

## Keeping children safe in education

Statutory guidance for schools and  
colleges

September 2020

*For information only. This guidance will come into force on 1 September 2020 and at that point KCSIE 2019 will be withdrawn. Until then schools and colleges must continue to use KCSIE 2019.*

# Keeping Children Safe in Education for September 2020

Published 17th June 2020

**Andrew Hall**

Specialist Safeguarding Consultant

# Background

Consultation was started in February 2020, but was suspended in March as a result of Coronavirus

The update to Keeping Children Safe is less comprehensive

# Changes only made where

Legislation requires it

To add helpful information

Provide important clarification

# Missing since the consultation

## Safer Recruitment processes

- Advert
- Application forms
- Shortlisting
- Employment history and references
- Selection



# Themes

- Online safety, esp. linked with online learning
- Mental Health
- Whole school safeguarding culture
- Children who have a social worker
- Response to allegations (including supply teachers)
- Role of the Designated Safeguarding Lead

# Managing allegations against staff

Anyone working in the school or college, including **supply teachers** and volunteers has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- **behaved or may have behaved in a way that indicates they may not be suitable to work with children.**

# Managing allegations against staff

## Transferable risk:

‘Incident outside of school which did not involve children but could have an impact on their suitability to work with children’.

For example, an incident of domestic abuse

# Supply Teachers

‘Whilst schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly.’

‘The school or college will usually take the lead [in any investigation] because agencies do not have direct access to children or other school staff, so they will not be able to collect the facts [or liaise with] the LADO.’

**DRAFT**

# Overseas Checks

~~'It is good practice to carry out checks for individuals who have lived or worked abroad for more than three months during their adult life.'~~

~~'Remember that 'the nature and detail of the information that is disclosed varies from country to country.'~~

**DRAFT**

# Change to the role of the DSL

‘The role of the designated safeguarding lead carries a significant level of responsibility and they should be given the **additional time**, funding, training, resources and **appropriate supervision** support they need to carry out the role effectively.’

# Change to the role of the DSL

2020

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# Change to the role of the DSL

‘DSLs should take lead responsibility for:

- ensuring that the school or college knows who its cohort of children who currently need a social worker are, understanding their academic progress and attainment, and maintaining a culture of high aspirations for this cohort.’

# Change to the role of the DSL

2020

‘DSLs should help promote educational outcomes’ by

sharing the information about the welfare, safeguarding and child protection issues that children, including children with a social worker, are experiencing, or have experienced, with teachers and school and college leadership staff.

# WHEN TO CALL THE POLICE

Guidance for schools & colleges

## SEXUAL OFFENCE

**Definition:** Any sexual contact with another person without that other person's consent. Generally speaking guidance on dealing with sexual offences is covered in working together to safeguard children. For incidents of rape or serious sexual assault call the police immediately.

## THEFT

**Definition:** A person is guilty of theft if they dishonestly appropriate property belonging to another with the intention of permanently depriving the other of it.

## WEAPONS

**Definition:** An offensive weapon is any article which is made, intended or adapted to cause injury. It is an offence to possess an offensive weapon or bladed or sharply pointed article on primary school or secondary school premises.



## ASSAULTS

**Definition:** It is an act which intentionally or recklessly causes violence to another

What has happened?

## ILLEGAL DRUGS

**Definition:** Misuse of Drugs Act 1971: It is an offence for any person to unlawfully have a controlled drug in their possession. It is an offence to supply, or be concerned in the supply of a controlled drug. It is an offence to offer to supply, or be concerned in making an offer to supply a controlled drug.

Illegal drugs found

Information that a student is in possession of illegal drugs on

Rumours of drug use on or around school/college premises. No identified student.

