

## Response ID ANON-W89S-TDGC-W

Submitted to **Keeping children safe in education - schools and colleges - proposed revisions 2021**

Submitted on **2021-03-04 10:59:44**

### Keeping children safe in education - schools and colleges - proposed revisions 2021

#### 1 What is your name?

**Name:**

Rani Kaur

#### 2 What is your email address?

**Email:**

rani.kaur@nga.org.uk

#### 3 What is the name of your organisation?

**Organisation:**

National Governance Association (NGA)

#### 4 What type of organisation is it?

Other

**If other, please state:**

Membership organisation for governors, trustees and clerks of state schools in England

#### 5 In what capacity are you responding?

Other

**If other, please state:**

As a membership organisation for governors, trustees and clerks of state schools in England

#### 6 Would you like us to keep your responses confidential?

No

**Reason for confidentiality:**

#### 7 Did you respond to the consultation that was withdrawn?

No

Not Answered

### Section 1 – Summary of the guidance

#### Who is the guidance for

#### 8 Do you support this approach?

Yes

**Please explain your answer:**

The annex is more manageable for staff that would not need to know the level of detail contained in Part one whilst still conveying the key messages.

Further guidance and perhaps, examples on which individuals Annex A would be appropriate for would help ensure that staff are being directed to the right document for them.

Examples are included in the consultation document, but not proposed guidance.

#### 9 Do you have any comments about the content of the new Annex A?

Yes

**If yes, please explain your answer:**

The content of Annex A read in conjunction with a school/trust's Child protection policy should provide staff that do not work directly with children on a regular basis enough information and guidance to contribute to safeguarding in their setting.

## **General**

**10 Do you have any comments about any other content in the summary section to the draft guidance?**

No

If yes, please explain your answer:

## **Section 2 – Part one: Safeguarding information for all staff**

### **Safeguarding**

**11 Are there any additional changes you believe should be made to help schools/colleges identify and support children at risk of criminal exploitation, sexual exploitation and serious violence?**

No opinion

Please explain your answer:

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

## **Consolidated Part one**

**12 Do you support the proposed changes to Part one set out at Annex G?**

No opinion

Please explain your answer:

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

## **General**

**13 Do you have any further comments about the content in Part one of the draft guidance?**

No

If yes, please explain your answer:

## **Section 3 – Part two: The management of safeguarding**

### **Online safety**

**14 Do you support the proposed changes to how online safety is reflected?**

Yes

Please explain your answer:

The placement of this content in part two does seem more appropriate. The wording reiterates that this is a board responsibility whilst acknowledging that in practice, this will be managed through policies.

### **Designated safeguarding lead**

**15 What additional roles does your DSL have (select more than one if appropriate)?**

**16 Approximately how many hours does the DSL in your school or college spend fulfilling their DSL role and responsibilities in an average week?**

Don't know / Not applicable

**17 What is the role of the deputy DSL in your school(s) or college? Please include an outline of the number of deputy DSLs and their responsibilities.**

Please provide your response:

Not applicable

**18 Are the responsibilities set out in the draft guidance at Annex C clear?**

Yes

**If no, please explain your answer:**

**19 Are these responsibilities additional to what the DSL in your school or college currently does in their role?**

Not applicable

**Please explain your answer:**

**20 How does the DSL currently ensure that school and college staff understand the needs of children who need or have needed a social worker and the impact their circumstances can have on their education?**

**Please provide your response:**

As a membership organisation for governors, trustees and clerks, we cannot comment.

**21 How does the DSL currently ensure children who need or have needed a social worker are able to reach their potential in their education?**

**Please provide your response:**

As a membership organisation for governors, trustees and clerks, we cannot comment.

**22 How is the DSL supported by the school or college to undertake their role as a DSL?**

**Please provide your response:**

As a membership organisation for governors, trustees and clerks, we cannot comment.

**23 Which of the following would be helpful in supporting the DSL to carry out the role and responsibilities as set out in the updated version of the guidance?**

**If other, please specify:**

**Please provide any additional comments:**

As a membership organisation for governors, trustees and clerks, we cannot comment.

