

Keeping Children Safe in Education statutory guidance and changes to online safeguarding

What schools need to know, what schools need to do



Introduction

Safeguarding is not a new issue for schools but the demands of keeping children and young people safe have grown significantly over the last 10 years. It used to be that abuse was traditionally focused on children in vulnerable groups but the growth in the use of the internet and widespread access to social media means that all children are now vulnerable to online abuse.

In 2015, there were several high profile cases where schoolchildren either travelled, or attempted to travel, to Syria. This raised the issue of whether young people were being radicalised whilst accessing the internet in their school or college. This is against a backdrop of frequent terrorist acts across Europe and the Middle East and the increased level of threat in the UK.

These trends in the use and accessibility of the internet and social media have led the Department of

Education (DfE) to review the **Keeping Children Safe in Education (KCSIE) guidance (1)**, which has been in place since 2014, and an updated version became statutory on September 5th, 2016. This means that every school will need to consider and review its safeguarding policies and procedures, focusing particularly on how they protect students online.

This places schools as the 'vanguard' in terms of professionals who have a safeguarding responsibility for children and young people. Schools are very aware that their students are growing up in a very different and rapidly changing technological world. They will have all the benefits, as well as the dangers of ever more sophisticated communication systems. It can often be difficult for schools to be fully aware of their students' usage of modern technology, particularly outside of school.

Schools need to be aware that technology has become a significant component of many safeguarding issues facing our children.

There is also the challenge that our young people seem to grasp the ever changing and developing range of social media platforms, (Facebook, Twitter, Snapchat, Instagram and Whatsapp), with amazing ease and are often far more knowledgeable of these than their teachers. It is reported that 1 in 4 children has experienced something upsetting on a social networking site (2), and one in three children has been the victim of cyber bullying (3). It has been reported that 44% of boys have seen sexualised images of girls in their school. NSPCC figures show that 60% of teenagers have been asked to send sexual images of themselves and 40% have produced at least one such image (4). Sexting is clearly a significant issue facing many young people and probably all schools. It is also illegal to send explicit images across the internet and worryingly for parents, 70% of teens hide their online behaviour (5).

Schools need to be aware that technology has become a significant component of many safeguarding issues facing our children.

Technology increasingly provides a platform which facilitates harm from bullying to radicalisation and child sexual exploitation. The changes in technology and the way it is now used by young people, means that online safety must have a central role in safeguarding and child protection policies. Many of the changes to KCSIE bring this into sharp focus.

This poses a real challenge for schools as most of the inappropriate use of the internet and social media takes place outside of the school gate. Schools will almost certainly have filtering and monitoring systems already in place to protect students when using school based technology. The effectiveness of these systems will now need to be reviewed and consideration given as to whether they remain appropriate in light of the obligations now bestowed on schools as a result of the new guidance.

Acting in loco parentis is the duty of every school and this places schools, and their teachers, with the key responsibility of keeping children safe. But safeguarding is also a school improvement issue. If children do not feel safe, or emotionally secure, then their learning is almost certainly likely to be impaired. This in turn impacts on the key Ofsted judgement of achievement and, to be more specific, student progress; if this is not good then neither can be the judgements on Leadership and Management, nor Teaching and Learning.

All of this makes online safeguarding a key issue for all schools and one which they must address and keep under constant review. The DfE statutory guidance, (KCSIE), and the Ofsted inspection framework highlight that safeguarding is a whole staff issue in every school and one on which schools must ensure that they deliver regular training, on at least an annual basis, to all of their staff team.

What aspects of online safety does KCSIE ask schools to protect children from?

Abuse can happen in any community and across the social class spectrum. It can happen in any school and all staff, through training, should have an awareness and understanding of these issues. Schools should be aware of how online activity can mean that a number of the problems listed below can now be faced by any child, anywhere.

