

PEOPLE (CHILDREN) SCRUTINY PANEL

13 November 2014

Safeguarding in Schools Report of the Director for People

STRATEGIC AIMS:	<ul style="list-style-type: none">▪ Creating a Brighter Future for All▪ Meeting the Health and Wellbeing Needs of the Community▪ Creating a Safer Community for All
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1. PURPOSE OF THE REPORT

- 1.1 This report provides background information on the context and current position regarding Safeguarding in Schools. It includes information on DfE Guidance for keeping children safe in education, statutory duties, key roles and responsibilities, the standards of safeguarding compliance in schools and an explanation of the work of the Virtual School.
- 1.2 The report also includes identified actions for improvement and development of safeguarding in schools and areas of risk.

2. RECOMMENDATIONS

- 2.1 That People (Children) Scrutiny Panel considers the contents of this report noting the background information and identified actions for improvement of areas of Safeguarding in Schools practice.**

3. BACKGROUND

- 3.1 Within the breadth of the Council's responsibilities for Safeguarding, Safeguarding in Schools is a shared responsibility between maintained school, academies and Post 16 provision in Rutland and the Local Authority and is a key part of the range of safeguarding responsibilities of the People Directorate, which include Early Years Settings, Adult Learning, Children and Adult Social Care.
- 3.2 Safeguarding in Schools also links to the strategic aims and objectives of the Places Directorate, for example, in respect of home to school transport and community safety.
- 3.3 The 2014 DfE guidance 'Keeping Children Safe in Education' clearly sets out the statutory responsibilities of maintained schools, academies and the Local Authority. **See Appendix A.**
- 3.4 Safeguarding in Schools contributes to the Rutland County Council TEN performance management indicators where the 2013/14 target has been

carried forward to 2014/15 and is to ensure that 100% of maintained schools, academies and Post 16 provision are compliant with the DfE statutory duties.

- 3.5 This report to People (Children) Scrutiny Panel provides an evaluation of the 2013/14 level of compliance by maintained schools and academies provision following an online survey of those providers and approval is sought to present this evaluation to Rutland County Council's Cabinet to ensure that the most senior governance is informed of the 2013/14 compliance level and any associated issues or risks which require action.
- 3.6 Rutland County Council with Leicestershire County Council are joint members of the Local Safeguarding Children Board (LSCB). The People Directorate reports on Safeguarding matters to the LSCB Executive quarterly and includes both children and young people safeguarding agenda items
- 3.7 The People Directorate also report on Safeguarding in Schools matters to the Council's Children's Trust which meets on a quarterly basis. A report on Safeguarding in Schools is being presented to the meeting of the Children's Trust on 4 November 2014.
- 3.8 This report also sets out the statutory duties and responsibilities of the Virtual School which is part of the Local Authority provision for Looked After Children and summarises key issues relating to the provision of support for Looked After Children in the 2013/14 school year.
- 3.9 Safeguarding in Schools in Rutland has until recently been led by the Assistant Director (Children) within the People Directorate. However, as a result of restructuring within the People Directorate new lead officer arrangements have placed the Head of Service Learning and Skills as the lead officer for Safeguarding in Schools which is a key element of wider safeguarding practice.

4. SAFEGUARDING IN SCHOOLS: STATUTORY DUTIES

- 4.1 The DfE published its most recent guidance Keeping Children Safe in Education - Statutory Guidance for Schools and Colleges in April 2014. This new guidance replaces the DfE guidance Safeguarding Children and Safer Recruitment in Education (December 2006).
- 4.2 The guidance sets out the requirements placed on schools and colleges in relation to their duties regarding safeguarding and promoting the welfare of children and specifically notes:

This is statutory guidance from the Department for Education issued under Section 175, Education Act 2002, the Education (Independent School Standards) (England) Regulations 2010 as amended by SI 2012/2962 and the Education (Non-Maintained Special Schools) (England) Regulations 2011. Schools and colleges must have regard to it when carrying out their duties to safeguard and promote the welfare of children.

