

Keeping Children Safe in Education (KCSIE) 2019: summary

Part 1: safeguarding information for all staff

Staff roles and responsibilities

Safeguarding and promoting the welfare of children is **everyone's** responsibility.

All staff should make sure that any decisions made are in the **best interests of the child**.

All staff should:

- Provide a safe environment in which children can learn
- Know about (and feel confident to use) school safeguarding systems, including:
 - Policies on child protection, pupil behaviour and staff behaviour (your code of conduct)
 - Your safeguarding response to children who go missing from education
 - The role and identity of your designated safeguarding lead (DSL) and any deputies

They need to know:

- How to identify children who may benefit from early help and what your local early help process is
- How to make referrals to children's social care and for the statutory assessments that may follow a referral, and their role in these assessments
- How to identify signs of abuse and neglect, and what to do if a child makes a disclosure
- How to maintain confidentiality by only involving those who need to be involved
- That they should never promise a child confidentiality

You should give all staff appropriate safeguarding and child protection training, which is regularly updated. And they should receive safeguarding updates at least annually, for example via email or staff meetings.

Download and deliver our [2019 safeguarding INSET pack](#), or get your staff to take our [safeguarding essentials elearning](#) to help you meet these training duties. (You may need to upgrade your membership to get full access.)

If staff have concerns about a child

They should:

- Act **immediately**
- Follow your child protection policy
- **Speak to your DSL** (or deputy) as soon as they can

The DSL may then choose to:

- Manage any support for the child internally using the school's pastoral support processes
- Do an early help assessment
- Make a referral for statutory services

If the DSL or deputy is not available, staff should:

- **Not delay** taking action
- Speak to a member of the senior leadership team
- Contact the local children's social care directly, if appropriate, and follow advice
- Tell the DSL or deputy about any actions taken as soon as possible

If a child is in immediate danger or at risk of harm, staff should:

- Make a referral to children's social care (and the police, if appropriate) **immediately**
- Keep a log of all concerns, discussions and decisions made, and the reasons for those decisions
- Discuss any uncertainties about recording requirements with the DSL or deputy

If staff have concerns about female genital mutilation (FGM) they need to speak to the DSL or deputy immediately. There's a specific legal duty on **teachers** – where a teacher discovers that FGM has been carried out on a girl under the age of 18, they **must** report this to the police.

Staff should know what poor practice looks like

This includes:

- Failing to act on the early signs of abuse and neglect
- Poor record keeping
- Failing to listen to the views of the child
- Failing to reassess concerns where the situation does not improve
- Not sharing information, or sharing it too slowly
- Not challenging those who aren't taking action

Concerns about a staff member posing a risk of harm to children

Staff should tell the headteacher **immediately** if they:

- Have safeguarding concerns that a member of staff is posing a risk of harm to pupils
- Are making an allegation against another member of staff (or volunteer)

If the concerns relate to the headteacher, the staff member must tell the chair of governors.

If the headteacher is also the sole proprietor of an independent school, the staff member must tell the local authority designated officer.

If staff have any safeguarding concerns

Staff should follow your whistle-blowing procedures if they're worried about poor or unsafe practice within the senior leadership team.

They can contact the [NSPCC whistle-blowing helpline](#) if they:

- Are unable to talk to the headteacher or chair of governors
- Feel that their genuine concerns aren't being addressed

Staff should know the indicators of abuse and neglect ...

Abuse is a form of maltreatment of a child and can take the form of:

- **Physical abuse** - involving hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. This can also be caused by a parent or carer fabricating the symptoms of, or deliberately inducing illness in a child

- **Emotional abuse** - persistent emotional maltreatment which causes severe and adverse effects on the child's emotional development
- **Sexual abuse** - forcing or enticing a child or young person to take part in sexual activities, not necessarily involving high levels of violence, whether or not the child is aware of what is happening

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of their health or development.

This is explained further on pages 8 and 9 of KCSIE.

