



Committee and Date

Young People's Scrutiny

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Item

**7**

Public

## **SAFEGUARDING ARRANGEMENTS IN INDEPENDENT SCHOOLS**

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### **1.0 Summary**

- 1.1 This paper provides details of Shropshire Council's safeguarding arrangements in independent schools. It outlines for Scrutiny how Shropshire Council meets its statutory duties in relation to the safeguarding arrangements in independent schools.
- 1.2 Safeguarding arrangements in independent schools are covered by the following legislation and guidance:
  - a) Section 11 of the Children Act 2004 states that a Local Authority must ensure :
    - i. their functions are discharged having regard to the need to safeguard and promote the welfare of children; and
    - ii. any services provided by another person pursuant to arrangements made by the person or body in the discharge of their functions are provided having regard to that need.
  - b) Sections 94(1) and (2) of the Education and Skills Act 2008
  - c) Keeping Children Safe in Education 2015
- 1.3 Further guidance regarding safeguarding arrangements in independent schools is also found in chapter 2.4 of the HM government Working Together to Safeguard Children document 2015.

### **2.0 Recommendations**

- 2.1 The Scrutiny Committee is asked to note the details given in this paper and provide comments and feedback in respect of the Council's approach to fulfilling its responsibilities to ensure safeguarding arrangements in independent schools are adequate and compliant.

## REPORT

- 3.0 There are 13 independent schools in the county of Shropshire and 6 independent provisions specifically for pupils with Special Educational Needs. These are demographically spread throughout the county, some of these provisions offer boarding facilities.
- 3.1 The requirements for the safeguarding of pupils within an independent school are largely the same as all maintained and academy schools. However, the responsibility may be that of the governing bodies, management committees or proprietors. Section 11 of the Childrens Act 2004 places a duty on Local Authorities to ensure this responsibility is discharged having regard to the need to safeguard and promote the welfare of children. The Independent Schools Inspectorate (ISI) is approved by the Department for Education (DfE) under section 162A(1)(b) of the Education Act 2002, to inspect Independent Schools.
- 3.2 The Local Authority has a duty to ensure all schools reflect the importance of safeguarding and promoting the welfare of children. The key features in relation to Independent Schools are:
- a) A clear line of accountability within the school for work on safeguarding and promoting the welfare of children.
  - b) A senior management level lead to take leadership responsibility for the organisation's safeguarding arrangements.
  - c) A culture of listening to children and taking account of their wishes and feelings.
  - d) Clear whistleblowing procedures, which reflect the principles in Sir Robert Francis's Freedom to Speak Up review and are suitably referenced in staff training and codes of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed.
  - e) Arrangements which set out clearly the processes for sharing information with other professionals and with the Shropshire Safeguarding Children Board (SSCB).
  - f) a designated professional lead for safeguarding. Their role is to support other professionals in their establishment to recognise the needs of children, including rescue from possible abuse or neglect. Designated professional roles should always be explicitly defined in job descriptions. Professionals should be given sufficient time, funding, supervision and support to fulfil their child welfare and safeguarding responsibilities effectively.
  - g) Safe recruitment practices for individuals whom the organisation will permit to work regularly with children, including policies on when to obtain a criminal record check, and maintain the single central record for the school.
  - h) Offer appropriate supervision and support for staff, including undertaking basic awareness safeguarding training.

- i) Ensuring that their staff are competent to carry out their responsibilities for safeguarding and promoting the welfare of children and creating safeguarding role.
- j) Staff should be given a mandatory induction, which includes familiarisation with child protection responsibilities and procedures to be followed if anyone has any concerns about a child's safety or welfare.
- k) Schools should have regular reviews of their own practice to ensure they improve over time.
- l) Clear policies in line with those from the SSCB for dealing with allegations against people who work with children. Such policies should make a clear distinction between an allegation, a concern about the quality of care or practice or a complaint.