**24 Have you experienced any barriers to sharing information for the purposes of safeguarding and improving educational outcomes for children who need or have needed a social worker?**

Not applicable

**If yes, please explain your answer:**

**General**

**25 Do you have any further comments about the content of Part two of the draft guidance?**

Yes

**If yes, please explain your answer:**

The current and proposed guidance stresses the importance of having someone that is accessible yet, the paragraph relating to Deputy designated safeguarding lead(s) appears to give schools and colleges discretion as to whether they appoint a deputy DSL.

Also, paragraph 68 requires governing bodies and proprietors to have a senior board level (or equivalent) lead to take leadership responsibility for their school's or college's safeguarding arrangements. However, no further guidance is given on who would be an appropriate appointment. For example, we have been asked by boards whether this person needed to be a properly appointed governor/trustee or whether they could be an associate member or non-trustee. We have also been asked about whether this could be a governor or trustee that works at the school/trust.

This requirement also does not take into account how this will work in MATs. In larger MATs, local oversight would be crucial in identifying issues within individual schools and so we would advise that where local governance exists, a lead from the local governing body/local academy should be appointed and feedback to the trustee with leadership responsibility.

**Section 4 – Part three: Safer recruitment**

## Safer recruitment

### 26 Is the revised new format of Part three helpful?

Yes

If no, please explain your answer:

### 27 Do the proposed changes to Part three provide clarity about the principles of safer recruitment and not just being reliant on a DBS check?

Yes

If no, please explain your answer:

## General

### 28 Do you have any suggestions about how the safer recruitment process might be improved beyond the changes we are proposing to Part 3?

No

If yes, please explain your answer:

### 29 Do you have any further comments about the content of Part three of the draft guidance?

Yes

If yes, please explain your answer:

Associate members are included in the guidance with a reference to the requirements set out in the School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016. As stated in these regulations, enhanced DBS checks are not necessary for these individuals. However, given that it is possible that they are involved in many of the discussions that properly appointed governors are and that they can be given voting rights, there may be circumstances where governing bodies should consider obtaining such checks.

Paragraph 275 is not clear on whether these additional checks need to be made only when someone is elected to this position for the first time or whether they need to be repeated each time they are re-elected.

Paragraph 235 states that schools and colleges do not need to keep copies of DBS certificates, further guidance on the retention of copies of identity documents will be helpful as we are aware of schools keeping copies of passports, bank statements etc.

More guidance on the maintenance of the single central record (SCR) would be helpful. Currently, the role of governors and trustees in the oversight of the SCR is not clear. This was addressed by Amanda Spielman at NGA's conference but its inclusion in the guidance would be useful.

## Section 5 – Part four: Allegations of abuse made against teachers and other staff

### Managing allegations of abuse

### 30 Is the proposed new format of Part four of the draft guidance helpful?

No opinion

Please explain your answer:

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on

## General

### 31 Do you have any other comments about the content of Part four of the draft guidance?

No

If yes, please explain your answer:

## Section 6 – Part five: Child on child sexual violence and sexual harassment

### Child on child sexual violence and sexual harassment

### 32 Do you have any comments on these changes?

No opinion

**If yes, please explain your answer:**

**33 Do you think that Part five of the draft guidance provides schools and colleges with the right level of information to support them to manage reports of child on child sexual violence and sexual harassment effectively?**

Not enough

**Please explain your answer:**

Not applicable.

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

**34 Part 5 provides advice and guidance on how to access support for victims and perpetrators of child on child sexual violence and sexual harassment. Locally, do you know how to access such support?**

Yes

**If yes, who have you contacted? And how helpful were they?:**

Not applicable.

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

**35 What would you change about Part five to make it more effective?**

**Please explain your response:**

Not applicable.