Unless otherwise specified, 'school' means all schools whether maintained, non-maintained or independent schools, including academies and free schools, alternative provision academies and pupil referral units. 'School' does not include maintained nursery schools. 'College' means further education colleges and sixth-form colleges, and relates to children under the age of 18, but excludes 16-19 academies and free schools (which are required to comply with relevant safeguarding legislation by virtue of their funding agreement).

The April 2014 DfE guidance contains information on what schools and colleges should do and sets out the legal duties with which schools and colleges **must** comply. It should be read alongside the DfE guidance Working Together to Safeguard Children 2013 which applies to all the schools referred to above, including maintained nursery schools.

The DfE have indicated clearly in their instructions that the April 2014 guidance applies to all staff members in all schools and colleges and that governors and Head Teachers should ensure that **all staff read at least Part One of the guidance.**

4.3 Guidance to Schools and Colleges

All schools in Rutland have been sent a copy of the April 2014 DfE guidance which sets out what school and college staff should know and do and which states:

- a) Safeguarding and promoting the welfare of children is defined for the purposes of the new April 2014 guidance as:
 - protecting children from maltreatment;
 - preventing impairment of children's health or development;
 - ensuring that children grow up in circumstances consistent with the provision of safe and effective care;
 - taking action to enable all children to have the best outcomes;
- b) Children includes everyone under the age of 18;
- c) Where a child is suffering significant harm, or is likely to do so, action should be taken to protect that child. Action should also be taken to promote the welfare of a child in need of additional support, even if they are not suffering harm or are at immediate risk.

4.4 DfE Guidance – April 2014

The April 2014 DfE guidance also sets out detailed information on specific areas of safeguarding in schools. The full list is provided in **Appendix A.**

4.5 The Responsibility of the Governing Body

Governing Bodies, Boards and proprietors must ensure that they comply with their duties under legislation. They must also have regard to this guidance to ensure that the policies, procedures and training in their schools or colleges are effective and comply with the law at all times.

4.6 The Responsibility of the LADO

The LADO has overall responsibility for:

- oversight of the procedures for dealing with allegations in school;
- for resolving any inter-agency issues;
- and for liaison with the Local Safeguarding Children Board (LSCB) on the subject.

The LADO will provide advice and guidance to the case manager, in addition to liaising with the police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process. Reviews should be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Police forces should also identify officers who will be responsible for liaising with the LADO.

A key role of the LADO is to provide an annual report on allegations in schools to the Local Safeguarding Children Board.

5. SAFEGUARDING IN SCHOOLS AND THE ROLE OF THE LOCAL AUTHORITY

5.1 A key role of the Local Authority in supporting Safeguarding in Schools is supporting and monitoring the work of schools and colleges and ensuring they undertake their statutory duties.

5.2 Training

Schools and colleges arrange training for their own staff and also access governor training on safeguarding and child protection. The Local Authority also helps to provide, arrange and broker training for designated teachers and governors on safeguarding.

5.3 Local Safeguarding Children Board

The Local Authority contributes to the Local Safeguarding Children Board (LSCB) which is operated on a partnership basis with Leicestershire County Council. A report will be taken to the next meeting of the Board on 4 November 2014 to summarise the Safeguarding in Schools work in Rutland and the level of compliance in schools following a survey of safeguarding practice in schools carried out by the People Directorate.

There is currently a vacancy for the Head Teacher representative on the Local Safeguarding Children Board.

5.4 Safeguarding Compliance Report

The Local Authority, through the People Directorate, will present a compliance report to Rutland County Council Cabinet in December 2014 which will summarise the Safeguarding Annual Return 2014. This report is based on an online survey of safeguarding practice in Rutland maintained schools and academies provision in the 2013/14 academic year. A similar survey and report process to senior governance and decision makers is adopted by Leicestershire County Council and reported to the Safeguarding Children Board. See **Appendix B** for a summary of outcomes of the Rutland safeguarding in schools compliance survey.

5.5 Safeguarding Compliance Report

An annual compliance report should also be taken to Rutland County Council Cabinet each year. It is proposed that a report is taken in December 2014 which will summarise the Safeguarding Annual Return 2014. This report will be based on the online survey of safeguarding practice in Rutland maintained schools and academies and provision in the 2013/14 academic year. A similar survey and report process to senior governance and decision makers is adopted by Leicestershire County Council and reported to the Safeguarding Children Board. See **Appendix B** for a summary of outcomes of the Rutland safeguarding in schools compliance survey.