- Emotional Abuse
- Sexting
- Grooming
- Child Sexual Exploitation, (CSE)
- Teenage Relationship Abuse
- Extremism and Radicalisation
- Self-harming
- Online-bullying

What schools must do - guidance and inspection

Evidence from Serious Case Reviews has highlighted the need for school staff to take effective action when there is a safeguarding concern. These Reviews have identified poor practice and this includes: failing to act on the early signs of abuse and neglect, poor record keeping, failing to listen to the views of the child, failing to re-assess concerns when situations do not improve, sharing information too slowly and a lack of challenge to those who appear not to be taking action.

The guidance also highlights the need for schools to have effective policies and systems to safeguard against online dangers and this includes issues around bullying, sexual exploitation, as well as extremism and radicalisation, and these are discussed in more detail later.

Schools should be aware that all Ofsted Inspectors have now received specific training around online safety and should expect that any inspection will look at how schools have tackled this issue.

The latest revision of KCSIE strengthens the requirements which are already placed on schools. It states what schools and colleges should do and sets out the legal duties with which they must comply. This new guidance places a much greater emphasis on the role that all of the school's staff, which includes everyone who comes into contact with children, play in keeping their students safe.

All staff have a role to play in safeguarding children, that is anyone below the age of 18, and have a responsibility to provide a safe environment which is conducive to learning. They should also be able to identify children who may be at risk or who are in need of early help and who require additional support.

Governing Bodies in maintained schools and Proprietors in Independent schools should ensure that all staff in their school or college read at least part one of the KCSIE guidance which can be found at <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>. Best practice would be for staff to 'certify' that they have read and understand the guidance.

All staff should be aware of the school's safeguarding systems and procedures and familiar with how safeguarding incidents will be dealt with. They should know who is the designated safeguarding lead, (DSL), (the role of the DSL is detailed in Annex B of KCSIE), and understand the role they might be expected to play in any subsequent social care assessment. Parents should also know who to contact if they have any concerns.

All staff should know what to do if a child tells them he/she is being abused, or if they feel a child is being neglected. Staff should know how to manage the requirement to maintain an appropriate level of confidentiality whilst at the same time liaising with relevant professionals, such as the designated safeguarding lead and children's social care. Staff should never promise a child that they will not tell anyone about an allegation as this may ultimately not be in the best interests of the child.

All staff should be aware of the signs of abuse and neglect so that they are able to identify cases of children who may be in need of help or protection. There should be a climate of vigilance and an attitude of 'it could happen here' where safeguarding is concerned. (Further guidance is available: <https://www.gov.uk/government/publications/what-to-do-if-youre-worried-a-child-is-being-abused--2>)

Although the new guidance covers what was already part of schools' safeguarding procedures, the new emphasis on the responsibilities of all staff means that an effective induction procedure and regular, at least annual, training is going to be a requirement for all schools and colleges, to ensure that all staff understand their role in safeguarding children.

What will Ofsted be looking for?

Safeguarding is something that will form part of every inspection and, given that all inspectors will have received recent training on the associated online issues, it will have a much higher profile than in the past. The KCSIE guidance will figure in inspections from September 2016 and schools should expect there to be questions about the induction and training of staff with regard to safeguarding. There is likely to be interest from the inspectors as to whether there is evidence of a culture of vigilance and how the school evaluates the effectiveness of its safeguarding systems policies such as those relating to child protection, online safety and safer recruitment.

The Prevent Duty which came into force on 01.07.15 and becomes statutory as part of the updated KCSIE guidance, is an area on which schools should expect questions from inspectors. Schools should not think that this is only an issue in certain parts of the country, as the internet has meant that extremism is not constrained by either geography or ethnicity.

As part of their Ofsted training around online safety there is an expectation that inspectors will talk to students about their online behaviour and, most importantly, what messages they have been given in school and across the curriculum, about safe use of the internet and social media.

