Safeguarding Matters

FAO Headteachers, Governors, Designated Safeguarding Leads and key professionals

All Schools

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Update to the Ofsted School Inspection Handbook

Ofsted has updated its **School Inspection Handbook** and within the changes have clarified their approach to harmful sexual behaviour when inspecting schools. Schools should review the key paragraphs outlined below, and consider how well they can demonstrate effective practice within their setting. Schools can draw upon the resources we have shared in order to support their work in this area, including the key messages within the autumn term DSL Refresher training, the 10 point plan set out in the **June 2021 e-briefing** and the **training power point** for staff.

Paragraph 67: "*During section 5 inspections, Ofsted will look at how leaders ensure that their school's culture addresses harmful sexual behaviour. Inspectors will expect schools to assume that sexual harassment, online sexual abuse and sexual violence are happening in the community, and potentially in the school, even when there are no specific reports, and put in place a whole-school approach to address them. Schools should have appropriate, clear and well-communicated school-wide policies in place that make it clear that sexual harassment, online sexual abuse and sexual violence (including sexualised language) are unacceptable. Those policies should be consistently reflected throughout the school (see paragraphs 233, 249 and 312 to 314). The school's approach will not be inspected separately but will be considered when assessing the following: the*

curriculum in the quality of education judgement; behaviour policies in the behaviour and attitudes judgement; pastoral support and relationships, sex and health education in the personal development judgement; and safeguarding in the leadership and management judgement."

Paragraph 236: "*Additionally, we will expect schools to have effective behaviour policies in place regarding harmful sexual behaviour. The policies should include details of appropriate sanctions that should be consistently applied and that reflect the messages that are taught across the curriculum.*"

Paragraph 252: "*Ofsted will expect the school's relationships, sex and health education curriculum (and wider curriculum) to specifically address sexual harassment, online abuse and sexual violence. The curriculum should also address safeguarding risks (including online risks), issues of consent, and what constitutes a healthy relationship both online and offline. We will also expect schools to provide effective pastoral support. This includes being alert to factors that increase a child's vulnerability, or potential vulnerability, such as mental ill health, domestic abuse, having additional needs, and being at greater risk of exploitation and/or of feeling unable to report abuse (for example, girls and LGBT children).*"

Paragraph 316: "*As set out in '[Inspecting safeguarding in early years, education and skills settings](#)', inspectors will consider how schools handle allegations of sexual harassment, abuse and violence, including whether:*
- *staff have appropriate knowledge of part 5 of 'Keeping children safe in education'*
- *staff also have good awareness of the signs that a child is being neglected or abused, as described in 'What to do if you're worried a child is being abused'*
- *all pupils are supported to report concerns about harmful sexual behaviour, and barriers that could prevent a pupil from making a disclosure, for example communication needs, are identified and addressed*
- *staff are confident and well trained in handling reports of sexual harassment, abuse or violence in line with the DfE's guidance, including incidents between children and those off school premises*
- *all allegations are taken seriously, comprehensively recorded and dealt with swiftly and appropriately, and pupils are confident that this is the case*"

Paragraph 317: "*If schools do not have adequate processes in place, it is likely that safeguarding will be considered ineffective.*"

These updates reflect the experiences of schools who have been inspected over the past term and a half. Schools have fed back to us that the following has formed part of the conversation with the DSL around safeguarding this academic year:

- The school's Single Central Record of pre-employment checks along with a conversation about Safer Recruitment practices with relevant staff
- Data regarding safeguarding; a list of all pupils who have open cases with children's services/social care and for whom there is a multi-agency plan; a list of referrals made to the designated person for safeguarding in the school and those that were subsequently referred to the local authority, along with brief details of the resolution; records and analysis of sexual harassment or sexual violence; and records and analysis of exclusions, pupils taken off roll, incidents of poor behaviour and any use of internal isolation
- Tracking of individual children picked out by the inspector on the day of the inspection from the data provided. Examples have been a child taken off roll due to elective home education, a child attending alternative provision, a child referred to children's services, a child with poor attendance.
- Evidence of safeguarding training and its impact on practice, including that of the safeguarding team along with whole school training (particularly what training staff have received regarding how to respond to issues of harmful sexual behaviours and what training staff have received in relation to Prevent)
- How safeguarding is addressed through the curriculum, and specifically how the relationships, sex and health education curriculum teaches key messages regarding sexual violence and sexual harassment. Conversations have been with the DSL and have looked at where key messages are taught and how this learning is sequenced.