5.6 Communications and Events

The Local Authority works closely with Leicestershire County Council on the Local Safeguarding Children Board to distribute key information through its website and newsletter produced specifically for schools. A follow up event to the recent Child Sexual Exploitation evening for Head Teachers and Governors will be arranged to focus on key areas of safeguarding in schools, including E-Safety.

5.7 Virtual School

A key responsibility of the Local Authority is to arrange and manage a Virtual School for Looked After Children and appoint a Virtual School Head Teacher who must ensure the educational provision, safeguarding and welfare of Looked After Children meets follows statutory guidance and operates at a high standard. Section 7 below outlines the work of the Local Authority Virtual School in Rutland. A report on the performance of the Virtual School will be taken to the Corporate Parenting Board, its governing body, once it is established by Rutland County Council.

The Local Authority also is required to track and monitor the performance and welfare of Looked After Children. Rutland County Council is currently investing into software for tracking and monitoring Looked After Children

which will significantly improve the current manual process and interface with IT based in schools.

A Local Authority Looked After Children Operational Group coordinates and plans support and monitoring and brings together the work of the school improvement service, social workers, exclusions and attendance officers. The Operational Group sets priorities for actions to support Looked After Children and also identifies risks to these young people, including those related to the list set out in 3.3 above contained within the DfE Guidance April 2014. A significant risk has been identified relating to e-safety, which is currently a high priority for the Operational Group. See Section 5 below.

Currently, the Virtual School Head Teacher role is undertaken by a member of the Learning and Skills School Improvement Team who is a former Primary school Head Teacher. An area of development for the Virtual School Head Teacher role in Rutland is to introduce secondary experience to monitor and plan support for those pupils of secondary school age.

6. LOCAL AUTHORITY SAFEGUARDING COMPLIANCE SURVEY

- 6.1 The Local Authority, through the People Directorate, conducted an online survey of all maintained schools and academies in Rutland in 2014. A similar survey is undertaken by Leicestershire County Council and reported to the Local Safeguarding Children Board.
- 6.2 The main findings of the Rutland online safeguarding in schools compliance survey are shown at **Appendix B**.
- 6.3 The online survey demonstrated a high level of compliance across the statutory duties and responsibilities of schools for safeguarding.

However, several areas were identified for improvement:

- E-Safety training for staff and governors;
- E-Safety lessons on specific aspects for pupils;
- Safeguarding arrangements for children educated at home;
- Curriculum development e.g. domestic abuse
- Updating and policy development in schools
- Communication from the LSCB to schools (due to vacancy in Head Teacher representative)

These areas will be addressed through an appropriate action plan and progress monitored.

7. RUTLAND VIRTUAL SCHOOL AND VIRTUAL SCHOOL HEADTEACHER

- 7.1 The Virtual School is essentially a collaborative initiative which involves a wide range of professionals and stakeholders working together to improve the outcomes and life chances for children and young people in care and those who are care leavers. This includes Looked After Children (LAC) who are in school, both in and out of the

county, for whom Rutland is the Corporate Parent. A Virtual School works by using a virtual method to support Looked After Children and young people in many different schools as if they were in a single school. For the purposes of monitoring the attendance, exclusions, attainment and progress of children and young people they are placed on a Virtual School roll.

- 7.3 There are currently 23 Rutland Looked After Children commencing the 2014/15 academic year (20 of statutory school age and 3 Post 16). Each of these children/young people is being monitored and tracked in terms of their welfare and educational attainment. There were 20 Rutland Looked After Children in the 2013/14 academic year.
- 7.4 At the last Fostering Service Inspection of Rutland held just over three years ago on 25 August 2011, which included an inspection of the Rutland Virtual School, the Local Authority was judged to be 'Outstanding', with no specific recommendations for the Virtual School.
- 7.5 The Virtual School in Rutland is coordinated and supported by a Looked After Children Operational Group which meets monthly to monitor the welfare and performance of Rutland children in care, including Looked After Children. This group has an important responsibility to ensure that children in care are appropriately safeguarded and educated. At its regular meetings group members provide updates on individual Looked After Children and the work of supporting professionals and future interventions are considered and planned. Agendas and notes of these meetings are available from the Virtual School Head Teacher.
- 7.6 The group will in future be chaired by the Head of Service Family Support (Social Care) supported by the Head of Service Learning and Skills. The group will report to the People Directorate Management Team on a regular basis and provide progress reports to the Local Safeguarding Children Board (LSCB).