Schools should expect to be questioned about their promotion of British values and how extremism and radicalisation are challenged. If this is an issue within a school there are likely to be questions about how positive links to the local community are being made. It is likely that all schools will be questioned about the effectiveness of their online safety

policies and how the school regulates access to extremist and sexually explicit material. It will be important for schools to be able to demonstrate that there is a whole school response to the promotion of safe use of technology and the internet. They will be interested to see how this is woven into the curriculum and how individual teachers approach the issue.

Inspectors are also likely to expect to see anti-radicalisation policies and risk assessments in place. Prevent duty guidance expects schools to “ensure that their safeguarding arrangements take into account the policies and procedures of the Local Safeguarding Children Board (LSCB”), to ensure that they are aware of the identified risk related to radicalisation within the local area. As part of their response to the new guidance contained in KCSIE and also to the highly likely scrutiny by Ofsted, schools should review their monitoring and filtering systems to ensure that they protect their students from harmful and illegal images and material but also must be careful not to ‘over-block’ access to legitimate and valuable learning resources. (Advice on this is available at <http://www.saferinternet.org.uk/advice-and-resources/teachers-and-professionals/appropriate-filtering-and-monitoring>).

Safeguarding should feature both in the Leadership and Management inspection judgements as well as in judgements related to Teaching and Learning, Personal Development, Behaviour and Welfare. Schools will be expected to show how the safe use of technology is addressed across the curriculum, not just in specific subjects such as computing and Personal, Social, Health and Economic (PSHE) education.

If schools have confidence in what they do in terms of effective safeguarding practice, which is set out in the next section, then they should have confidence about facing the inspection process.

Online safety is something that will form part of every inspection and it will have a much higher profile than in the past.

Effective online Safeguarding Practice – A checklist for school improvement

There are many factors that help to improve safeguarding in a school. Although they are listed below they are not stand alone items, they are interlinked and are part of a whole school approach.

Safeguarding does not rely on one person or on one policy or procedure. It is a complex mixture of school culture, well thought out policies and procedures which are delivered by informed and well trained staff.

The following list is not in any order of importance, but taken together, it gives a framework which, if enacted, will give schools confidence that they can safeguard their students. It is not a list which, once achieved, can be put to one side. It needs to be constantly monitored, reviewed and revised in light of changing circumstances both locally and nationally.

1. High quality leadership and management have safeguarding as a priority. It means having leaders as well as the DSL, (Designated Safeguarding Lead), who are always vigilant about potential dangers or risks to children and young people. The leadership team is not complacent and takes the view that a safeguarding problem could happen here. This safeguarding culture is transmitted to all staff through their induction and annual training, and this is backed by a system for disseminating new information and policy updates. Leaders are aware of their local community and, through strong links with community leaders and local agencies, are informed of the challenges and risks which are present within the community. Leaders are aware of local agencies which are able to support students and there is a clear link to the Local Children's Safeguarding Board so as to enable a sharing of information on local issues as well as access to the Board's training programme.
2. Children's and young people's views, concerns and thoughts are regularly sought and listened to, their views are taken seriously and there is evidence that they are acted upon. All children have access to staff, whom they regard as trusted adults and are confident that any issues, such as online bullying, or sexting will be effectively dealt with. There should be clear and well understood reporting routes and children and young people should have confidence that reports will be promptly and effectively dealt with. Schools may choose to adopt anonymous reporting tools / mechanisms to assist with this.