## CRIMINAL DAMAGE INCLUDING ARSON

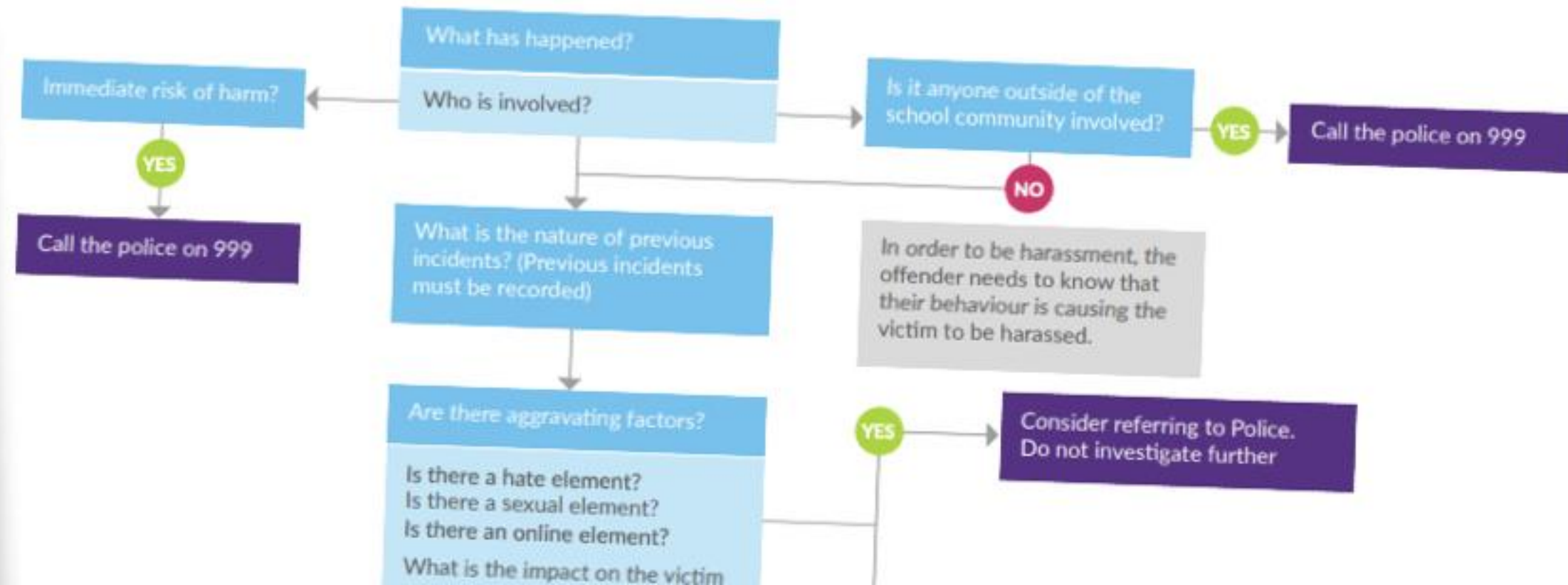
**Definition:** Criminal damage is the intentional and malicious damage to property or vehicles, including graffiti, or being reckless as to whether damage is caused. Arson is the act of deliberately setting fire to property, including buildings and vehicles.

## CYBER CRIME

**Definition:** Cyber Dependent Activity includes: Unauthorised access to computers, Denial of Service or other computer interference and impairment, Acts causing serious damage to or loss of data, 'Hacking'.