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

## **General**

**36 Do you have any further comments about the content of Part five of the draft guidance?**

No

**If yes, please explain your answer:**

## **Sexual violence and sexual harassment between children in schools and colleges**

**37 Are you aware of the DfE's advice on Sexual violence and sexual harassment between children in schools and colleges?**

Yes

**38 Do you think the advice provides adequate information to support schools and colleges to prevent and as required respond to reports of child on child sexual violence and/or sexual harassment?**

About right

**Please explain your answer:**

**39 Do you have any comments on the proposed changes to the DfE standalone advice?**

No

**If yes, please explain your answer:**

**40 What would you change about the advice to make it more effective?**

**Please provide your response:**

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

## **Section 7 – Expanding our evidence base**

### **Safeguarding training for governing bodies and proprietors**

**41 Does your school or college have a safeguarding governor or equivalent?**

Not applicable (skip to question 45)

**42 If yes, have they had safeguarding training?**

Not Answered

**43 If yes, what format did the training take?**

Not Answered

**Name / description of provider:**

**44 To what extent has the training assisted them to fulfil their role and helped them hold others to account?**

Not Answered

**Please provide any additional comments:**

**45 What safeguarding training, if any, have other members of the board had?**

**Please provide your response:**

As a membership organisation for governors, trustees and clerks, we cannot comment.

**Low level concerns about staff**

**46 Do you agree with the definition of “low level concerns” described above?**

Yes

**Please explain your answer:**

**47 Do you agree that it is an important component of school and college safeguarding procedures for low level concerns about staff to be recorded?**

Yes

**Please explain your answer:**

Yes, especially in larger settings where numerous individuals may have low level concerns. The reporting of these to one place will help identify patterns that cumulatively may be an issue.

**48 Does your school or college have arrangements in place for staff to report and record low level concerns about the actions and behaviours of staff?**

Not applicable

**If yes, please explain the arrangements:**

**49 Would it be helpful for DfE to provide advice about low level concerns in KCSIE?**

Yes

**50 Do you have any specific comments about what these arrangements should look like?**

Yes

**If yes, please explain your answer:**

It is important that there is a balance between a school being aware of a possible pattern of low-level concerns and the possibility of creating an unjustified air of suspicion in relation to an individual. Therefore, if low level concerns are recorded, this must be done consistently and preferably with a timeframe by which they will be disregarded. Guidance should also cover what the procedure is when staff move to a new school or college.

**51 What would be the workload implications for schools and colleges of implementing a system to record low level concerns as described above?**

**Please provide your response:**

As a membership organisation for governors, trustees and clerks, it is difficult for us to comment on this. However, a clear and properly managed system, adequately resourced should help keep the additional work manageable.

## **International students**

**52 Given the potential extra vulnerabilities set out above do you think it would be helpful for KCSIE to include guidance to support schools and colleges to help them keep international students safe?**

No opinion

## **Racist abuse**

**53 Would schools and colleges find it helpful if advice regarding race and racist abuse was included in KCSIE?**

Yes

**54 If yes, what do you think is the best way to do this?**

**Please explain:**

The guidance should support schools to recognise and deal with racist abuse within their settings from both a policy and practice perspective.

## **Recording safeguarding information**

**55 Are you confident that the school's recording systems that are in place are appropriate and used effectively?**

Not Answered

**Please explain your answer:**

Not applicable.

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

**56 Do these systems help ensure information and data can be extrapolated at an appropriate level so that governing bodies can ensure that safeguarding, child protection and welfare policies and procedures that are in place are working?**

Not Answered

**Please explain your answer:**

Not applicable.

As a membership organisation for governors, trustees and clerks, this is too operational for us to comment on.

**57 Would a certain level of prescription in KCSIE about reporting requirements help schools and colleges better record safeguarding information?**

Yes

**If yes, please explain:**

From the perspective of governing boards, additional guidance on the information they should be receiving and reviewing will help them carry out their role effectively.

## **General**

**58 Thinking about Keeping children safe in education generally, (putting aside this years proposed changes) do you think it provides effective advice and support to schools and colleges?**

No

**If no, please give details of the areas you consider its effectiveness could be improved:**

There is some guidance that if presented in a different way would make practical application easier. For example, the checks required on governors and trustees and members of an academy trust, staff and volunteers, could be presented in a table for each group as opposed to paragraphs of text.

**59 Thinking about the format of the guidance. Currently the guidance contains 5 parts plus several Annexes and is published as one document. Is the current format (i.e. one document) the most appropriate format?**

Yes

**60 If no, is there another format that would make it easier to read and/or be more accessible?**

No opinion

**If yes, please give details on how the format could be changed:**