- How effective the school's approach to mental health is, including what provision is in place and how school links with outside agencies to support children's mental health and wellbeing
- How safeguarding links to attendance and what the school's procedures are for children who are absent (particularly vulnerable children)

Inspectors will then triangulate the information provided through conversations with children, parents, staff and governors.

School Improvement Liverpool Safeguarding Training

Our training programme for the remainder of this academic year can be found **here** and includes courses such as New to the Role of Designated Safeguarding Lead, Safer Recruitment, Safer Recruitment Refresher, the Role of the Link Governor for Safeguarding and Managing Allegations Against Adults.

Liverpool schools are reminded that a few places remain on the course "*A whole school approach to sexual violence and sexual harassment in schools: Understanding and managing sexual behaviours in education settings*". This is an advanced course for Headteachers, senior leaders and Designated Safeguarding Leads and will be delivered by **AIM Project** associate trainers. The training offers support in navigating the sensitive and emotive subject of peer-on-peer sexual violence and harassment in schools and colleges, meeting the legislative and government requirements, such as Part 5 of the statutory guidance Keeping Children Safe in Education, while still keeping the needs of the pupils/students at the centre of the decision making. Delegates will receive a copy of the AIM Education Guidance (included within the price of the training) which will support their understanding and will provide them with tools for identification, understanding, assessment and management of sexual violence and sexual harassment in education settings.

Places are limited and can be booked **here**.

Prevent Duty – external speakers for schools

Update provided by Joanna Fitzsimmons, Prevent Education Officer, Liverpool City Council
Joanna Fitzsimmons Prevent Education Officer **M**: 07515332702 **E**: joanna.fitzsimmons@liverpool.gov.uk

It is important to remember that the Prevent Duty should not only be mentioned in schools' Child Protection policy, but should also be reflected in policies concerning visitors/speakers, external visits and bookings & lettings of school premises outside of school hours. All schools are encouraged to follow simple steps outlined below, to mitigate any risk to students, but also reputational damage for the school.

When inviting external speakers or renting out the school's premises, you should ask the following questions:

1. Who is the individual or organisation booking the event / visiting the school?
   - ask for their name and any associated names they operate under
   - get details of the individual or organisation's website and associated websites

2. Do they implement a policy that promotes equality and diversity and challenges all forms of discrimination? Or will they agree to their event subscribing to your equality and diversity policy?

3. Ask for details of the event including: theme; title; agenda; content.
   If renting space for an event outside of school hours, also ask about expected audience - numbers and demographics; details of how the event will be promoted (ask for copies of flyers/posters etc.); is the event open to the public or ticket only?

Undertake due diligence to confirm what you've been told and find out more.

1. Run a check on the individual/organisation/speakers by:
   - viewing their websites, articles or speeches, checking their social media
   - considering what other people are saying about them (articles/blogs etc.)

2. Ask for a reference from a venue provider previously used by the individual/organisation.

3. If the booking is for a charity, check the charity number of the organisation with the **Charity Commission**

Then decide. Do you let the event go ahead? Or take action to reduce the risks?

Use the information collected to inform your decision. Liverpool schools can contact the Prevent Education Officer for further guidance.

In addition to Joanna's notes above, the DfE also expects schools to ensure *that when they hire or rent out the school's facilities or premises to third-party organisations or individuals they should ensure that the appropriate arrangements are in place to keep children safe. The governing body should seek assurances that the organisation has appropriate safeguarding and child protection policies and procedures in place. The school should inspect these as needed and ensure that arrangements are in place to liaise with the school on these matters where appropriate. Any lease or hire agreements should set out the safeguarding requirements.*

As a rule of thumb, schools should always set out in any contracts with third parties what the safeguarding arrangements are.

