

Children's Service Advisory Committee: 5 January 2006

Report Title: Safeguarding Children in Education

Forward Plan reference number (if applicable): N.A

Report of: Director of the Children's Service

Wards(s) affected: All

Report for: Information

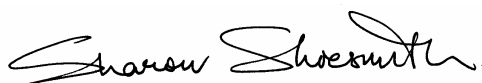
1. Purpose

To update Members on progress towards implementing the DfES guidance 'Safeguarding Children in Education', specifically in relation to the responsibilities of schools.

2. Recommendations

- 2.1 That Members note the report
- 2.2 That Members note that additional guidance has been published by the DfES in relation to safeguarding children that has implications for education settings;
- 2.3 To note that the London Child Protection Committee issued draft guidance for schools and other settings on 16th December 2005 that will have implications for how schools manage safeguarding responsibilities;
- 2.4 To request a further report in 2006 that addresses the implications of the full range of this guidance in relation to safeguarding in education.

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3. Executive Summary

This report sets out the current position in relation to the implementation of the revised responsibilities of schools, following the publication of the DfES guidance 'Safeguarding in Education' in the autumn 2004. The report also makes reference to additional guidance on the Children Act 2004, published by the DfES during 2005. The report makes reference to guidance published very recently by the DfES and the London Child Protection Committee that will have further implications for the context within which schools and other education establishments manage safeguarding responsibilities. Given that this guidance was

published much too late to be properly included in this report, this should be considered an interim progress report, with a more comprehensive report to be made available during 2006.

4. Reasons for any change in policy or for new policy development (if applicable)

No changes in policy are indicated. However, the guidance provides clarification on existing responsibilities.

5. Local Government (Access to Information) Act 1985

Safeguarding Children in Education, DfES, 2004

Child Protection: Preventing Unsuitable People from Working with Children and Young Persons in the Education Service, DfES 2002

Working Together to Safeguard Children, DoH, Home Office, DfEE, ODPM, LCD, 2003

London Child Protection Procedures (edition 2), London Child Protection Committee, 2004

Draft London Procedures (Education) London Child Protection Committee, October 2004

Children Act 2004, Section 10, Inter-Agency Co-operation to Improve the Well-Being of Children
Children Act 2004, Section 11, Guidance on the Duty to Safeguard and Promote the Welfare of Children

DfES Draft Consultation – Working Together to Safeguard Children (2005)

London Child Protection Committee: Safeguarding Children in Education Draft for Consultation, December 2005-12-21

London Child Protection Committee: Competence Matters – December 2005

DfES Safeguarding Children – Safer Recruitment and Selection in Education Settings, July 2005

DfES Managing Allegations Against Teachers and Others, November 2005

6. Background

Safeguarding Children in Education was published in September 2004. A report was provided to Members that set out the requirements of this guidance. This included much more prescriptive requirements for schools and other education establishments. It was agreed that a progress report should be provided for Members on the implementation of these responsibilities.

7. Description

This report sets out the original responsibilities described in Safeguarding Children in Education. It describes the current position in relation to schools implementation of these responsibilities. The report makes reference to a number of pieces of associated guidance that has been issued since the publication of Safeguarding – Children in Education and to other guidance that is imminent. Therefore the report highlights the need for more comprehensive report to Members once the implications of all associated guidance has been properly considered.

8. Consultation

This report reflects guidance issued by the DfES. This is subject to statutory consultation periods and where appropriate, Haringey has responded to each consultation opportunity.

9. Summary and Conclusions

The recommendations set out in Safeguarding Children in Education are being implemented in most schools in Haringey. All schools have received information and have been offered training for these responsibilities. Schools are audited twice per year against the requirements

of the guidance and challenged where their practice falls below the expected level. This guidance now needs to be set within the full range of safeguarding guidance that has been issued or is expected imminently to support the Children Act 2004, including procedures issued by the London Child Protection Committee. This will need to be assimilated into a comprehensive local strategy to ensure that schools work with the full range of partners to ensure that children and young people are safeguarded.

10. Recommendations

- 10.1 That members note the report;
- 10.2 That Members note that this is an interim report and that a fuller report that encapsulates the full range of associated guidance will be produced in 2006; and
- 10.3 That Members note that a very high proportion of schools have met the requirements of the existing guidance and Children's Service staff are continuing to secure the full compliance of all schools.

11. Comments of the Director of Finance

This is a report for information. There are no new financial implications arising from this report.

12. Comments of the Head of Legal Services

This is a report for information. It accurately describes new duties for the schools introduced by the Children Act 2004.

13. Equalities Implications

This is a report for information, it does not raise any issues that specifically affect any sections of the community.

14. Use of Appendices / Tables / Photographs

No appendices or photographs have been used. A table has been used in paragraph 10 to show the current position in schools in relation to DfES requirements.

