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Submitted to Keeping children safe in education - schools and colleges - proposed revisions 2022
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Keeping children safe in education - schools and colleges - proposed revisions 2022

1 What is your name?

Name:
Rani Kaur

2 What is your email address?

Email:
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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 governance professionals of state schools in England

5 In what capacity are you responding?

Other

If other, please state:
Head of Advice

6 Would you like us to keep your responses confidential?

No

Reason for confidentiality:

Section 1 € Summary of the guidance

Who is the guidance for

7 Is the guidance clear on the safeguarding requirements placed on the above providers?

No opinion

What further information would you find helpful?:

These providers are not within NGA's remit.

Section 2 € Part one: Safeguarding information for all staff

8 Is the additional information helpful for school and college staff?

No opinion

Is the additional information helpful for school and college staff?:

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

Section 3 € Part two: The management of safeguarding

Legislation and the law

9 Is this additional information helpful?

Yes

Please explain your answer:

Clarity on these duties and how they link to safeguarding in schools is helpful. Details on ,positive action· in paragraph 89 are especially useful for when governing boards are reviewing policies and initiatives.

In relation to the Public Sector Equality Duty (PSED), although there is a link to the DfE's advice on the Equality Act 2010, it would be helpful if KCSiE also stated that schools/trusts must publish information demonstrating compliance with the PSED annually and publish equality objectives every four years, so the core duty is made clear.

Governor and trustee training

10 Do you agree that KCSiE should set out that all governors and trustees receive safeguarding and child protection training as part of their induction?

Yes

Please explain your answer:

NGA has long campaigned for mandatory induction training for governors and trustees and so supports the inclusion in statutory guidance of a requirement for safeguarding and child protection training to be part of the induction.

However, given the importance of safeguarding, more guidance is needed to support schools and trusts to ensure this has a meaningful impact. The phrase ,regularly updated· is too vague and is likely to result in different interpretations on what ,regular· means. We think that an expectation of annual training should be made clear.

Additional guidance on what the training should include should also be made available. This can be in KCSiE or a separate document. Our concern is that without guidance on what would be effective training for governing boards, there will be too much variation. There is also a risk that schools and trusts will merely repeat staff training which will be operational and largely not what governors and trustees will need to know.

NGA currently offers its members advice and guidance on a governing board's obligations in relation to safeguarding in addition to an e-learning module. We would be happy to assist with the development of standards and guidance on the relevant content of safeguarding training.

Finally, more details on how this expectation would work in MATs would also be helpful. Would everyone that governs in a MAT including LGB members be required to undergo training? Such guidance would be strengthened by clarification of paragraph 80, specifically how appointment of someone at ,senior board level· works in MATs and the expectations on LGBs.

Whole school and college approach to safeguarding

11 Does KCSiE, but especially Part two and Part five, support schools and colleges take a whole school approach to safeguarding?

Yes

Please explain your answer:

NGA agree that safeguarding cannot be looked at in isolation and a whole school approach is essential to ensure that governing boards, staff and others that have contact with children and young people, carry out their safeguarding duties effectively.

Information on the legal duties, how these translate into policies and how these policies should be implemented is helpful and easy to follow and understand.

12 Is there anything else that would support schools and colleges take a whole school and college approach to safeguarding?

Please explain your answer:

To ensure that individuals at all levels understand their role, effective training is essential. As mentioned in question 10, the training received needs to be role appropriate with training for the operational management of safeguarding undertaken by staff being different to the strategic management side of training necessary for governors and trustees. NGA has guidance and e-learning that is specifically for governing boards and would be happy to assist the Department in this respect.

The ,whole school· approach also needs to be amended to account for MATs. Larger MATs especially, are likely to have centralised support and have policies and practices that support a ,one organisation· ethos, a consistent approach to safeguarding across the MAT should also be a consideration.

Online safety

13 Do you think the changes made on online safety in KCSiE 2021 have helped to embed online safety into your whole school/college approach to safeguarding?

No opinion

Please explain your answer:

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

14 Are there any additional changes you believe should be made in Part two of KCSiE to help schools/colleges better understand how to keep children safe online:i) In the classroom and on school or college premisesii) During remote learning.

Don't know

Please explain your answer:

The current guidance is comprehensive and clearly sets out the role and expectation of the governing board.