Through regular and open dialogue with students, Senior Leaders should be aware of the key concerns faced by young people, and the work of the NSPCC and others cited earlier should alert staff as to how prevalent these online risks are. Schools should consider what strategies they should adopt to help minimise the safeguarding risks associated with social media and the internet.
3. Online safety forms a key part of any school's safeguarding procedures; safe use of technology is part of all subject areas and there is a comprehensive policy across the school which ensures that all children receive a progressive, broad and age-appropriate digital literacy programme. This programme should teach all children about the risks inherent in the use of technology and which provides strategies and techniques to ensure that they remain safe. There is a robust and regularly monitored system for protecting all school equipment from unwanted material. The school has invested in effective filtering and monitoring systems to protect all users from harmful, inappropriate and illegal internet content. This must include terrorist and extremist material. Where schools allow the use of personal devices on their networks or wi-fi systems (bring your own device – BYOD) access should be through the school's normal filtering and monitoring systems
4. Schools, when reviewing their online security systems, will now need to consider whether they are appropriate for their students' needs: do they take into account the age of their students, the number of children on roll, their educational needs and local community issues? Schools should be aware that no filtering system can 100% guarantee that there is no access to inappropriate or illegal material. Schools will be expected to have given careful consideration to how filters can protect, yet not deny access to legitimate information required as part of the normal curriculum. They will also need to be able to demonstrate how their monitoring systems work and how effective they are in identifying and reporting any inappropriate use of the internet. Users should be made aware and understand that the school will monitor the use of digital technologies and the internet
5. There should not only be explicit teaching of how to use technology safely, but also schools must have at least adequate safety features, such as effective filters, built in to all the equipment and systems which are accessible within school. They must also be assured that there are effective monitoring systems in place which can quickly and easily identify any misuse, or potential misuse, of the school's technology infrastructure and can provide an 'early warning' to staff about children who may be at risk. Where school equipment is used out of school, e.g. staff laptops or tablets, users should be made aware of school policy as to its use. This should include management of devices, safe and filtered connectivity, data security and monitoring of equipment to ensure that it has not been used inappropriately
6. As a minimum, schools need to ensure that their filtering provider or whoever manages the network is utilising both the child abuse image content (CAIC) list, managed and provided by the Internet Watch Foundation (IWF) and also "the police assessed list of unlawful

terrorist content, produced on behalf of the Home Office”, compiled and made available to providers by the Counter Terrorism Internet Referral Unit (CTIRU).

According to the Safer Internet Centre (6) the most effective approach to internet safety is to treat it as a whole school community issue, with educational messages embedded across Computing/ICT, PSHE, SRE and citizenship, as well as touching on online safety issues across the curriculum whenever and wherever children are using technology. This makes online safeguarding an issue for every member of staff. Schools should continually review their online safety practice and will find the 360 degree safe self review tool an ideal vehicle to review and improve their online safety provision – www.360safe.org.uk

7. All staff should receive a comprehensive induction to the school which includes training to ensure that they understand the school’s safeguarding policy, procedures for identifying issues and referral routes to key individuals including the designated safeguarding lead. They will also have awareness of safeguarding issues in the school or within the local community. Training and awareness raising is given to all staff on at least an annual basis and this is complemented by ensuring that all staff receive regular safeguarding updates as issues arise or systems are changed. All staff will have accessed the Prevent online training; this can be found at - www.elearning-prevent.homeoffice.gov.uk (7).

8. All appointments to the staff of the school follow the ‘safer recruitment’ guidelines and at least one member of the interview panel has successfully passed the local safer recruitment training course.

9. The security of the site is kept under review and every effort is taken to ensure that the site and entrances to the site are secure. There are robust systems to monitor and manage access to the school. Staff who are on duty know where there are any bullying hotspots and are on hand to ensure that there is a strong, visible staff presence at break and lunch times to ensure that the students feel safe.

10. The promotion and monitoring of attendance has a high priority with all staff. There are easy and effective systems for sharing student attendance data and pursuing students who are absent. If a child is in school they are almost certain to be safe. The school follows Local Authority and National guidelines on tracking missing children and ensuring that no child is lost.

11. There is a culture of valuing every child and taking every opportunity to build their self-esteem and resilience. The school attaches a high priority to the development of students’ emotional health and well-being. Praise is used to reinforce positive behaviour and every teacher ensures that their classroom is welcoming to everyone and all students feel included.