As discussed in the Autumn term DSL Refresher training, schools must also comply with their responsibility under the Prevent Duty in relation to the following broad areas:

1. **Safeguard children and young people from radicalisation**
   - Risk assessment (safeguarding audit / Prevent audit document)
   - Working in partnership with Local Authority / Parents / Community
   - Staff training (this should be at least once every 2 years)
   - IT policies (filtering system compliant with the CTIRU list)

2. **Promote Fundamental British Values**
   - These values are Democracy, Rule of Law, Respect and Tolerance, Individual Liberty

3. **Create space for open discussion about extremism. This can be achieved by:**
   - The curriculum actively promoting having difficult conversations in classroom
   - Staff CPD in the subject area
   - Home Office projects working directly with students available to schools in Liverpool

Department for Education

The Prevent duty
Departmental advice for schools and childcare providers

June 2015

Key questions for schools to consider:

- When did all staff complete relevant Prevent training? Can you evidence the impact of this training?
- Can your staff recognise children who may be at risk of being radicalised and know how to support them, including when to make a referral?
- What additional training have the safeguarding team received in order to respond appropriately to any concerns raised? Are key staff familiar with the referral process when there are concerns in relation to radicalisation?
- Do the school's IT policies adequately reflect the Prevent duty? Does the school IT system prevent children from accessing inappropriate sites and detect inappropriate use, compatible with CTIRU?
- Does the school's Child Protection policy make reference to your responsibilities under the Prevent Duty? Are lead responsibilities for Prevent clearly identified?
- Do you provide a safe environment where children can explore sensitive and controversial issues?

- Does your school support children to stay safe online both in school and outside, including protection from engaging with extremist and terrorist content online?
- How do you build children's resilience to radicalisation?
- Do you conduct appropriate vetting/checks of guest speakers or visitors?
- Is there a clear vetting policy on the use of site premises and facilities by outside agencies and groups?
- Have you ensured that any commissioned services are aware of and are adhering to the Prevent Duty?

Guidance for safer working practice for those working with children and young people in education settings

An updated version of the above document has been published as of 15th February 2022. The 2022 update replaces the 2019 version and now incorporates both the GSWP Covid Addendum (2020) and the Keeping Children Safe in Education expectations around reporting of low level concerns. This guidance should be used by schools to support staff's understanding regarding standards and professional practice, which helps to embed a safe culture within school.

The updated version of the document can be downloaded from the **Safer Recruitment Consortium website**.

It is anticipated that schools will want to share the 2022 version with all staff and volunteers and draw upon it when embedding a shared understanding of standards of behaviour which underpin a safe culture within the setting.
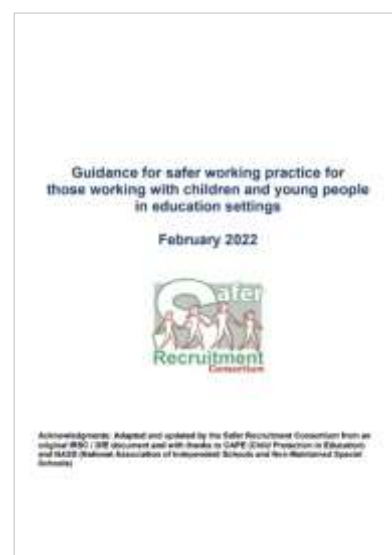
Proposed changes to Keeping Children Safe in Education 2022 – DfE consultation

The DfE has launched a consultation on the proposed revisions to Keeping Children Safe in Education 2022. The suggested changes are summarised below:

Part one: Safeguarding information for all staff

Disclosure
The DfE have added a reminder in Part one that children are not always ready or able to talk about experiences of abuse, or may not be able to recognise that their experiences are harmful.

Domestic Abuse
New information has been added in relation to the impact of domestic abuse, including highlighting the long-term impact on children's health, wellbeing and ability to learn.