... and about behaviours linked to issues that can put children in danger
These include:

- Drug use
- Alcohol abuse
- Deliberately missing education
- Sexting

Staff should consider the local environmental factors and context when assessing children's safety. This is because safeguarding incidents can be associated with factors outside the school.

Peer-on-peer abuse

Staff must be aware that children can abuse other pupils, including through:

- Bullying (including cyber-bullying)
- Physical abuse
- Sexual violence and sexual harassment
- Upskirting
- Sexting
- Initiation/hazing type violence and rituals

Serious violence

Staff should also be aware of the indicators that children may be at risk from, or are involved in, serious violent crime. These may include:

- Increased absence from school
- Changing friendships, or forming friendships with older individuals or groups
- Significant decline in performance
- Signs of self-harm or assault, or unexplained injuries
- Significant change in wellbeing
- Unexplained gifts or possessions

They should also know the associated risks and the measures in place to manage these.

Part 2: the management of safeguarding

Governing boards (and proprietors of independent schools) are **responsible** for making sure their school's policies, procedures and training are effective and **comply with legislation**.

Your board must:

- Make sure your school's processes and practices are in line with KCSIE
- Appoint a board member responsible for the school's safeguarding arrangements

The board must also make sure that your school's DSL:

- Is a senior staff member from the leadership team
- Has the duty of lead responsibility for safeguarding explicitly in their job description

Annex B of KCSIE sets out more information on the DSL's role, which we also summarise in a separate article.

Safeguarding policies

You must have effective safeguarding policies in place, which you should give to all staff at induction.

Headteachers should make sure that **all** staff follow these policies, especially those on how to make referrals for cases of suspected abuse and neglect.

Your school should have its own child protection policy. (Trusts can have overarching policies, but these must reflect local procedures and protocols.)

Your **child protection policy** should:

- Describe procedures which are in accordance with government guidance
- Refer to locally agreed multi-agency procedures put in place by the 3 safeguarding partners (see 'Multi-agency working' below)
- Be updated every year, at least
- Be publicly available (e.g. via the school website)

Your **staff behaviour policy or code of conduct** should cover at least:

- Acceptable use of technologies
- Relationships between staff and pupils
- Communications including the use of social media

You can download and adapt model versions of these policies from our policy bank.

Statutory assessments

Under the Children Act 1989, LAs can undertake assessments of the needs of individual children to determine what services to provide and what action to take.

You can find information about the assessments on page 7 of KCSIE.

- **Section 17 assessment** is for children in need
- **Section 47 assessment** is for where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm

Multi-agency working

You need to work with other agencies, as set out in [Working Together to Safeguard Children](#).

This includes:

- Providing a co-ordinated offer of early help where needs are identified
- Contributing to inter-agency plans to support children who are subject to child protection plans
- Allowing access for children's social care to conduct section 17 or 47 assessments (see grey box)

You'll need to work with your 3 safeguarding partners:

- Local authority (LA)
- Clinical commissioning group
- Chief office of police

The safeguarding partners may name your school as a 'relevant agency'. This means they believe your involvement may be required to safeguard and promote the welfare of children with regard to local need. If this happens, which KCSIE says is "expected" you have a statutory duty to co-operate with their published arrangements, which should be in place by 29 September 2019.

Your governing board should:

- Make themselves aware of, and follow, the new arrangements
- Be prepared to supply information requested by the 3 safeguarding partners
- Understand the local criteria for action and protocol for assessment, and make sure these are reflected in your policies and procedures

Share information to tackle abuse and neglect

Governing boards, proprietors and staff need to make sure that:

- Arrangements are in place to allow the school to share information with the safeguarding partners
- School staff are proactive in sharing information as early as possible to help identify and respond to concerns about the safety and welfare of children
- Staff are aware of their obligations under the General Data Protection Regulation and the Data Protection Act (DPA) 2018
- Staff are aware that data protection regulations do not prevent information sharing for the purpose of keeping children safe