The Report

1. The Department published 'Safeguarding Children in Education' for Education and Skills (DfES) in September 2004. This gives guidance under section 175 of the Education Act 2002. The guidance discusses the duty of local education authorities (LEAs) and education establishments to have arrangements to carry out their functions with a view to safeguarding and promoting the welfare of children (Section 175 of the Education Act 2002, Section 157 for independent schools). It also identifies their responsibilities for child protection arrangements, replacing existing guidance in Circular 10/95 'Protecting Children from Abuse: The Role of the Education Service'.
2. The Department for Education and Skills (DfES) indicated that it would be updated as necessary in response to new developments, such as the development of integrated children's services. This has not happened to date. Therefore, for the purpose of this report, reference is still made to the LEA, in line with the guidance, although these responsibilities now reside within Haringey Children's Service.
3. The guidance applies to:
 - LEAs
 - Governing bodies and headteachers of maintained schools
 - Governing bodies and headteachers of non-maintained schools

- Proprietors and headteachers of independent schools, including city academies and city technology colleges
 - Corporations and principals of FE colleges; and
 - All staff within any of these organisations who have a lead responsibility for safeguarding children
4. The guidance established a shared objective that all staff in the education service must aim to keep children safe by rigorous recruitment, challenge of poor practice, taking action on concerns and contributing to work with partner agencies. Failure to have safeguarding arrangements in place or failure to have regard to this guidance may be grounds for the Secretary of State to take action against an LEA, governing body or proprietor.
 5. Training on the revised guidance was provided for all schools, through governors' briefings, headteacher meetings and specific events delivered within the Network Learning Community arrangements.
 6. Members received a report on 'Safeguarding Children in Education' in December 2004. It was agreed that Members should receive a progress report on the implementation of the guidance during 2005. This report provides an update of progress in relation to the implementation of the guidance in relation to school responsibilities.
 7. Since the publication of 'Safeguarding Children in Education', the DfES has also published a number of other documents related to the wider responsibilities to safeguard children. These include the Children Act 2004 Section 10 guidance on 'Co-operation to Improve the Well-being of Children and Young People', Section 11 guidance on 'Arrangements to Safeguard and Promote the Welfare of Children and Young People, and draft guidance on the role of Local Safeguarding Children Boards. All of this guidance has very significant implications for the context within which schools provide services to children and young people and the ways in which they work with partner agencies.
 8. The DfES are also in the process of revising the guidance 'Working Together to Safeguard Children'. The consultation period on this guidance ended in October 2005 and final guidance is expected early in 2006. This will set out very clearly the responsibilities of the full range of agencies that work with children and young people .
 9. It will be very important to take account of the full range of government guidance on the multi-agency framework for safeguarding children. Some aspects of this guidance are due for imminent publication, therefore, this report does not address the implementation of central responsibilities as it will be appropriate to consider these within the context of the revised 'Working Together' document. Additionally other guidance has been published very recently, and too late to include within the remit of this report.
 10. The following table sets out the current position in relation to the key operational responsibilities within schools, as set out in the guidance:

Schools must:	Current position (December 2005)
have a child protection policy in place in accordance with local inter-agency procedures;	Over 85% of schools now have a child protection policy. Headteachers and Chairs of governors continue to be reminded of their responsibility to have an up to date policy in place.
operate safe recruitment procedures;	The Local Safeguarding Children Board recently undertook a consultation on minimum standards for recruitment of staff. The

	consultation period ended on 9 th December 2005. Schools were involved in the consultation process and governing bodies will be invited to adopt this guidance when it is finalised.
have procedures for dealing with allegations against members of staff and volunteers;	The DfES published revised guidance on dealing with allegations against professionals in November 2005. Local procedures that reflect this guidance are being prepared and will be agreed by the LCSB in early 2006.
have a designated member of staff from the schools leadership team to take lead responsibility for child protection issues;	100% of schools have a designated teacher for child protection.
ensure that the designated member of staff undertakes inter-agency training at the standard required by the local ACPC and that they attend refresher training every two years;	The LSCB and LEA (now Children's Service) offer a comprehensive training programme that would enable all schools to meet the training requirements on staff.
ensure that the headteacher and all other staff who work with children undertake appropriate training to enable them to fulfil their child protection responsibilities effectively and receive refresher training every three years; and	The LSCB and LEA (now Children's Service) offer a comprehensive training programme that would enable all schools to meet the training requirements on staff.
nominate a member of the governing body to be responsible for liaising with the LEA and/or partner agencies in the event of an allegation against the headteacher.	Over 70% of schools have a designated governor for child protection. Governors are reminded each term, through the Directors letter to governors, of their responsibilities for child protection.

11. There are considerable training implications arising from the guidance 'Safeguarding in Education' as well as the Children Act 2004 Section 11 guidance on the 'Arrangements To Safeguard and Promote The Welfare of Children'. These have implications, both for schools and other agencies working with children, young people and families. The London Child Protection Committee launched 'Competence Matters', a London Multi-Agency Safeguarding Children Training Framework for consultation on 16th December 2005. This was too close to the submission dates for reports to include detail here. However, this framework sets out a number of proposals that would enable training requirements to be addressed on a pan-London as well as local basis.
12. At the time of writing the last report for Members (December 2004), the London Child Protection Committee was preparing single agency guidance on the role of education establishments in relation to safeguarding children. This was published in draft form on 16th December 2005. This was too late to be properly incorporated into this report. A further report will be available to Members setting out the implications of this guidance when it is published in final form.
13. This report is being written at a time of transition as the DfES publishes a suite of statutory guidance in relation to the Children Act 2004. Some of the original timescale for the publication of this guidance e.g. dealing with allegations against professionals has been extended and the documents have been published later than expected. Other guidance such as that relating to safe recruitment is still awaited. This has had an impact on our planning, as our local arrangements must reflect the statutory position. Therefore, this report only partially addresses the full implementation of arrangements to safeguard children in education. It is recommended

that a further report that addresses the implications of the full range of statutory guidance is made available to Members during 2006.