (such as personal emails, phone numbers and social networking accounts) is not recommended as it can lead to data protection breaches (schools can be fined for data breaches if they have failed to take all reasonable precautions) and security risks (e.g. webmail accounts are more vulnerable to hacking and viruses) and importantly it can also leave staff vulnerable for allegations. The importance of maintaining professional boundaries and not using person equipment/resources for official school use is highlighted in the recent serious case review following the conviction of a primary school teacher, Nigel Leats: [www.bbc.co.uk/news/uk-england-somerset-16725849](http://www.bbc.co.uk/news/uk-england-somerset-16725849) and also the impending serious case review of Jeremy Forrest: [www.bbc.co.uk/news/uk-england-sussex-25401405](http://www.bbc.co.uk/news/uk-england-sussex-25401405)

Guidance regarding AUPs and official school use of social media (including risk assessment tools and templates) is highlighted and explored within several documents on the e-Safety site on KELSI and schools are able to contact the e-Safety Officer to discuss any concerns or queries. [www.kelsi.org.uk/pupil\\_support\\_and\\_wellbeing/safety\\_health\\_and\\_wellbeing/child\\_protection\\_safeguarding/e-safety.aspx](http://www.kelsi.org.uk/pupil_support_and_wellbeing/safety_health_and_wellbeing/child_protection_safeguarding/e-safety.aspx)

## **A KSCB training event**

A briefing has been developed which outlines the practical changes to disclosure and barring services following the Protection of Freedoms Act 2012 - and just as importantly, clarifies what hasn't changed

The main focus of the briefing is the 'barring' functions of the DBS. It is specifically aimed at managers of people who work with children or vulnerable adults and people who have child protection or adult safeguarding responsibilities. An event lasts approximately three hours, allowing for questions and the opportunity to comment and clarify issues. The sessions will typically cover:

- Background to DBS and legislative changes
- The statutory obligations of the DBS
- Disclosure certificates, eligibility criteria and the update service
- Referral responsibilities and guidance, including the duty to refer and how and when to submit a referral
- What information to include in your referral
- 'regulated activity', 'relevant conduct' and 'risk of harm definitions
- The DBS barring decision making process and considerations

A flyer is attached to this newsletter giving details of how to reserve a place.



Disclosure &  
Barring Service

# ‘Duty to Refer’

A free event for safeguarding professionals

## WHEN

*Thursday 5 June 2014*  
*am – 9.30-12.30*  
*pm – 1.30- 4.30*

## WHERE:

*Oakwood House*  
*Oakwood Park*  
*Maidstone*  
*Kent ME16 8AE*

## CONTACT

*Kent CPD Online*  
[www.kscb.org.uk](http://www.kscb.org.uk)  
[KSCBTraining@kent.gov.uk](mailto:KSCBTraining@kent.gov.uk)

The event will provide you with information on the practical changes to referrals following the Protection of Freedoms Act 2012 – and just as importantly what isn’t changing.

The events will cover:

- The role of the Disclosure and Barring Service
- The services provided by the Disclosure and Barring Service
- Referral responsibilities and good referral practices



## EYPS – Safeguarding in Education Contacts – April 2014

<b>Head Office – Sessions House</b> Sessions House, County Hall, Maidstone ME14 1XQ		
Room 2.04	<b>Kel Arthur</b> Principal Officer (Safeguarding)	<b>Office:</b> 01622 694162 <b>Mobile:</b> 07786 191 359 kel.arthur@kent.gov.uk
	<b>Rebecca Avery</b> - e-Safety Officer	<b>Office:</b> 01622 221018 <b>Mobile:</b> 07789 968705 rebecca.avery@kent.gov.uk <b>or</b> for general enquiries: esafetyofficer@kent.gov.uk
	<b>Kay Ashman</b> Safeguarding Admin Assistant (part-time)	<b>Office:</b> 01622 696158 kay.ashman@kent.gov.uk

<b>North Kent – Worrall House (Dartford, Gravesham, Sevenoaks)</b> 30 Kings Hill Avenue, West Malling, ME19 4AE		
	<b>Helen Windiate</b> Area Safeguarding Adviser (Education)	<b>Office:</b> 03000 412445 <b>Mobile:</b> 07740 183798 helen.windiate@kent.gov.uk
	<b>Linda Funnell</b> Safeguarding Admin Support (part-time)	<b>Office:</b> 03000 411995 linda.funnell@kent.gov.uk

<b>West Kent – Worrall House (Tonbridge &amp; Malling, Tunbridge Wells, Maidstone).</b> 30 Kings Hill Avenue, West Malling, ME19 4AE		
	<b>Claire Ray</b> Area Safeguarding Adviser (Education)	<b>Office:</b> 03000 412284 <b>Mobile:</b> 07920 108828 claire.ray@kent.gov.uk
	<b>Linda Funnell</b> Safeguarding Admin Support (part-time)	<b>Office:</b> 03000 411995 linda.funnell@kent.gov.uk

<b>East Kent – Brook House (Swale, Canterbury, Thanet)</b> Brook House, Reeves Way, Whitstable CT5 3SS		
	<b>Mike O'Connell</b> Area Safeguarding Adviser (Education)	<b>Office:</b> 01227 284636 <b>Mobile:</b> 07740 183807 mike.o'connell@kent.gov.uk
	<b>Katie Agnew</b> Safeguarding Admin Support (P/T)	<b>Office:</b> 01227 284636 katie.agnew@kent.gov.uk

<b>South Kent – Kroner House (Ashford, Shepway, Dover)</b> Kroner House, Eurogate Business Park, Ashford TN24 8XU		
	<b>Peter Lewer</b> Area Safeguarding Adviser (Education)	<b>Office:</b> 01233 898597 <b>Mobile:</b> 07917 602413 peter.lewer@kent.gov.uk
	<b>Claudia Pryor</b> Safeguarding Admin Support (P/T) Mon, Tue am, Wed.	<b>Office:</b> 01233 898675 claudia.pryor@kent.gov.uk

**Central Duty: 03000 41 11 11**  
Urgent child protection issue outside of office hours,  
Call the **Central Duty** Out of Hours Number: **03000 41 91 91**