Your board should make sure that relevant staff:

- Have due regard to the data protection principles, which allow them to share personal information
- Are confident of the processing conditions which allow them to store and share information for safeguarding purposes
- Are aware that, if they need to share 'special category personal data', the DPA 2018 contains 'safeguarding of children and individuals at risk' as a processing condition that allows them to share information

Train staff in safeguarding, including online safety

You should provide the training mentioned in section 1 of this article at induction, and make sure staff update it regularly. This should follow advice from your 3 local safeguarding partners. Staff should also receive regular safeguarding and child protection updates at least annually, via email, staff meetings, etc.

Your DSL and any deputies should undertake training on their role, and update this every 2 years. The DSL should also undertake Prevent awareness training.

Your DSL and deputies should refresh their knowledge and skills at least once a year through:

- E-bulletins
- Meeting other DSLs
- Reading about safeguarding developments

Children need to be protected from harmful, inappropriate online materials

You must make sure there are appropriate internet filters and monitoring systems in place to protect pupils from harmful and inappropriate content online. You'll find further information on this in annex C.

You should teach children about safeguarding

This includes staying safe online.

You can do this through, for example, personal, social, health and economic education or relationships and sex education (RSE).

You need to prepare to be compliant with the new [RSE guidelines](#) that all state-funded schools must have in place by September 2020.

Find out more about these new requirements by going to our relationships, health and sex education 2020 resource hub.

Make sure people who pose a risk of harm are prevented from working with children

As part of your safer recruitment duties, your governing board should make sure the school:

- Adheres to statutory responsibilities to check staff who work with children
- Takes proportionate decisions on whether to ask for any checks beyond what is required
- Makes sure volunteers are appropriately supervised
- Has written recruitment and selection policies and procedures in place

If you're in a maintained school you must make sure that at least 1 of the people conducting interviews has completed safer recruitment training.

Part 3 of KCSIE has more information about requirements for safer recruitment.

Making referrals to the DBS

You have a legal duty to make a referral to the DBS where:

- An individual has harmed, or poses a risk of harm, to a child or vulnerable adult;
- The harm test is satisfied in respect of that individual;
- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that individual has committed a listed relevant offence; and
- That individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left

The DBS will then consider whether to bar the person. You should make a referral as soon as possible and ordinarily on conclusion of an investigation, when an individual is removed from working in regulated activity (see pages 24 and 44 to 45).

Make sure you have procedures for allegations of abuse against staff

You should refer to your local authority designated officer (LADO) any allegations against staff that might indicate they pose a risk of harm to children.

Your procedures must include what to do to make a referral to the Disclosure and Barring Service (DBS) if a member of your staff in regulated activity has been dismissed or removed for safeguarding reasons.

Part 4 of KCSIE has more information about this.

Your child protection policy should cover peer-on-peer abuse

It should include information on:

- Procedures to minimise the risk of peer-on-peer abuse
- Recording, investigating and dealing with allegations of such abuse
- The different forms peer abuse can take
- Processes for supporting the victims and perpetrators of the abuse, and any other children affected by it
- The gendered nature of peer-on-peer abuse, and that any type is unacceptable

Make sure you always take the child's wishes into account
This is important when responding to a safeguarding concern.

Pupils should have the opportunity to make their views heard. Make sure any systems and processes have the pupil's best interests at heart.

Looked after children (LAC)

The most common reason for children becoming 'looked after' is as a result of abuse and/or neglect.

Make sure that:

- Your staff have the skills, knowledge and understanding needed to keep LAC and previously LAC safe
 - This includes information regarding the legal status and parental responsibility arrangements for the child
- Your governing board appoints a designated teacher to promote the educational achievement of these children
 - This person should be appropriately trained
- The DSL has details of the child's social worker and the name of the virtual school head in the authority that looks after the child
- The designated teacher for LAC works with the virtual school head to discuss how best to use funding to support the progress of LAC
 - They should also work with the virtual school head to promote the educational achievement of previously LAC

LA personal advisers for care leavers

Your LA appoints personal advisers for young people who become care leavers.