In addition, the new Domestic Abuse Bill recognises that children, alongside adults, are victims of domestic abuse.

Part two: The management of safeguarding

Equality
Schools have always had to pay due regard to the Human Rights Act (1998), the Equality Act 2010 and the Public Sector Equality Duty, but the DfE are proposing to add information relating to how these duties link to safeguarding, particularly with reference to diversity inclusion, prejudicial and discriminatory bullying and sexual violence and harassment.

Governor training

The DfE are proposing to strengthen the wording in KCSIE to explicitly set out requirements in relation to governor training in respect of safeguarding at the point of induction, to ensure they understand their strategic role and legislative responsibilities. They intend to also state that this training should be regularly updated.

Whole school approach to safeguarding
The DfE intend to make changes to part two and part five of KCSIE to help schools take a whole school approach to safeguarding, with particular reference to child-on-child abuse. This includes clearer guidance on processes which should be in place to support the reporting of abuse and links to key policies such as behaviour, exclusion and RSHE.

Designated Safeguarding Lead
The DfE have always stressed the importance of the DSL having appropriate status and authority within school to enable them to undertake the role. They are clear that governing bodies should recognise this role and ensure that it has the necessary authority, status, resources and training. There are no specific changes to the role of DSL, however the DfE are proposing to move most of the content relating to the DSL role from Part two, into the full role description set out in Annex C to encourage people to read and understand the full job description.

Children at great risk of harm
The DfE have always been clear to leaders and governing bodies that whilst all children should be protected, some groups are potentially at greater risk of harm. Given the DfE are proposing to move the standalone sexual violence and sexual harassment guidance into the full version of KCSIE, they intend to include the fact that children who are lesbian, gay, bi or trans (and/or those perceived to be LGBT) may, in some cases, be at increased risk of harm.

Part three: Safer recruitment

Through the consultation, the DfE are seeking views in relation to due diligence through the recruitment process in respect of suggesting that schools should consider conducting online searches on shortlisted candidates.

Part 4: Allegations of abuse made against teachers and other staff

The DfE are seeking views as to whether substantiated 'low level' concerns should be included in references, along with general feedback in relation to the changes included in Part four in 2021.

Part 5: Child-on-child sexual violence and sexual harassment

The DfE intend to withdraw the standalone statutory guidance 'Sexual violence and sexual harassment between children in schools and colleges' and incorporate it fully into KCSIE 2022, largely within Part two and Part five. They are seeking views on this change. There is also a change throughout the document to move from the terminology peer-on-peer, to child-on-child.

To have your say on the proposed changes, click on **this link** to view the full consultation. Responses must be submitted by 11th March 2022.

DfE consultation on revised Behaviour in Schools Guidance and Suspension and Permanent Exclusion Guidance

The DfE have launched a consultation on the proposed revisions to the *Behaviour in Schools Guidance* and *Suspension and Permanent Exclusion Guidance*. Specifically, it is being suggested that the Behaviour in Schools Guidance will be organised into four themes which will support schools to address behaviour at all stages. The fourth section will focus on how schools should respond to specific behaviour incidents, and provides

guidance to schools on their authority to respond to misbehaviour and their duties relating to safeguarding and protecting the welfare of all pupils, with clear reference to Keeping Children Safe in Education. It also specifically references issues relating to sexual violence and sexual harassment, noting that the same standards of behaviour are expected online as apply offline. The guidance also indicates that the Designated Safeguarding Lead may have a role to play in responding to behaviour incidents.

In addition to the specifics mentioned in the final section, a key paragraph which links to safeguarding is the proposed paragraph 41:

"*Where appropriate, staff should take account of any contributing factors that are identified after an incident of misbehaviour has occurred: for example, if the pupil has suffered bereavement, experienced abuse or neglect, has mental health problems, has been subject to bullying, has needs including SEN or a disability (including any not previously identified), has been subject to criminal exploitation, or is experiencing significant challenges at home*."

You can view the proposed new guidance **here**. Should you wish to make a response, the consultation closes on 31st March 2022.