Reporting on the performance of the Virtual School to a Corporate Parenting Board is required. Arrangements are currently being made by the People Directorate to establish a Corporate Parenting Board.

- 7.7 The Operational Group includes the following County Council officers:

Role	Officer
Virtual School Head Teacher	Jen Hazell (Primary Schools Officer)
Social Inclusion and Development Officer (SIDO)	Liz Odom
Early Years Advisor	Sally Hickman
Youth Options Worker	Kim Gordon

Leaving Care Worker	Joy Donlan
Team Manager - Safeguarding	Gisela Jarman
Team Manager – Learning and Skills	Margaret Broughton

7.8 The overall purpose of the Virtual School in Rutland is to promote the emotional wellbeing and educational achievement of the children and young people in the care of Rutland County Council by:

- Tracking and monitoring the welfare and performance of children in care;
- Raising expectations, attainment and accelerating progress;
- Promoting a deeper understanding of children and young people who have experienced separation and loss, and whose pre- and post-care experience impacts on attainment and achievement;
- Supporting and working with other appropriate agencies and bodies to help children and young people to overcome these barriers;
- Improving school attendance;
- Minimising school exclusions;
- Encouraging Looked After Children and young people to participate in positive activities in and out of school;
- Promoting effective multiagency working.

7.9 A key role of the Virtual School Operational Group is to track and monitor attendance, exclusions, attainment and progress of Looked After Children and young people to inform effective and appropriate interventions. Whilst the tracking system has been considerably developed over the last 3-4 years, it requires the following further developments at the earliest opportunity:

- a. Facility for analysis of tracking and monitoring data;
- b. Integration of the tracking and monitoring system with other RCC data systems.

Progress has been made towards a new IT system for Looked After Children tracking which has recently been demonstrated by the 'Contact Group' to the Performance and Applications Manager, Head of Family Support and Social Care, the Head of the Virtual School and the Social and Inclusion Development Officer on 19 September 2014. This operational group has held an initial meeting to plan the implementation of the above developments and will be writing to schools shortly regarding this development.

7.10 Looked After Children: Educational Outcomes 2013/14

- a. Attendance in school for Looked After Children is excellent at 99%. The majority of children have 100% attendance and in all cases reasons for absence have been due to medical

appointments or short illnesses. One child has an attendance of 87.7% accrued during pre-care.

- b. There were no exclusions of Looked After Children in the 2013/14 academic year.
- c. In 2013/14, the number of Looked After Children achieving 5+A*-C including English and maths is shown below:
 - Two out of the three students taking GCSE achieved at least 5 C grades including English.
 - One achieved English, Maths and Science at level C.

Note: Nationally, GCSE results show the number of test papers marked as a C has increased this summer but English graded dropped sharply.

- d. Phonics results:
 - Two children exceeded the pass mark of 32.
 - Two children were just below the pass mark and will retake the phonics test at the end of Year 2.
 - All Year 1 Looked After Children are on target to achieve the National expectation of Level 2B+ at the end of Year 2.
- e. In KS1 (2 children): 1 child attained well above national expectation and made good progress over two years. One child attained well below national expectation with little progress over two years.
- f. In KS2 (3 children): Reading, writing and Science: two children met the national expectation of Level 4. In maths one child met the national expectation of Level 4. Two children made two levels of progress; one child had incomplete KS1 data but made satisfactory progress from Year 4.
- g. All our secondary schools are Academies and results do not come directly to Rutland County Council although the Local Authority retains the responsibility for Looked After Children. This issue is currently flagged as a priority area for improvement

7.11 Virtual School: Key Issues

The Looked After Children Operational Group has identified the following key issues which require strategic direction and consideration at a high governance level:

- a) To ensure a robust system of accountability for Looked After Children welfare and performance through the Corporate Parenting Board;
- b) To consider the impact of the lack of secondary school phase knowledge and experience in the Operational Group;
- c) To ensure clarity of the responsibility of the Virtual School Head Teacher;
- d) To consider the urgent replacement of the Looked After Children tracking system and the integration of the new system

- with other RCC systems. This is now in progress with the purchase of 'Looked After Call';
- f) To support the Virtual School Head Teacher in ensuring, across Social Care, IT and Learning and Skills Teams that Looked After Children are educated in e-safety and equipped to safely use RCC laptops.