Your DSL should:

- Have details of the personal adviser appointed to support a care leaver
- Liaise with the personal adviser regarding any concerns affecting the care leaver

Children with special educational needs (SEN) and/or disabilities

These children can face additional safeguarding challenges.

Make sure your child protection policy reflects that children with SEN and/or disability are more prone to:

- Assumptions being made that possible indicators of abuse relate to the child's disability, without further exploration
- Peer isolation
- Being disproportionately more affected by issues such as bullying
- Communication barriers and difficulties in overcoming those

Use of reasonable force

In some circumstances it's appropriate for your staff to use reasonable force to safeguard children.

The decision on whether or not to use reasonable force to control or restrain a child:

- Is down to the professional judgement of the staff concerned
- Should always depend on individual circumstances

If you need to use reasonable force to respond to risks presented by incidents involving children with SEN, disabilities or medical conditions, you should consider the risks. This includes:

- Carefully recognising the additional vulnerability of these groups
- Considering your duties under the Equality Act 2010

Part 3: safer recruitment

Teacher prohibition orders and section 128 directions

- Teacher prohibition orders prevent a person from teaching in schools and colleges
- Section 128 directions prohibit or restrict a person from taking part in the management of an independent school, including academies and free schools. This would include staff management positions, academy trustees and local governors in academies that have been given management responsibilities
- Section 128 directions also disqualify a person from holding or continuing to hold office as a governor of a maintained school
- Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction (provided that 'children's workforce independent schools' is specified in the parameters for the barred list check)

Pre-appointment checks

The majority of staff will require an enhanced DBS check with barred list information, as they will be engaging in regulated activity.

Other pre-appointment checks your school will carry out for new school staff and governors include verifying their:

- Identity
- [Right to work in the UK](#)
 - If the staff member has lived or worked outside of the UK, you'll need to make [further checks](#)
- [Professional qualifications](#)
- Mental and physical fitness to carry out their work responsibilities
- Employment history and [references](#)

Depending on their role, you also need to check that they're not subject to:

- A prohibition from teaching order
- A Section 128 order
 - Section 128 checks are for management positions in independent schools, including academies and free schools, plus governors or trustees in all types of schools. Read our article on section 128 checks to learn who needs them

Single central record

Your school must keep a single central record (SCR) to demonstrate you've carried out the mandatory pre-appointment checks referred to above. It can be in paper or electronic format.

Your SCR must cover:

- All staff (including supply and agency staff, and trainee teachers on salaried routes)
- If you're in an independent school, all members of the proprietor body (for academies and free schools this means members and trustees)

For each staff member you must record:

- Which checks you've carried out
- What date you carried out the checks

You're not required to include details of any other checks on the SCR.

If you're in a multi-academy trust, you can hold this centrally but need to make sure you can separate out the information on your SCR for each school in the trust, without delay, to inspectors.

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

Use this guidance when a member of staff or volunteer has allegedly:

- Behaved in a way that has harmed a child, or may have harmed a child
- Committed a criminal offence against or related to a child
- Behaved in a way that indicates they would pose a risk of harm to children

Read our articles to find out how to handle an allegation effectively and make sure your policy on this is robust:

- Allegations against staff: investigation reports
- [Conducting informal investigations into allegations about staff](#)
- Reporting safeguarding allegations
- Allegations against staff policy: model

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

This part summarises [more detailed DfE guidance](#) on how to manage a report of sexual abuse between children.

These reports are complex and require difficult professional decisions, which you often have to make quickly and under pressure.

Pre-planning, effective training and effective policies will help you to make calm, considered and appropriate responses. Read our articles for more information and how to respond:

- Peer-on-peer sexual abuse: how to respond
- Sexual violence and sexual harassment between children: summary