Young Carers action day 2022
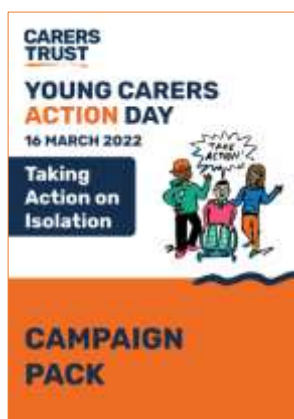
Young Carers Action Day (YCAD) will take place this year on the 16th March and the theme for 2022 is 'taking action on isolation'. YCAD is an annual event organised by the **Carers Trust**, with the aim of raising awareness of young carers and young adult carers and highlighting the challenges and pressures they face along with celebrating the amazing role they play in caring for family members and friends.

To support organisations with getting involved, the Carers Trust have produced lots of free resources including a campaign pack, posters for raising awareness with children and resources for professionals. These can be accessed **here**.

The Children's Society estimate that there are over 800, 000 young carers in the UK aged 5 - 17 and the statistics relating to them are stark:

- 39% state that no one at school knows about their caring responsibility
- 27% of young carers aged 11 – 15 miss school or experience educational difficulties
- 1 in 4 young carers say they have been bullied in school because of their caring role
- 1 in 3 young carers experience mental health difficulties
- 80% of young carers have felt isolated during the pandemic

Schools should reflect upon the measures they currently have in place to identify and support young carers.

Key questions to consider are:

- Do you have an identified Young Carers Champion within your leadership team?
- Do relevant school policies reflect the needs of young carers?
- Have you developed a discrete young carers policy to reflect the school's strategies for awareness raising, creating an inclusive environment and identification, assessment and support for young carers?
- How have you raised awareness with staff regarding how to identify and support children who may have a caring role?
- How well do you identify, track and monitor the outcomes for children with a caring role?

- Do you link with the local commissioned services to support young carers and develop your practice?

In order to recognise and further develop the excellent work undertaken in many schools, we would encourage schools to apply for the Young Carers in Schools award. This programme is run by the **Children's Society** and aims to provide schools with recognition of effective practice alongside further tools and resources to support young carers. Further information about the award along with how to apply can be found **here**.
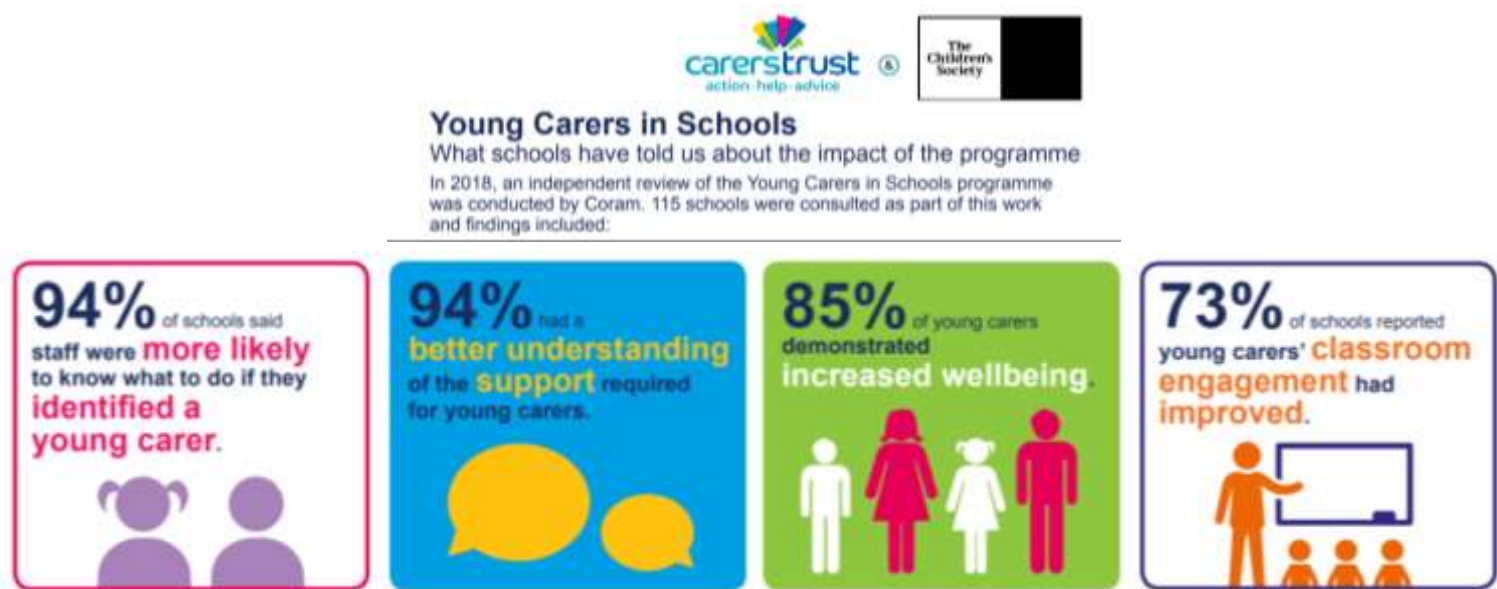
Child Sexual Exploitation and the use of Appropriate Language