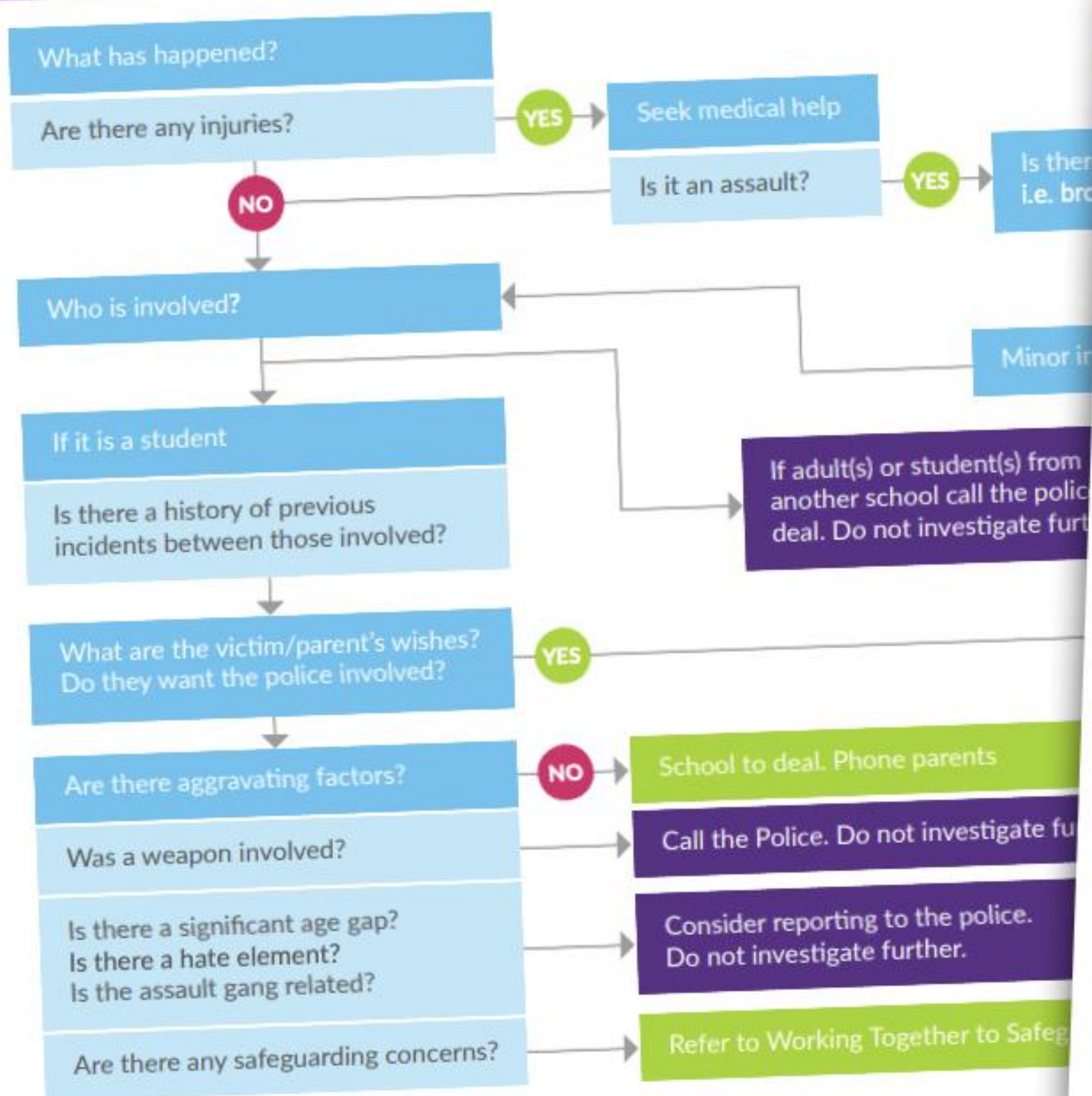
## HARASSMENT

**Definition:** Causing alarm or distress or putting people in fear of violence, on more than one occasion (course of conduct) and the incidents are connected.



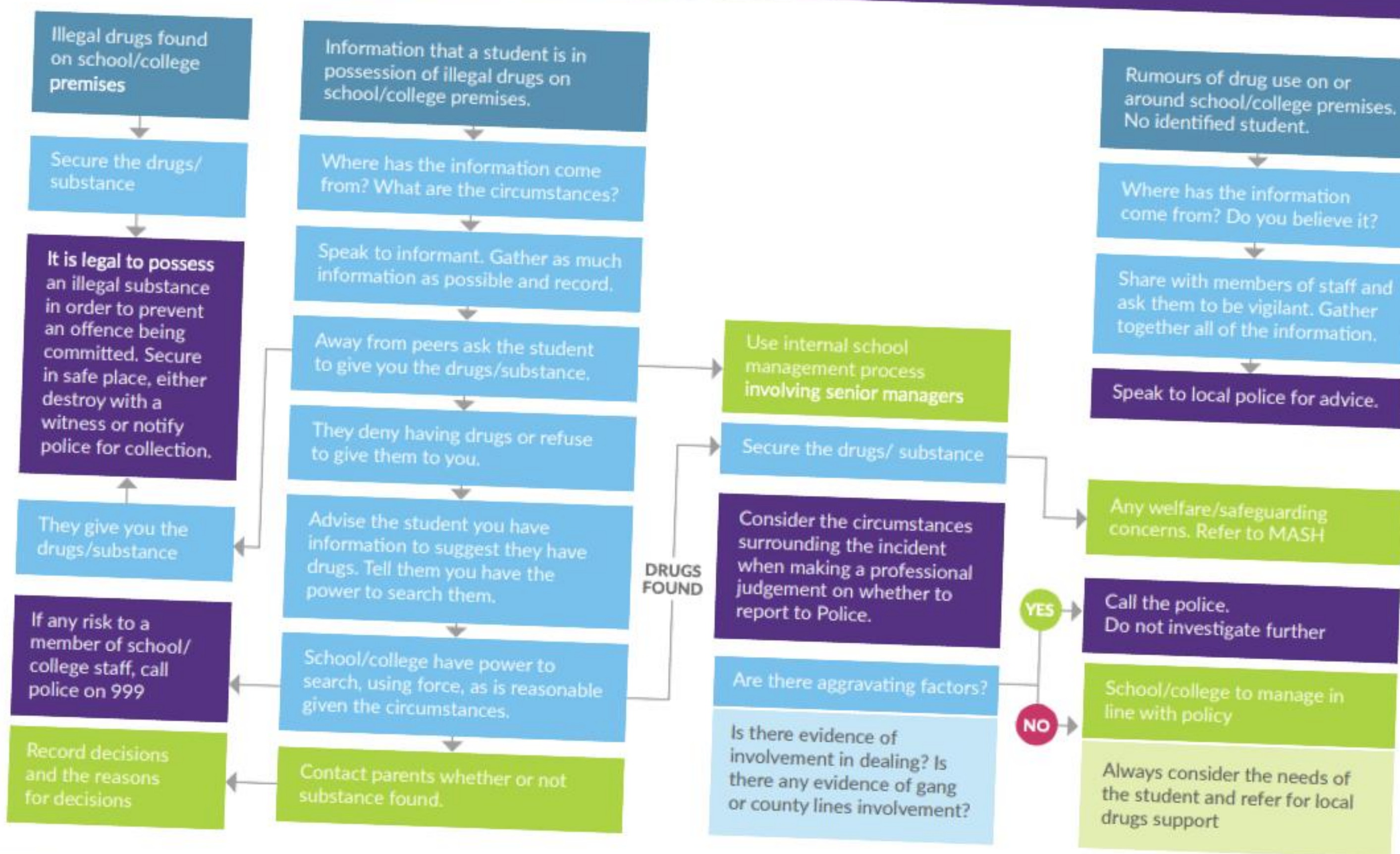
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# Keeping children safe in education

