

Safeguarding Team

No. 30 KCSiE 2020 – the Changes

WHATS NEW FOR KCSiE 2020

There certainly haven't been as many changes to KCSiE as in previous years, the main changes are identified below. (For a summary of all changes refer to KCSiE 2020, Annex H: Table of substantive changes from September 2019). There have been no changes to PARTS THREE and FIVE and ANNEXES D, E, F and G.

KCSiE 2020 assumes that the new three safeguarding partner arrangements are in place. (Devon have already moved from having a Local Safeguarding Board to the Devon Children and Families Partnership.)

SUMMARY: A new paragraph has been added about Coronavirus (Covid –19) pandemic as well as reference to departmental advice around Sexual Violence and Sexual harassment between children in schools and college.

PART ONE: Information has been added about mental and physical health and their relation to safeguarding as well as moving the contextual safeguarding paragraph to no 21. There has also been further information added about child criminal exploitation and child sexual exploitation. However in the main the content has remained largely the same.

PART TWO: A link to recently published 'when to call the police guidance' for DSLs has been included to support working with safeguarding partners and there is now the assumption that all new safeguarding partner arrangements are in place. Additions around GDPR clarification and a data protection tool kit link have been included as well as signposting to Annex C (support keeping children safe online when learning from home). Inspection paragraphs have been updated to reflect changes in Ofsted guidance. KCSiE also advises that schools and colleges have the necessary processes in place to manage all concerns about staff and that these refer to and use guidance as laid out in Part 4. Part two changes also recognises the importance of supporting children with a social

worker in line with the children in need review and communication between LA and settings. A new section raising the profile of the link between mental health and safeguarding has been included.

PART FOUR: A fourth bullet point has been included to cover where an individual has behaved or may have behaved in a way that indicates they may not be suitable to work with children. Thus covering transferable risk, settings need to consider what triggered a particular actions by the employee and whether a situation in school/college could trigger that same reaction. Further detail has been added to provide guidance on how to handle an allegation against supply teachers.

ANNEX A: Additional information has been included on child criminal exploitation, child sexual exploitation, county lines, preventing radicalisation (including more information on Channel) and up skirting. It is also made clear that Domestic Abuse can impact on children witnessing it at home, or suffering it in an intimate personal relationship, further signposting for information and support is included. Finally in Annex A Honour-based violence has been changed to Honour-based abuse to recognise non-violent forms of abuse.

ANNEX B: Inclusion of advice for DSLs on the needs of children with a social worker and ways to promote the education outcomes for these children.

ANNEX C: Paragraph order has been reviewed to improve accessibility. New links have been included and a paragraph on education at home.

Keeping Children Safe in Education (KCSiE) is the statutory guidance for schools and colleges on safeguarding children and safer recruitment.

This government guidance applies to all schools and is for: head teachers, teachers and staff governing bodies, proprietors and management committees.

It sets out the legal duties you must follow to safeguard and promote the welfare of children and young people under the age of 18 in schools and colleges.

All school and college staff should read [Part 1](#) of this guidance, which is also available as a standalone document. Annex A should also be shared with school and college staff and read.

A NEW VERSION ON KEEPING CHILDREN SAFE IN EDUCATION WAS PUBLISHED ON SEPTEMBER 1st 2020. This version replaces all other KCSiE documentation.

PART ONE in more detail:

A child centered and coordinated approach to safeguarding

34-38, 56

4. Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as...

- Preventing impairment of children's mental and physical health of development...

Abuse and Neglect

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.

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, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organized crime. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online. More information include definitions and indicators are included in Annex A.

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 behavior suggests that they may be experiencing a mental health problem or be at risk of developing one.

36. Where children have suffered abuse or neglect, or other potentially traumatic adverse childhood experiences, this can have a lasting impact throughout childhood, adolescence and into adulthood. It is key that staff are aware of how these children's experiences, can impact on their mental health, behavior and education.

37. If staff have a mental health concern about a child that is also a safeguarding concern, immediate action should be taken, following their child protection policy and speaking to the designated safeguarding lead or deputy.

38. *(This paragraph provides links to published advice and guidance)*

What school and college staff should do if they have safeguarding concerns about another staff member who may pose a risk of harm to children

58. If staff have safeguarding concerns, or an allegation is made about another member of staff (including supply staff and volunteers) posing a risk of harm to children, then:

- this should be referred to the Headteacher or principal;
- where there are concerns/allegations about the Headteacher or principal, this should be referred to the chair of governors, chair of management committee or proprietor of an independent school; and
- in the event of concerns/allegations about the Headteacher, where the Headteacher is also the sole proprietor of an independent school, this should be reported directly to the designated officer(s) at the local authority.

Further details can be found in Part four of this guidance.

Excerpts taken from KCSiE 2020 Part One

SCHOOLS NEED TO ENSURE THAT:

KCSiE 2020 is read by

- governing bodies of maintained schools (including maintained nursery schools) and colleges;
- proprietors of independent schools (including academies, free schools and alternative provision academies) and non-maintained special schools. In the case of academies, free schools and alternative provision academies, the proprietor will be the academy trust; and
- management committees of pupil referral units (PRUs).

All staff in school or college should read at least Part One of KCSiE 2020. School and college leaders and those staff who work directly with children should also read Annex A. We would recommend that those staff read Part Five. (School should record all staff have read KCSiE 2020, possibly on the SCR.)

The Safeguarding Policy and all related policies are updated to reflect Keeping Children Safe in Education 2020 changes.

Advise staff of the changes to KCSiE 2020 and, as a result, the changes to the Safeguarding Policy and other related policies.

School induction processes and policies are updated to reflect KCSiE 2020