A point to note is that if remote education is likely to stay for example, where schools are forced to close due to unforeseen circumstances e.g. bad weather, detailed guidance on safeguarding and remote education should be included in KCSiE as opposed to COVID-19 specific guidance that may be withdrawn.

Designated safeguarding lead

15 Do Part two and Annex C adequately reflect the importance of the status and authority of the DSL role?

Yes

Please explain your answer:

In our experience, governing boards appreciate and understand the importance of the DSL role.

However, despite KCSiE setting out the governing boards responsibilities in relation to the appointment of a DSL, no further guidance is given on managing the relationship between the governing board and DSL. For example, details on the format, frequency and content of meetings and reports between the DSL and governing board / safeguarding link governor/trustee would be helpful.

16 What would you suggest DfE can do to emphasise the authority and status that should be attached to the DSL role?

Please explain your answer:

In our opinion, the authority and status of the role is already clear.

Children at great risk of harm

17 Is the additional information helpful for schools and colleges?

Yes

If no, please explain your answer:

It is important that governing boards and schools are aware and understand that their safeguarding approach cannot be a 'one size fits all' and that there may be times where a more tailored approach is necessary.

Section 4 € Part three: Safer recruitment

Restructure

18 Is the restructured Part three (designed to follow the recruitment journey) an improvement compared to the old lay out?

Yes

Please explain your answer:

This format is logical and easy to follow.

19 Are there any additional changes you would suggest we make to Part three to better support school and college safer recruitment?

Yes

Please explain your answer:

Although not school staff, governors, trustees, members of local governing bodies and Members of academy trusts are required to undergo various checks. Although details on the required checks are contained in KCSiE, the format is at times confusing to follow. A more user-friendly format such as a table which lists the various roles and necessary checks would be welcome.

NGA is happy to suggest potential formats.

Shortlisting

20 Is it helpful to suggest schools and colleges should consider online searches?

Don't know

Please explain your answer:

The current wording of 'should consider' is vague and allows for inconsistencies between schools. If this is something that the Department wishes to include, then the expectation should be clear and further guidance given. From NGA's perspective, governing boards will be responsible for recruiting the headteacher or CEO and so if this is a preference of the Department, further guidance will be helpful as it is unlikely that governing boards will do this regularly.

More generally, it should be considered whether such an online search would reveal information that an interviewer would ordinarily be unable to ask about, for example religion. An online search may also contribute to forming an unconscious bias. Instead, KCSIE could include the notion of online searches but encourage that these are undertaken by someone not directly involved in the recruitment and any concerns fed back.

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

Managing allegations of abuse

21 Has this new section about 'low level' concerns helped to clarify the importance of addressing 'low level' concerns?

No opinion

If no, please explain your answer:

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

22 Does this section provide the right level of information on 'low level' concerns?

No opinion

If no, what further information would you find helpful?:

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

References

23 Would you include substantiated 'low level' concerns on an employment reference?

No opinion

If not, what are the reasons for not doing so? Please explain your answer.:

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

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

Effectiveness of Part five

24 Please provide any comments on how we have incorporated the standalone sexual violence and sexual harassment between children in schools and colleges advice into KCSIE?

Please provide any comments on how we have incorporated the standalone sexual violence and sexual harassment between children in schools and colleges advice into KCSIE?:

All relevant guidance being found in one document is helpful although it's important that this change is clearly communicated.

25 Does the revised Part five of KCSIE provide the right level of information to support schools and colleges manage reports of child-on-child sexual violence and sexual harassment

No opinion

Please explain your answer:

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

Section 7 € Expanding our evidence base

Sharing Nudes and Semi Nudes

26 Do you feel confident in handling reports of sharing nudes and semi nudes?

No opinion

Please explain your answer:

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

27 Are you aware of the UKCIS advice on sharing nudes and semi nudes?

Yes

28 Question for Designated Safeguarding Leads (DSLs) and their deputies - Question 28: What further information would you find helpful in your DSL role to help you understand better how to manage reports of sharing nudes and semi nudes?

What further information would you find helpful?:

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

Filtering and monitoring systems

29 Do you feel able to make informed decisions on which filtering and monitoring systems your school or college should use?

No opinion

Please explain your answer:

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