Understanding Safeguarding and Governance

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The Education Act 2002 places a duty on schools to have arrangements in place to ensure that they safeguard and promote the welfare of children; and follow statutory guidance. Governing Bodies must have someone who understands the requirements of the safeguarding guidance and legislation.

The Role of the Safeguarding Governor

Arguably one of the most important aspects of a school’s role is to ensure that children are kept safe whilst they are there. Staff know their children well and are often the first to notice when things aren’t right. In the past, there has been a focus on responding when there are child protection concerns. Today we think much more about safeguarding for all children, making sure the learning environment is safe, helping children deal with the evolving risks they will encounter as they grow up and making sure that the school systems for raising concerns is effective.

The Governing Body must ensure that the school is carrying out all its safeguarding duties. To help do this effectively, the governing body ‘should have an individual to take leadership responsibility for the organisation’s safeguarding arrangements, which includes the Prevent Duty’ (Governance Handbook (DfE 2017). This person is often known as the safeguarding governor, or the link governor for safeguarding.

The Competency Framework for Governance (2017) is clear about the importance of safeguarding and how governors should be clear about their responsibilities. The Framework says that ‘someone’ on the board should know the requirements relating to safeguarding, and that ‘everyone’ should know their duties. This is a subtle difference, but essentially means that everyone should understand safeguarding, but that one person has the detailed knowledge.

In the section on training and development, the Governance Handbook says, ‘All boards are responsible for identifying the induction and other ongoing training and development they need – including for those with specific responsibilities such as the lead on safeguarding including Prevent. They should set aside a budget for this purpose.’

Questions to ask

What evaluation has taken place to establish the Governing Body’s capacity to carry out their safeguarding duties and responsibilities?

What training has the link governor for safeguarding had to ensure they have the skills and knowledge to effectively carry out their role?

What training have members of the Governing Body had to ensure they have the skills and knowledge to effectively evaluate the safeguarding and child protection arrangements in the school?
Governance Outcomes

- A sense that governors can assure themselves about compliance.
- A sense that governors know there is consistent practice and understanding, (for example, is the policy reflected in practice).
- A sense that governors can assure themselves that practice is improving.
- A sense that governors know that the impact of safeguarding is effective

What does the Safeguarding Governor do?

The role of the safeguarding governor is key to understanding the effectiveness of safeguarding for everyone in the school. The link governor should understand the requirements of safeguarding guidance and legislation, and are ‘confident in their challenge to executive leaders on strategies for monitoring and improving the behaviour and safety of pupils.’ (Competency Framework for Governance (DfE 2017))

Key aspects of the safeguarding governor’s role include:

- Understand the safeguarding requirements
- Support the work of the Designated Safeguarding Lead
- Report back to the Governing Body about how effective safeguarding is
- Check that the school is compliant with statutory guidance
- Check out whether there is a consistency in safeguarding across the whole school
- Make sure that there are effective systems in place to keep vulnerable children safe

The role of the safeguarding lead is to help ensure that safeguarding is effective and not to carry out the work of the Designated Safeguarding Lead. The role is specifically around strategic issues. This means that it is not appropriate that decisions about individual cases should be reviewed by the safeguarding governor.

What is Safeguarding?

The phrases ‘child protection’ and ‘safeguarding’ are often used interchangeably, and were considered the same thing. However, the words have distinct meanings. Before looking carefully at the role of the safeguarding governor, it is important to understand what safeguarding is.

The key statutory guidance ‘Keeping Children Safe in Education’ explains what safeguarding is:

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment;
- preventing impairment of children’s health or development;
• ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
• and taking action to enable all children to have the best outcomes.

Put simply safeguarding is:

• Child protection
• Supporting vulnerable children
• Safe care, at home, in school and in the community
• Taking action

It might be useful to think of safeguarding as being the filing cabinet and child protection is simply one drawer.

Safeguarding is most successful when all aspects are integrated together. Three key elements include a clear safeguarding ethos, a policy that sets out clear expectations and processes, and high-quality training that ensures staff know what to do and do it consistently across the school.

Other key aspects of safeguarding can be seen outlined in the diagram below.

It is important that all these aspects integrate together for safeguarding to be as effective as possible.
Governance of Safeguarding

The safeguarding governor needs to understand the requirements set out in the Governance Handbook, and in Keeping Children safe in Education.

Governance of Safeguarding

Section 175 of the Education Act 2002, and regulations under section 157 relating to safeguarding pupils in independent schools, place a duty on the boards of maintained schools and academy trusts to have arrangements in place to ensure that they:

- carry out their functions with a view to safeguarding and promoting the welfare of children; and
- have regard to the statutory guidance issued by the Secretary of State in considering what arrangements they need to make (Governance Handbook (DfE 2017))

The safeguarding governor needs to understand the requirements set out in the Governance Handbook, and in Keeping Children safe in Education.