As we have talked about over time, our choice of language matters when talking about children, in particular where there may be exploitation involved. An appropriate choice of words can make the difference between a child being safeguarded or being put at risk of further exploitation, or being inadvertently blamed for the abuse they are experiencing.

The **Independent Inquiry into Child Sexual Abuse** published a report in February 2022 which looked at children being sexually exploited by organised networks. This report looked at six case study areas including Durham, Swansea, Warwickshire, St Helens, Tower Hamlets and Bristol. Throughout the case studies, language used by professionals such as "*placing herself in danger*", "*promiscuous*", "*continuing to display risk taking behaviours*" and "*a frequent missing person who appears to willingly expose herself to danger*" was a regular feature. One of the conclusions of the report states:

"*Victim-blaming attitudes and behaviours obscure the seriousness of the crimes committed against children. There was evidence of children being described as consenting to sexual acts and several instances of victim-blaming language in the case files. The use of such language is often symptomatic of unacceptable underlying attitudes and must be challenged.*"

The full report "Child sexual exploitation by organised networks" can be found **here**.

The Children's Society have updated their excellent Appropriate Language guidance, which was originally published in 2017. This helps to challenge thinking, and give alternative language which ensures children are recognised as victims. It can be downloaded **here** and it is recommended that all schools take time to read the revised document.

In addition, the **NWG** will be hosting a webinar to explore victim blaming language and terminology used around the exploitation of children, young people and young adults. This will be held from 1 – 3pm on 5th May 2022.

Places can be booked on Mind Your Language – Exploitation & Victim Blaming Webinar **here**.

New resource from the Children's Commissioner; Parents guide: Talking to your child about online sexual harassment
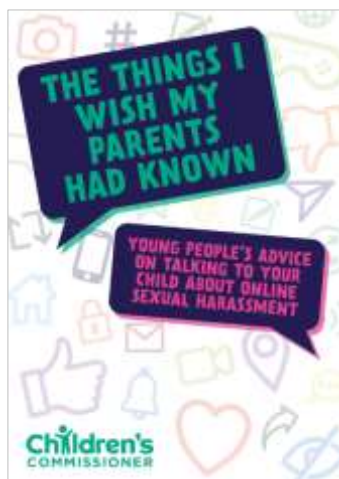
When Dame Rachel de Souza took up the position of Children's Commissioner for England, she undertook a survey of children in order to better understand children's lives. Some of the findings from this survey mirrored the experiences of children expressed through the Everyone's Invited website where they were describing their experiences of sexual harassment, sexualised bullying and child-on-child abuse. Through the survey, they talked about wanting more support in this area, in particular from their parents.