7.12 Virtual School: Key Risks

The following key risks have been identified by the Looked After Children Operational Group for the 2014/15 academic year:

- a) Absence of a corporate Corporate Parenting Board or similar forum presenting a gap in the strategic direction, responsibilities and development of the Virtual School by the People Directorate and the Council;
- b) Absence of arrangements for accountability of the Virtual School to the Corporate Parenting Board and other key strategic stakeholders of the effectiveness of the Virtual School;
- c) Safeguarding issues: e-safety and child sexual exploitation risks;
- d) The need to improve and develop integrated working between key teams (Social Workers, School Support, SEN, Youth Options, Early Years for example) within the Council and also externally (e.g. Health) relating to the provision for Looked After Children;
- e) Insufficient training for Foster Carers and front line workers on e-safety;
- f) Access to academy school data;
- g) School buy-in to the new LAC monitoring and tracking system;

8. SAFEGUARDING IN SCHOOLS: AREAS FOR DEVELOPMENT

- 8.1 To follow up and address the areas for improvement identified by the survey of schools;
- 8.2 The lead person for Safeguarding In Schools will in future be the Head of Service, Learning and Skills working in close liaison with the Head of Service Family Support (Social care) and to include representing the Local Authority at the Safeguarding Children Board, The Children's Trust, People (Children) Scrutiny Panel, Corporate Parent Board Officer Group and other partnership events as required.
- 8.3 A follow up event to the recent Child Sexual Exploitation event should be arranged to focus on key areas of Safeguarding in Schools, including E-Safety.

- 8.4 A further online survey of school compliance with statutory duties should be undertaken in the summer 2015 and reported by the start of the new academic year in 2015. The 2015 survey should include specific questions regarding safeguarding as set out in **Appendix A** part (d). In order to ensure the Council achieves a high standard of communication and statutory reporting, this report should be taken to:
- Local Safeguarding Children Board (LSCB)
 - Children's Trust
- 8.5 Further work should be undertaken to monitor and evaluate the effectiveness of safeguarding arrangements for children not on roll and/or being educated at home require improvement.
- 8.6 The Local Authority retains the responsibility for Looked After Children and should collect data on the attainment and attendance of Looked After Children as part of their monitoring and reporting role. This issue is currently flagged as a priority area for improvement.
- 8.7 There is a need to develop the representation of schools on the LSCB and the link with maintained schools and academies.

9. RISK MANAGEMENT

RISK	IMPACT	COMMENTS
Time	High	There are urgent, short and mid-term improvements required to Safeguarding in Schools and the Virtual School. Action plans are formed or are being formed and priorities identified to address these improvements. The probability of an Ofsted Inspection of Children Services is high and actions should be undertaken without delay.
Viability	High	Both strategic and operational leads have been identified for the areas of activity required. The progress of improvements and areas requiring further development will be monitored through the People Directorate Management Team risk register and reporting to strategic groups.
Finance	High	A budget proposal for funding to support improved safeguarding training at a number of levels will be submitted for the 2015/16 financial year.
Profile	High	The inspection readiness for an Ofsted Inspection of Children Services is high profile – stakeholders will need to be kept informed about progress and areas for development.

Equality and Diversity	Medium	Equality and Diversity is an inherent characteristic within safeguarding, welfare and achievement for both children and adults.
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Background Papers

Keeping Children Safe in Education DfE April 2014

Report Author:

Dr Tim O'Neill, Director
People Directorate

Tel No: (01572) 722577
E-mail: enquiries@rutland.gov.uk

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.
Children (People) Scrutiny Panel, Rutland County Council, 13 November 2014

DfE Guidance – April 2014: Keeping Children Safe in Education

The April 2014 DfE guidance sets out detailed information on specific areas of safeguarding in schools.