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# Keeping Children Safe in Education 2020

## What's New

**Andrew Hall**

Specialist Safeguarding Consultant

## **Action Needed:**

**Update Policy**



**Update Procedure**



**Inform Staff**



**Implement**



**Judge Impact**



# Definition of Safeguarding

# Definition of Safeguarding has changed

4. 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 mental and physical 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.

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Mental Health

# Mental Health considerations

## Mental Health

34. All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation.

35. Only appropriately trained professionals should attempt to make a diagnosis of a mental health problem. Staff however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.

36. Where children have suffered abuse and neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood,

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Detail about Mental Health Support

## Children requiring mental health support

113. Schools and colleges have an important role to play in supporting the mental health and wellbeing of their pupils.

114. Mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Governing bodies and proprietors should ensure they have clear systems and processes in place for identifying possible mental health problems, including routes to escalate and clear referral and accountability systems.

115. Schools and colleges can access a range of advice to help them identify children in need of extra mental health support, this includes working with external agencies. More information can be found in the [mental health and behaviour in schools guidance](#),

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Contextual Safeguarding

# Contextual Safeguarding

21. **All** staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments. **All** staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# CSE and CCE given separate emphasis

## Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE)

28. Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



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# More detail on Child Criminal Exploitation

## Child Criminal Exploitation (CCE)

## Annex A

CCE is where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. CCE does not always involve physical contact; it can also occur through the use of technology.

CCE can include children being forced to work in cannabis factories, being coerced into moving drugs or money across the country (county lines, see page 85 for more information), forced to shoplift or pickpocket, or to threaten other young people.

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# More detail on Child Sexual Exploitation

## Child Sexual Exploitation (CSE)

## Annex A

CSE occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. CSE does not always involve physical contact; it can also occur through the use of technology. CSE can affect any child or young person (male or female) under the age of 18 years, including 16 and 17 year olds who can legally consent to have sex. It can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity and may occur without the child or young person's immediate knowledge (e.g. through others copying videos or images they have created and posted on social media).

**Action Needed:** Update Policy  Update Procedure  Inform Staff  Implement  Judge Impact

# More detail on County Lines

## County lines

## Annex A

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to move [and store] drugs and money. Offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children can be targeted and recruited into county lines in a number of locations including schools, further and higher educational institutions, pupil referral units, special educational needs schools, children’s homes and care homes. Children are often recruited to move drugs and money between locations

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## Action Needed:

Update Policy



Update Procedure



Inform Staff



Implement



Judge Impact



# **Relationships, Sex and Health Education**

# Relationships (Health) and [Sex] Education

94. This may include covering relevant issues for schools through Relationships Education (for all primary pupils) and Relationships and Sex Education (for all secondary pupils) and Health Education (for all pupils in state-funded schools) which will be compulsory from September 2020. Schools have flexibility to decide how they discharge their duties effectively within the first year of compulsory teaching and are encouraged to take a phased approach (if needed) when introducing these subjects. The statutory guidance can be found here: [Statutory guidance: relationships education relationships and sex education \(RSE\) and health education](#). Colleges may cover relevant issues through tutorials. The following resources may help schools and colleges:

- Public Health England: [Rise Above](#)

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Peer-on-Peer Harms

# More specific peer-on-peer harms

106. Governing bodies and proprietors should ensure that their child protection policy includes: ...

- bullying (including cyberbullying);
- physical abuse which can include hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm;
- sexual violence and sexual harassment. Part five of this guidance sets out how schools and colleges should respond to reports of sexual violence and sexual harassment;
- upskirting, which typically involves taking a picture under a person's clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# **Child's Need for a Social Worker**

# Child's need for a social worker

110. Local authorities should share the fact a child has a social worker, and the designated safeguarding lead should hold and use this information so that decisions can be made in the best interests of the child's safety, welfare and educational outcomes. This should be considered as a matter of routine. There are clear powers to share this information under existing duties on both local authorities and schools and colleges to safeguard and promote the welfare of children.

111. Where children need a social worker, this should inform decisions about safeguarding (for example, responding to unauthorised absence or missing education where there are known safeguarding risks) and about promoting welfare (for example, considering the provision of pastoral and/or academic support, alongside action by statutory services).

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# **Types of Abuse and Neglect**

# Children are witnesses to domestic abuse

## Domestic abuse

## Annex A

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional.

All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

## Action Needed:

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Help and support for domestic abuse

## Operation Encompass

## Annex A

Operation Encompass operates in the majority of police forces across England. It helps police and schools work together to provide emotional and practical help to children. The system ensures that when police are called to an incident of domestic abuse, where there are children in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in school before the child or children arrive at school the following day. This ensures that the school has up to date relevant information about the child's circumstances and can enable support to be given to the child according to their needs. Police forces not signed up to operation encompass will have their own arrangements in place.

## Action Needed:

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Help and support for domestic abuse

## National Domestic Abuse Helpline

## Annex A

Refuge runs the National Domestic Abuse Helpline, which can be called free of charge and in confidence, 24 hours a day on 0808 2000 247. Its website provides guidance and support for potential victims, as well as those who are worried about friends and loved ones. It also has a form through which a safe time from the team for a call can be booked.

## Action Needed:

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Specific definition of terrorism

## Preventing radicalisation

## Annex A

Children are vulnerable to extremist ideology and radicalisation. Similar to protecting children from other forms of harms and abuse, protecting children from this risk should be a part of a schools' or colleges' safeguarding approach.

- **Terrorism**<sup>108</sup> is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat **must** be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause.

**Action Needed:** Update Policy  Update Procedure  Inform Staff  Implement  Judge Impact

# More detail in the Voyeurism Act Definition

## Upskirting<sup>115</sup>

## Annex A

The Voyeurism (Offences) Act, which is commonly known as the Upskirting Act, came into force on 12 April 2019. 'Upskirting' is where someone takes a picture under a persons clothing (not necessarily a skirt) without their permission and or knowledge, with the intention of viewing their genitals or buttocks (with or without underwear) to obtain sexual gratification, or cause the victim humiliation, distress or alarm. It is a criminal offence. Anyone of any gender, can be a victim.

**Action Needed:** Update Policy  Update Procedure  Inform Staff  Implement  Judge Impact

# Online Safety

# Online Safety at Home

## Online safety

92. As schools and colleges increasingly work online, it is essential that children are safeguarded from potentially harmful and inappropriate online material. As such, governing bodies and proprietors should ensure appropriate filters and appropriate monitoring systems are in place. Additional information to support governing bodies and proprietors keep their children safe online (including when they are online at home) is provided in Annex C.

**Action Needed:**

Update  
Policy



Update  
Procedure



Inform  
Staff



Implement



Judge  
Impact



# Safeguarding whilst learning online

Annex C

## Education at home

Where children are being asked to learn online at home the department has provided advice to support schools and colleges do so safely: [safeguarding-in-schools-colleges-and-other-providers](#) and [safeguarding-and-remote-education](#)



See also 'Safer Working Practices' guidance

## Action Needed:

Update Policy



Update Procedure



Inform Staff



Implement



Judge Impact





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