12. The school has well thought out policies for developing positive behaviour; there is a focus on rewarding and supporting behaviour which is tolerant and considerate of others, and bullying and disruptive behaviour are dealt with firmly, with an emphasis on a restorative justice model as a way of dealing with students whose behaviour is unacceptable. The school creates and nurtures a climate where bullying is not tolerated and students are fully engaged in supporting the school’s ‘anti-bullying’ policies. The school behaviour policy should include clear statements that allow the school to deal with incidents that happen out of school but are school related or have an impact on school. This will include the use of digital technologies and bullying, including online bullying. The behaviour policy should also make clear what items are banned from school and how incidents involving these items will be dealt with. Schools should be aware of the DfE guidance on searching, screening and confiscation: <https://www.gov.uk/government/publications/searching-screening-and-confiscation>.

South West Grid for Learning have produced policy guidance for schools with regard to searching of and deletion from online devices based on the above DfE guidance:

<http://swgfl.org.uk/products-services/Online-Safety-Services/E-Safety-Resources/creating-an-esafety-policy/Content/Electronic-Devices,-Search-and-Deletion.aspx>

13. The school is inclusive and values all of its students, irrespective of their abilities and background. The school has strong links in the community and understands and values the cultures of the students and their families, while at the same time promoting tolerance, respect and compassion for others.

If a school can achieve this agenda, then it will almost certainly be a safe place for children and it is equally likely to be a school which has pupils who make excellent progress and will be regarded as at least a good, if not an outstanding school.

Conclusion

This paper has given an up to date and broad view of the key safeguarding issues facing schools as a result of the new KCSIE guidance, particularly those issues around online safety. It has highlighted that effective safeguarding is an essential element of helping schools to improve and satisfy the Ofsted requirements. More importantly, it is about helping all children and young people to achieve their potential and to be able to have and to enjoy their childhood.

Senior managers should read this document as a way of checking how their school’s safeguarding policies and procedures meet the needs of their young people and the regulatory and inspection demands

About the Author

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References

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5. McAfee online behaviour survey. 2012. www.mcafee.com
6. Safer Internet centre, Exeter. www.saferinternet.org.uk
7. Prevent Strategy. www.gov.org.uk
8. South West Grid for Learning at swgfl.org.uk/products-services/esafety/resources
9. 360 degree safe online safety self review tool. www.360safe.org.uk

Other useful resources

www.thinkuknow.co.uk

www.disrespectnobody.co.uk

www.internetmatters.org

www.pshe-association.org.uk

www.educationagainsthate.com

www.iwf.org.uk www.gov.uk/report-terrorism

<http://swgfl.org.uk/KCSIE2016>

www.360safe.org.uk

Appendix A

Key Safeguarding issues: Which of these are an issue in your school?

Bullying and cyber or online - bullying

Bullying is an issue which every school needs to be aware of and one where there is a clear, current and effective anti-bullying strategy. The most effective of these are ones which have been developed with the involvement of the students. They know where, when and how often bullying takes place, they also know that it is in their interests if bullying is reduced, if not eradicated. There are a wide range of ideas and resources freely available on the internet, but it is always good to start with the students' own ideas for tackling bullying. As the McAfee Survey has shown, cyber-bullying, or online bullying, is an issue for over a third of students, so an effective policy to counter it should be on every school's agenda/anti-bullying strategy. (6)

Child Sexual Exploitation, (CSE)

85% of sexually exploited young people self-harm or attempt suicide

The recent high profile CSE cases in Rochdale, Rotherham and Oxfordshire have raised everyone's awareness of the prevalence of this issue, but teachers should not believe that this is an issue only related to gangs, or certain minority ethnic groups, or that it is confined to inner-city areas, nor does it involve only females. CSE can, and does, happen in virtually every area of the UK. Every secondary school is likely to have it as an issue and therefore it is something which should be considered and should be part of every safeguarding policy.

It is defined as:

The sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people, (or a third party or persons), receive 'something', (eg food, accommodation, drugs, alcohol, cigarettes, affection, money), as a result of performing and /or others performing on them, sexual activities.

(The National Working Group for Sexually Exploited Children and Young People, 2008)

CSE usually begins through a process of grooming and increasingly that grooming takes place through social media. Once again this underlines the need for education around grooming through PSHE, and the need for filters and monitoring of the school's IT systems, as well as the need to keep parents fully updated on the school's strategies to keep their children safe.