The full list is provided below.

- a) The role of the school or college, the role of staff and what they should look out for;
- b) What schools and college staff should do if they have concerns about a child;
- c) Types of abuse and neglect;
- d) Specific safeguarding issues e.g. CSE, bullying, drugs, FGM, radicalisation, sexting, trafficking;
- e) Further information on Child Sexual Exploitation;
- f) The management of safeguarding including the role and responsibilities of governing bodies and proprietors;
- g) Inter agency working;
- h) Safeguarding policies;
- i) Designated safeguarding leads;
- j) Teaching about safeguarding;
- k) Inspection;
- l) The child's wishes;
- m) Boarding schools, children's homes and host families;
- n) Looked after children;
- o) Missing children;
- p) Safer recruitment including selection and pre-employment vetting and pre-employment checks, employment history and references,
- q) Disclosure and barring service (DBS checks);
- r) Secretary of State Prohibition Orders;

- s) Single central record;
- t) Trainee/student teachers;
- u) Existing staff;
- v) Volunteers, school governors, visitors, adults who supervise children on work experience;
- w) Proprietors of independent schools including academies and free schools or alternative provision academies and free schools;
- x) Allegations of abuse made against teachers and other staff;
- y) Support systems;
- z) Confidentiality;
- aa) Resignations, suspension, exit arrangements and agreements;
- bb) Criminal investigations;
- cc) Malicious and unsubstantiated allegations;
- dd) Role of the Local Authority Designated Officer (LADO).

Main Findings of the Annual Safeguarding in Schools Compliance Survey 2014

- a) The survey had a strong return from Rutland maintained schools and academies, Wilds Lodge, Uppingham School, Oakham School. 78% of respondents were primary schools (14), 11% secondary (2) and 11% special (2). 10 schools were maintained schools, 6 academies and 2 private/independent.
- b) The survey was readily completed by maintained schools and academies and there were no objections to the request for information and data;
- c) The survey contained 43 questions which checked the most important statutory duties and areas of responsibility for Safeguarding in Schools;
- d) The evidence from the survey indicates that almost all schools have relevant policies and training in place;
- e) A number of Head Teachers specifically indicated that the survey was helpful to their work on safeguarding;
- f) Every school confirmed that it had a designated senior person (DSP) in place and that DSP training had been undertaken on safeguarding with staff;
- g) The majority of school indicated that they deliver e-safety lessons and training and that they engage with parents regarding e-safety;
- h) 17 from 18 schools have reviewed their Safeguarding Policy in 2014;
- i) 17 from 18 schools have informed parents about the availability of their safeguarding policy and provide information on safeguarding on their website and via newsletters;
- j) 10 schools have included 'use of reasonable force' in their policy;
- k) All 18 schools have a record of dates when staff attended awareness training on safeguarding in the last 3 years. Staff who have attended this training include: teachers, learning support, pastoral staff, cleaners, lunchtime supervisors, premises officers, administration staff.
- l) 14 schools have provided awareness training on safeguarding for governors;
- m) 100% of schools have internet filtering arrangements which are regularly checked;
- n) 100% of schools deliver formal e-safety lessons;

- o) 100% of schools regularly address e-safety matters with staff;
- p) 16 schools invite and use suggestions from pupils or staff for e-safety education;
- q) 17 schools have an effective system for quickly identifying and supporting back into school children who are absent, playing truant or who go missing;
- r) 2 schools require improvements to their staff induction arrangements;
- s) Domestic Abuse is not covered in the curriculum in 11 schools;
- t) 14 schools advise pupils to save cyberbullying evidence and not respond when they are targeted unpleasantly;
- u) 1 Governing Body requires a lead governor for safeguarding;
- v) 2 schools reported children not on roll and 2 children being home educated;
- w) E-safety education e.g. grooming not provided in 6 schools;
- x) 4 schools have shared concerns with other agencies about children being sexually exploited.
- y) 17 schools have a policy for off-site education arrangements.