3.3. The Local Authority has a designated Education Safeguarding Officer that liaises with independent schools. The Local Authority monitors compliance in Independent Schools using:

- a) Termly section 9 practice audit completion by schools. Random samples representing 33% of the provisions are requested by the Local Authority each Term and examined for indicators of compliance. This ensures that the Local Authority receives practice audits from all provisions over a 12 month period. Schools with continued non-compliance have to return practice audits termly until compliance is achieved. The information from these practice audits is collated and presented to the Learning and Skills Safeguarding Group termly for review and is referenced in the annual report to the Shropshire Safeguarding Children Board.
- b) Annual Section 11 Audit completion by Schools. Random samples representing 53% of the provisions are requested by the Local Authority annually and examined to determine compliance with regulations. This rolling programme ensures that the Local Authority receives an annual audit from all provisions over a 2 year period. These audits are collated and information around compliance is presented in an annual report to the Learning and Skills Safeguarding Group for review. Issues regarding non-compliant schools are followed up by the Education Safeguarding Officer.
- c) Consultancy visits. Independent Schools may request a safeguarding consultancy visit from the Local Authority which thoroughly examines schools policies and procedures to ensure compliance with legislation. Only one independent provision has requested this during the academic year 2014/2015.
- d) Safeguarding Training. The Local Authority offers Designated School Lead and whole school basic awareness training to all Independent providers, however they can choose to obtain this training from outside agency providers. There are currently seven Independent providers that request this service from the Local Authority.

- e) A named Education Safeguarding Officer – Samantha Edwards is the named officer for Shropshire and will manage enquiries or concerns regarding schools safeguarding practice and policies.
  - f) First Point of Contact telephone referrals. All schools that, through the referral process of the Initial Contact Team, are identified as not applying clear and consistent safeguarding practice will be referred to the Education Safeguarding Officer. This will then be investigated, training needs identified, and recommendations made for a tight consistent safeguarding approach. The school will be expected to act on the recommendations to ensure compliance.
- 3.4 The Local Authority has recently introduced a proforma for Independent Schools to complete on an annual basis and return to the Education Safeguarding Officer (see appendix A). This provides a checklist for schools and also monitors compliance regarding safeguarding training throughout the school.
- 3.5 The Independent School Safeguarding Group commenced in March 2014 and meets twice a year. This is chaired by the Director of Children's Services. The primary function of this group is to extend relationships with Independent Schools and raise awareness of the importance of safeguarding all young people in Shropshire. Within this forum independent schools are updated on statutory duties and recommended 'best practice', amendments to relevant safeguarding policies and current areas of focus.
- 3.6 The Key Areas of Focus in 2015/2016 to address Safeguarding Arrangements in Independent Schools are:
- 3.6.1 **Strategic Management**  
A full review of current monitoring processes relating to compliance in Independent Schools to improve the efficiency and effectiveness of the audit process. Clear strategies for feedback following the completion of the section 9 and section 11 audits needs to be developed to ensure schools modify their safeguarding practices and are compliant with statutory regulations.
  - 3.6.2 **Improved Compliance**  
Development of a strategic process that holds schools to account if non-compliant; this will commence with feedback from section 9 audits, feedback from section 11 audits with a clear list of recommendations from the Local Authority following non-compliant outcomes, unannounced informal safeguarding inspections by the Education Safeguarding Officer to ensure recommendations have been completed and the school is compliant. In the event of a Local Authority OFSTED inspection a feature of this will be the number of schools within the county that are judged to be good or outstanding in the area of safeguarding. The Local Authority may need to consider the resources and funding available or required to implement the strategy to improve compliance.
  - 3.6.3 **Improved cohesive working.**  
Forge closer links with Independent Schools in the County and raise the awareness of safeguarding regulations. This will include further development of the Independent School Safeguarding Group and linking it in with other areas of safeguarding such as Children Missing Education.

#### 3.6.4 **Child Protection Training in Schools**

Develop more capacity to deliver Child Protection Training in schools to meet increasing demand and update on statutory changes from government. A focus

on working with Independent Schools to ensure providers of their training are adequate and up to date with Shropshire's regulations.

#### 3.6.5 **Prevent Strategy**

To ensure Independent Schools have accessed current Radicalisation and Prevent Training in line with National Prevent Government strategy.

#### **List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

Keeping Children Safe in education July 2015  
Working together to Safeguard Children March 2015  
The Childrens Act 2004  
Education and Skills Act 2008  
The Education Act 2002

#### **Cabinet Member (Portfolio Holder)**

Ann Hartley

#### **Local Member**

All Members

#### **Appendices**

Appendix A: Child Protection Proforma 2015