

Keeping Children Safe in Education (2015): A Summary of Changes

Part 1: Safeguarding information for all staff

- Clarifies that members of staff should always talk to the designated safeguarding lead about safeguarding concerns. In exceptional circumstances, such as in an emergency or a genuine concern that appropriate action has not been taken, any member of staff can make a referral to directly to children's social care (paragraph 15);
- States that concerns about another member of staff should be referred to the Headteacher or the chair of governors where the concern is about the Headteacher and not to the designated safeguarding lead as had been indicated in the previous version of the guidance (paragraph 21);
- Outlines what staff should do if they are concerned about safeguarding practices within the school in line with whistle-blowing procedures. These procedures should be explained in staff training (paragraphs 22-23);
- Provides further information on preventing radicalisation and school and college responsibilities in this area (page 12-13).

Part Two: The Management of Safeguarding

- The school code of conduct (or staff behaviour policy) should include information about staff/pupil relationships and communications including the use of social media. When drafting this guidance, schools and colleges should have regard to section 16 of The Sexual Offences Act 2003 (paragraph 34).

Part 3: Safer Recruitment

- The description of regulated activity has been amended. The guidance advises that a person will be in regulated activity (and thus requires an enhanced DBS check with barred list information) is as a result of their work they:
 - will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children; or
 - will carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
 - engage in intimate or personal care or overnight activity, even if this happens only once. (paragraph 52)
- The guidance states that, for all other staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. This would include contractors that would have the opportunity for contact with children and who work under a temporary or occasional contract (paragraph 53);
- Includes reference to schools' requirements in line with the Childcare (Disqualification) Regulations 2009 (paragraph 59). Further guidance is available via MI Sheet 69/15;
- The description of when school does not need to obtain an enhanced DBS certificate for a new employee has been amended. The guidance advises that there is no requirement to obtain an enhanced DBS

certificate (or checks on overseas events) if in three months prior to their appointment the person has worked:

- In a school in England in a post which brought them into regular contact with children or young persons in any post in a school since 12 May 2006 or
- In an institution within the FE sector in England or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

The guidance makes clear that the school or college must still undertake all other pre-employment checks including, where the individual is engaging in regulated activity, a barred list check (paragraph 66);

- Provides further guidance on when the DBS Update Service can be used (paragraph 68);
- Clarifies that all staff including supply staff, and teacher trainees on salaried routes should be included on the single central record. Where checks are carried out on volunteers, schools should also record this on the single central record (paragraph 73);
- When a school employs agency and third party staff, the guidance is clear that the school must obtain written confirmation from that agency that the relevant checks have been carried out. The school must also check that the person presenting themselves for work is the same person on whom the checks have been made (paragraph 77);
- Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks, schools should obtain written confirmation from the training provider that these checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children. There is no requirement for the school to record details of fee-funded trainees on the single central record (paragraph 79);
- Paragraphs 83-89 of the guidance attempt to provide greater clarity about the level of check required for supervised and unsupervised volunteers. Schools and colleges may obtain (rather than should) an Enhanced DBS certificate (without barred list check) for volunteers who are supervised but have the opportunity to come into regular contact with children.
- Updated to clarify DBS checking procedure for contractors. "Schools and colleges should ensure that any contractor, or any employee of the contractor, who is to work at the school or college has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required." Highlights that in no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity (paragraphs 91-94).

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

- The term Local Authority Designated Officer (LADO) has been replaced with the term designated officer. This reflects a change in Working

Together to Safeguard Children 2015 to provide local authorities with greater flexibility on how to fulfil this function.

- The guidance re-introduces the possible outcome of unfounded in respect of an allegation, '*Schools may wish to use the additional definition of 'unfounded' to reflect cases where there is no evidence or proper basis which supports the allegation being made. It might also indicate that the person making the allegation misinterpreted the incident or was mistaken about what they saw. Alternatively they may not have been aware of all the circumstance.*' (paragraph 112)

Annex B: Role of the designated safeguarding lead

- Further guidance on the responsibility of the designated lead to ensure that child protection files are transferred to the child's new school or college as soon as possible. The guidance now states that the DSL should ensure secure transit of the file and obtain confirmation of receipt of the file (page 49).