Following on from the findings of this survey, the Office of the Children's Commissioner then brought together a group of 16-21 year olds and asked them to state what they think parents should know and what they should say to their children. This has then led to the development of the resource "**Parents Guide: Talking to your child about online sexual harassment**".

The guide covers areas such as sharing nude images, pornography, editing photos and body image, sexualised bullying and peer pressure and is a fabulous resource to share with parents and staff.

Learning from Practice – Professional Curiosity

Over time, **professional curiosity** has been a reoccurring theme within Serious Case Reviews and Safeguarding Practice Reviews, with such reviews often highlighting a lack of 'professional curiosity' and professionals having a sense of 'over optimism'. This means that assessment of need and subsequent plans are often driven by underlying assumptions that despite increasing levels of risk, the assumptions remain unchallenged.

In assessing its work from 1 January 2020 to 31 December 2020, the Child Safeguarding Practice Review Panel Annual Report for 2020 identified six key practice themes to make a difference:

1. **Understanding what the child's daily life is like**
2. **Working with families where their engagement is reluctant and sporadic**
3. **Critical thinking and challenge**
4. **Responding to changing risk and need**
5. **Sharing information in a timely and appropriate way**
6. **Organisational leadership and culture for good outcomes**

These themes are not new, but are amongst the most urgent and most challenging. The full Annual Report can be read **here**.

Practice theme 3 "Critical thinking and challenge" links very closely to the idea of professional curiosity. The key learning from the reviews published in respect of this area were as follows:

- Professionals should be confident in their knowledge, understanding and experience to ensure that they are able to 'support and challenge' relationships between practitioners and children. Promoting this is

essential as it allows a climate of trust and honesty to be developed which allows conversations about difficult issues which can in turn create the motivation and opportunity for change. Taking time to build relationships in this way, and to apply key critical thinking, can be challenging particularly where there are high and complex caseloads coupled with poor quality safeguarding supervision.

- To support families to identify goals and build on strengths, practitioners must ensure appropriate support is in place and test out assumptions about resilience.
- Comparisons and analysis should be made between positive self-reports of change, alongside reports and information from professionals.
- Formal meetings such as strategy discussions, core groups, child in need meetings and case reviews are a context in which to analyse and challenge. Within these meetings, decisions to close cases, step down or continue with the same level of intervention should be based upon evidence of the positive impact of interventions or reducing risk.
- Critical thinking, particularly as part of reflective supervision, provides a framework for practitioners to exercise analytical skills to reframe and reassess their work with children, young people and families.
- Practitioners often talk of being aware of formal escalation procedures, but are reluctant to use them.

Two case examples from the Annual Report highlighting these issues are Family M and Baby N:

Family M

Family M were engaging with early help after the school had noted that the children were coming to school poorly presented and hungry. A 'Team Around the Family' meeting identified inadequate temporary accommodation as the key issue and sought to resolve the housing difficulty. This continued to be the main focus **in spite of the emergence of other safeguarding issues**. Some practitioners considered that the work with the family could be stepped up to children in need. When the decision was taken to close the case, their **professional differences were recorded but not escalated** as they were not confident of management support. The case review found that reflective supervision could have enabled practitioners to reassess their work with the family.

Baby N

Baby N was aged 11 weeks when his mother found him floppy and unresponsive, having earlier gone to sleep with the infant next to her on the sofa. At initial booking of her pregnancy, mother had stated she had previously participated in treatment for substance misuse but was no longer using cannabis. Practitioners built a positive relationship with her and wanted her and the new baby to do well. A **lack of critical thinking** meant that **incidents of low-level neglect were rationalised**. Mother's **self-reporting that she had stopped the use of cannabis was not challenged** in spite of limited evidence of her motivation to change and reported concerns from the local children's centre.

The **Safeguarding Pledge** was developed to support colleagues with responding to these key themes. Utilising this document should sit alongside developing and embedding an effective method of reflective supervision.

Manchester Safeguarding Children Partnership have also developed a range of resources to support professionals' understanding of professional curiosity and challenge:
https://www.manchestersafeguardingpartnership.co.uk/resource/professional-curiosity-resources-practitioners/