Radicalisation

This is an issue which has received a high media profile with the growth of the war in Syria and the consequent terrorist acts across Europe and the Middle East and the increased level of threat in the UK. KCSIE makes it clear that, 'Protecting children from the risk of radicalisation should be seen as part of schools' and colleges' wider safeguarding duties.' As with other forms of harm and abuse it is possible to intervene to prevent vulnerable young people from being radicalised. This is a sensitive and challenging area for schools and it is imperative that staff receive training and updated information on the Prevent and Channel Strategies. Inevitably it will be raised in any inspection when the judgements on SMSC and the promotion of British Values are considered. (Full guidance and Training Materials can be found at www.gov.uk).

Children Missing Education

Arguably, the greatest protective factor for any child is their regular attendance at school. Therefore, a child who goes missing from school, particularly if on a regular or extended basis, could be at risk of abuse or neglect. It is important that all schools have a policy on the procedures for children who go missing from education, particularly on repeat occasions. Schools must have an admissions register and the Local Authority must be informed of any pupil who is going to be removed from the admissions register. (Details of the regulations around pupil registration and attendance can be found in regulations 4 and 12 of the [Pupil Registration] Regulations 2006 and the Children missing education - Statutory guidance for local authorities – DfE January 2015). This guidance will be strengthened and there will be greater accountabilities for schools from September 2016 – further information can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/539310/Annex_B_-_Government_response_to_CME_consultation_-_July_2016_-_final.pdf

Please note that the above document is the DfE response to consultation and outlines the changes made in September 2016. DfE has promised updated Children Missing Education guidance, but as far as I can see this has not yet been published.

Online Safety

As has been evidenced in all sections of this document, online safety is an issue of growing importance given the increased, and ever increasing, access that young people have to both social media and the internet and also with its prevalence in issues of abuse and safeguarding. Schools need to work with young people, their parents and other agencies to ensure that they do all they can to safeguard young people. There is now a growing body of information and support available to help schools and colleges to keep children safe online. The following list can also be found in KCSIE.

Emotional Abuse

Emotional Abuse is the persistent emotional maltreatment of a child such as to cause severe and adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.

If Emotional Abuse of a child is suspected by a member of staff, they should discuss their concerns with the DSL, who if they are concerned they should follow the school's and their Local Authorities procedures for reporting child protection concerns

Grooming

Grooming is when someone builds an emotional connection with a child to gain their trust for the purposes of sexual abuse or exploitation.

Young people can often be unaware that they are being groomed and the person grooming them may not always be a stranger. Grooming can take place on line or in real life and the groomer can be male or female and any age or from any occupation including family, friends or people with a professional background.

Groomers may use a range of ploys to entice a young person, gifts, friendship, a position of trust eg. a teacher or sports coach. Once the child has been enticed then the groomer will seek to isolate them from their family and peers and so make them dependent on the groomer. They will use any means of power or control to make a child believe they have no choice but to do what they want. Sometimes they will blackmail the child, or make them feel ashamed or guilty, to stop them telling anyone about the abuse. Groomers can use social media sites, instant messaging apps including teen dating apps, online gaming platforms to connect with a young person or child.

They can spend time learning about a young person's interests from their online profiles and then use this knowledge to help them build up a relationship. It's easy for groomers to hide their identity online - they may pretend to be a child and then chat and become 'friends' with children they are targeting.

Sexting

Sexting is when someone shares sexual, naked or semi-naked images or videos themselves or others, or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages. (4).

Young people should be made aware that it is illegal to share explicit pictures although police are more likely to take a lenient view if it is clearly between friends. However, the Internet Watch Foundation have dealt with many cases where what started as images being shared amongst friends have ended up on porn or paedophile sites and they are extremely difficult to erase.

Sexting is an issue which should be dealt with as part of the PSHE curriculum.