

Keeping Children Safe in Education – September 2022

This is statutory guidance from the Department for Education issued under Section 175 of the Education Act 2002, the Education (Independent School Standards) Regulations 2014, and the Non-Maintained Special Schools (England) Regulations 2015. Schools and colleges in England must have regard to it when carrying out their duties to safeguard and promote the welfare of children. This version is statutory from September 2022.

For the purposes of this guidance, children includes everyone under the age of 18.

The DfE uses the terms “**must**” and “**should**” throughout the guidance. It uses the term “**must**” when the person in question is legally required to do something and “**should**” when the advice set out should be followed unless there is good reason not to.

A whole school and college approach to safeguarding

Keeping Children Safe in Education emphasises that governing bodies should ensure they facilitate a whole school or college approach to safeguarding. This means ensuring safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development. Ultimately, all systems, processes and policies should operate with the best interests of the child at their heart.

All staff working directly with children are expected to read at least part 1 of KCSiE and Annex B. Those who don't work directly with children can now read the condensed version of part 1, in Annex A, if that is what the school prefers.

Some of this year's changes include:

- making clear the reasons why children may not feel ready or know how to tell someone that they are being abused
- adding more detail about governor and trustee training
- clarifying the process of sharing low-level concerns
- highlighting the importance of explaining to children and young people that the law is in place to protect them rather than criminalise them
- absorbing the whole of the standalone sexual violence and sexual harassment advice into the statutory document
- additional guidance about children who are lesbian, gay, bisexual or trans (LGBT)

Part 1: safeguarding information for all staff

The changes to part 1 are:

New paragraphs on:

- Explaining that children may not feel ready, or know how to tell someone they are being abused, exploited or neglected, but this shouldn't stop staff from having a 'professional curiosity' and speaking to the designated safeguarding lead (DSL) (paragraph 19)

Domestic abuse (paragraph 43), notably:

- Children who witness domestic abuse are also victims
- Witnessing domestic abuse can have a lasting impact on children
- Children can be victims in their own relationships too

Part 2: The management of safeguarding – the responsibilities of governing bodies, proprietors and management committees

The main changes to part 2 are:

- All governors and trustees should receive appropriate safeguarding and child protection (including online) training at induction, which is regularly updated, to equip them with the knowledge to provide strategic challenge (paragraph 81) and monitor safeguarding in the school effectively
- New sections adding greater detail on the Human Rights Act 1998, the Equality Act 2010, and the Public Sector Equality Duty (PSED) - the duties aren't new, but KCSiE explains how they apply to safeguarding (paragraphs 83 to 93)
- Schools play a crucial role in preventative education (paragraph 130). This is in the context of a whole-school approach to preparing pupils for life in modern Britain and a culture of zero tolerance to sexism, misogyny/misandry, homophobia, biphobic and sexual violence/harassment. This will be underpinned by:
 - your behaviour policy
 - a pastoral support system
 - a planned programme of RSHE delivered regularly, tackling issues such as: boundaries; consent; body confidence; stereotyping; and sexual harassment
- A focus on reinforcing the importance of online safety, including making parents aware of what you ask children to do online (e.g. sites they need to visit or who they'll be interacting with online) (paragraph 139)
- Child-on-child abuse is the new name for peer-on-peer abuse (paragraph 155)
- New paragraphs around the additional barriers faced by children who are lesbian, gay, bi or trans (LGBT). (See paragraphs 202 to 204.) KCSiE highlights that:
- These children can be targeted by other children
- It's vital you provide a safe space for these children to speak out and share their concerns with members of staff

Part 3: Safer recruitment

Schools should consider carrying out an online search on shortlisted candidates to help identify any issues that are publicly available online (paragraph 220)

Part 4: Allegations made against/concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors

Changes include:

- Additional clarity around low-level concerns, including that:
- Low-level concerns can arise in several ways from various sources, e.g. suspicion, complaint or a disclosure (paragraph 427)
- Schools should have procedures in place for confidentially sharing low-level concerns and clarity around the role of the DSL and headteacher in this (paragraph 432)
- In the examples of adult behaviour that could be a low-level concern, KCSiE has replaced sexualised language with 'humiliating pupils' (paragraph 425)

Part 5 – Child on child sexual violence and sexual harassment

The changes in this version include:

- The DfE's standalone guidance on sexual violence and sexual harassment is now absorbed fully within KCSIE (this is explained on page 7 of their [consultation response](#))
- It should be clear to all victims that the law on child-on-child abuse is there to protect them, not criminalise them (paragraph 468)
- You should consider intra familial harms and any necessary support for siblings following a report of sexual violence and/or harassment (paragraph 482)
- Schools, as relevant agencies, should be part of discussions with statutory safeguarding partners to agree to the levels for the different types of assessment as part of local arrangements (paragraph 492)
- Children who have experienced sexual violence can display a wide range of responses, so schools should remain alert to the possible challenges of detecting those signs and show sensitivity to their needs (paragraph 533)

Annex B: specific safeguarding issues

There's updated guidance on:

- Forced marriage
- A link to the County Lines Toolkit for Professionals
- Link to support services for professionals in relation to harmful sexual behaviour

There's also new sections on:

- Child abduction and community safety incidents
- Modern slavery
- Cybercrime

Annex C : Designated safeguarding lead

The DSL is expected to be aware that children must have an 'appropriate adult'. The description of the role is set out in the PACE Code C 2019 guidance.

The school/academy's Designated Safeguarding Lead (DSL) is the first point of contact for any member of the school staff who has a concern about the safety and well-being of a pupil. The designated safeguarding lead or a deputy should always be available to discuss safeguarding concerns. If in exceptional circumstances, the designated safeguarding lead (or deputy) is not available, this should not delay appropriate action being taken. Staff should consider speaking to a member of the senior leadership team and/or take advice from local children's social care. In these circumstances, any action taken should be shared with the designated safeguarding lead (or deputy) as soon as is practically possible.

Our school's Designated Safeguarding Lead	
Our Deputy DSL(s) is/are	

Responding to an initial report or disclosure

In KCSiE there is helpful information on responding to an initial disclosure (paragraphs 469 to 444). The procedures explain that staff:

- Don't need to wait for a child to make a disclosure, they should act on any concerns immediately
- May overhear a conversation that suggest a child may have been harmed or a child's behaviour may be an indicator
- May confiscate devices for evidence to hand to the police, if the report includes an online element
- Can ask children outright if they've been harmed and what the nature of the harm was
- Should keep in mind that certain children may face additional barriers to telling someone because of their vulnerability, disability, gender, ethnicity and/or sexual orientation
- Should reflect back, using the child's language, when hearing a report
- Should recognise it may only be the first incident reported, rather than representative of a singular incident and that trauma can impact memory, so children may not be able to recall all details or timeline of abuse
- It is important to explain that the law is in place to protect children and young people rather than criminalise them, and this should be explained in such a way that avoids alarming or distressing them

Additional guidance and further reading

- Keeping children safe in education –statutory guidance for schools and colleges (September 2022)
- Working Together to Safeguard Children (July 2018)
- Sexual Violence and Sexual Harassment Between Children in Schools and Colleges (September 2021)
- Effective Support for Children and Families in Essex (2021)
- Guidance for safer working practice for those working with children and young people in education settings (February 2022)
- The NSPCC Helpline is a service for anyone concerned about the safety or welfare of a child. You can contact the helpline 24 hours a day, seven days a week by phone, email or online. 0808 800 5000
- Childline <https://www.childline.org.uk/> 0800 1111
- Essex Schools Infolink safeguarding resources <https://schools.essex.gov.uk/pupils/Safeguarding/Pages/Safeguarding.aspx>
- Essex Primary Headteachers' Association <https://essexprimaryheads.co.uk/info-and-documents/safeguarding/>