Some of the areas to be considered include:

From the Governance Handbook

- Safeguarding and pupil welfare
- Allegations of abuse made against other children
- Allegations made against teachers and other staff
- Safe recruitment procedures
- The Prevent Duty
- Promoting the general wellbeing of pupils
- School attendance
- Use of reasonable force
- Supporting pupils in school with additional health needs
- School security

From Keeping Children Safe in Education

- Safeguarding policies
- The designated safeguarding lead (DSL)
- Inter-agency working
- Staff training
- Online safety
- Opportunities to teach safeguarding
- Allegations of abuse made against school staff and volunteers
- The child’s wishes
- Looked after children
- Children with special educational needs and disabilities
Meeting with the Designated Safeguarding Lead

For safeguarding to be most effective, it is important the safeguarding governor and the DSL work together to ensure that the strategic and the day-to-day work well. The DSL and governor should meet together on a regular basis to discuss safeguarding issues.

The Designated Safeguarding Lead (DSL) is the senior school leader responsible for the effectiveness of safeguarding on a day-to-day basis. The DSL might do much of the child protection work by themselves, or may have a few people to help. In large schools or those with many complex children, there may be a safeguarding team.

For safeguarding to be most effective, it is important that the safeguarding governor and the DSL work together to ensure that both the strategic safeguarding approach and day-to-day practice work well. The DSL and governor should meet together on a regular basis to discuss safeguarding issues. Other relevant people might be drawn into these conversations, for example, the ICT teacher or technician who can talk about filtering and monitoring.

In these safeguarding meetings, the DSL and safeguarding governor could discuss a range of topics, and it will be useful to set out a meeting frequency and the work that will be undertaken. Some of the regular topics might include:

- Data trends including online issues
- New/emerging issues
- Topical items
- Vulnerable groups
- Referrals

The role of the DSL can be a tough one, and they often have to be resilient people who can tackle all kinds of difficult issues. Keeping Children safe in Education says that DSLs ‘should be given the time, funding, training, resources and support to [do their job effectively]. As part of the meeting, the safeguarding governor should be able to check with the DSL feels that there are sufficient resources and time, and whether the governing body should be reviewing future resource changes.

The safeguarding governor would not necessarily meet with the DSL on every visit to the school. The governor, together with the DSL, might find it useful to draw up a joint document that sets out the focus of the meetings over the next year or so.

The list of topics should reflect the needs of the school and although there might be focus sheets for the Safeguarding Governor and the DSL, these should not be considered in isolation. The DSL and the safeguarding governor should be working together, not separately.
What should Child Protection records look like?

Effective record keeping is an important aspect of child protection, and many Serious Case Reviews illustrate what happens when record keeping is weak.

Child protection concerns should be dealt with in a timely way and the files should evidence this. The procedures in place in the school should be easily understood by all staff, whatever their role, and reported without delay.

The child protection files should kept in one place, separate from other pupil records, in a locked cabinet accessible only by relevant staff. Some schools now use software-based systems and these can offer a high level of data protection, along with ease of access by authorised staff.

Effective record keeping is an important aspect of child protection, and many Serious Case Reviews illustrate what happens when record keeping is weak. Whilst it is not appropriate for the safeguarding governor to have unfettered access to child protection files, governors do need to feel that the system in use is robust.

There is no one way to set up child protection files, but there are key elements which should be in place:

- Are the child Protection records kept securely, away from other pupil records?
- Does each pupil case file have a front sheet that sets out the administrative details, key contacts, and record any changes to this information?
- Does each pupil case file have a chronology sheet that records the actions that have been taken and identifies the person who has completed the action?
- Are pupil case files kept in a way that prevents the information being lost, misfiled or not kept in chronological order?
- Do the pupil files record evidence of what the concern was, what actions were taken and when, and record the reasons for the decision?

One way to set up child protection files is to separate them in to five sections:

1. Administration – admin details, chronology
2. Internal information – concern forms, attendance printouts
3. External information – letters and emails, reports
4. Meeting Records – notes, minutes and reports
5. Child Protection plans – other legal documents

Safer Recruitment

Safer Recruitment is one of the most important aspects of safeguarding children and young people. The governing body must ensure that there are effective systems in place to recruit new staff, including agency staff, volunteers and coaches. Safer Recruitment is not only about vetting people before they start, but to also ensure that the staff code of conduct is strong to identify inappropriate behaviour in appointed staff.
A key aspect of safeguarding is the vetting of applicants and prospective volunteers working with children to make sure they are not unsuitable. Guidance about this is in the Governance Handbook (Section 6.7), and in ‘Keeping Children Safe in Education’ (2018) (Part Three).

Schools and colleges must create a culture of safe recruitment and, as part of that, adopt recruitment procedures that help deter, reject or identify people who might harm children. At least one person on every interview panel must have completed ‘Safer Recruitment’ training. However, other people are involved in the recruitment process and consideration should be given to training these people too.

Governing bodies must be clear about the checking and vetting processes, before shortlisting, during the interviews and afterwards. They should be assured there are effective processes in place for arranging checks, including DBS, identity, right to work in the UK and any required overseas police checks, often called a ‘Certificate of Good Conduct’.

As part of Safer Recruitment, all governors must have an Enhanced DBS check. In academies, free schools and independent schools, governors must also be checked to ensure they are not prohibited from being a governor, this is often known as the section 128 check.

The governing body or academy trust must reassure itself that all appropriate suitability checks have been undertaken and that the school keeps a Single Central Record (SCR), detailing the range of checks it has carried out on its staff. The SCR should be reviewed to ensure that it is being kept accurately, and in some schools this is done by the safeguarding governor. Whoever reviews the SCR should have had suitable training to understand how the record should be kept.

When making appointments, governing bodies and academy trusts will need to reassure themselves that mechanisms are in place within the school to check that any person employed to teach has the required teaching qualifications and has successfully completed any statutory induction required.

Finding evidence of impact

Safeguarding covers many different aspects of school life, and it can be hard to evidence the impact of policies and practice. Yet unless the impact is identified, it is impossible to know whether the practice is the best it can be.

Impact can often be best judged by talking to people about their experiences, and their knowledge, in this case about how to keep safe. Data can often be used to quantify impact, but only when consistent data is kept, so that comparisons can be made and trends identified. Case studies can be used to illustrate the difference a strong safeguarding approach can make.

Taking time to reflect on practice is not something that many schools find easy to do, but the benefits can be great. Surveys, face-to-face conversations or forums with
pupils, parents, staff and governors can offer an interesting insight into the success and challenges of providing highly effective safeguarding.

Data analysis by pupil groups can be particularly useful, particularly in identifying groups that might need greater support, or more targeted work.

- Number of initial referrals made, separated into physical abuse, emotional abuse, sexual abuse, neglect, child sexual exploitation; any Prevent/Channel referrals; FGM referrals; and children missing education
- Number of Meetings Attended by type:
  - Initial Child Protection Conference
  - Professionals' Strategy meeting
  - Child Protection Review Conference
  - Core Group Meetings
  - Common Assessment Framework – CAF
  - Number of pupils subject to a Child Protection Plan
  - Number of Children in Public Care (‘Looked After Children’)

It is useful to include this data in the safeguarding report to governors and highlight how the information has been used to improve safeguarding, or raise questions about challenges to come.

**Reviewing the Safeguarding Policy**

The safeguarding and child protection policy is the key document that helps staff understand what they need to know in order to keep children safe and how to respond when they are concerned. Policies should be reviewed and updated at least annually, but possibly more often to account for changes in guidance.

The safeguarding and child protection policy is the key document that helps staff understand what they need to know in order to keep children safe and how to respond when they are concerned. However, many policies are generic and do not reflect the needs of the school. Sometimes schools are expected to use a policy produced by a local authority or academy trust, but there should be scope to produce an appendix relevant to the specific school.

In the past, the policy would be reviewed each year, but Keeping Children Safe in Education now says, it should ‘be updated annually (as a minimum)’. Over the last few years, changes to guidance has occurred throughout the year and it is important that the latest information is included in the policy as soon as possible.

The safeguarding and child protection policy should be publicly available on the school’s website. It is important to actually check that the link on the website works and opens the right policy.

It is important that it is clear what staff need to do and how to report their concerns. A flowchart can be a really useful way to describe the procedures.
It isn’t always clear what content should be included in the safeguarding and child protection policy, but a useful checklist can be found on this page.

Where can I find the official guidance for safeguarding?

There are a wide-range of issues involved in safeguarding and consequently there are a large number of policies to support schools.

The key documents are listed below:

- Working together to safeguard children
- Keeping children safe in education
- Governance Handbook
- Competency Framework for Governance
- The Prevent Duty
- Protecting children from radicalisation: the prevent duty

Further guidance can be found here:

- Searching, screening and confiscation
- The use of reasonable force
- Sexting in schools and colleges (UKCCIS)
- Mental health and behaviour
- Use of reasonable force in schools
- School attendance
- Children missing education
- Health and safety: advice for schools
- School security

Ofsted

Inspecting safeguarding in early years, education and skills

Summary

Safeguarding in schools is a complex business with lots of aspects to think about. The most important thing to remember is that no one person can do this alone. Keeping Children Safe in Education tells us that safeguarding is everybody’s responsibility and so a team approach is very much the key to success.

The role of the safeguarding governor is a crucial one and acts as a conduit between the school and the governing body to ensure that the school is not only compliant, but reflects on its practice to develop its ability to keeping its pupils safe, now and into the future.
Although there are many different elements to safeguarding, the input of a wide-range of staff is important. Pupils can also be part of the process too, input from the school council and other pupils can really inform understanding and prompt improvements.

Reflection is key to developing best practice and a good starting point is to self-assess the quality of safeguarding.

Schools need to safeguard children and young people as well as they can, and the better they understand their strengths and areas for development the more effective this can be.

The four key questions to answer are:

- Are we compliant?
- Are we improving?
- Is there evidence of consistency across the school?
- Is there evidence of impact?

About the Author

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Andrew is an experienced education consultant who specialises in safeguarding and child protection. He has extensive headship experience in special schools for children of all ages with autism, social, emotional and behavioural difficulties and complex learning difficulties, including SLD and PMLD. Andrew runs engaging workshops for staff at all levels in schools and colleges.

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