

Briefing for section 5 inspectors on safeguarding children

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Introduction

1. The increased expectations for the inspection of safeguarding have implications for the inspection tariff and these are currently being discussed. While the tariff is under discussion, there is no expectation that inspectors will use any additional guidance and/or checklists other than the new evaluation schedule of judgements and a checklist for inspecting vetting procedures/CRB checks (see page 18).
2. When the new tariff arrangements for inspecting safeguarding are underway, inspectors will be asked to use the enhanced guidance that has been trialled during the summer term 2009 pilot inspections (see pages 14 – 18). This briefing paper has been drawn up in readiness for the new tariff arrangements, in order to help inspectors to focus on wider safeguarding issues.
3. The paper provides details about safeguarding, when carrying out section 5 inspections. It builds on the briefing provided to HMI in May 2009.
4. The paper is set out in two parts. Part 1 captures overarching issues relating to the inspection of safeguarding. This section also looks at the relationship between the safeguarding judgement and the evaluation schedule as a whole.
5. Part 2 provides inspectors with practical guidance to support them when carrying out a section 5 inspection. The annexes provide further information and guidance for inspectors' toolkits.

Part 1

Background

6. Inspectors must be familiar with the document *Ofsted safeguarding policy and procedures (April 2007)*, which covers children, young people and vulnerable adults. All inspectors should be aware of what to do in the event of receiving allegations about safeguarding; actions to take are detailed in *Ofsted safeguarding policy and procedures*. It is **essential** that inspectors are also familiar with the content of the Department for Children, Schools and Families (DCSF), guidance for schools, *Safeguarding children and safer recruitment in education* (DfES2006),¹ which came into force on 1 January 2007. This sets out the responsibilities placed on schools² to safeguard and promote the welfare of

1 *Safeguarding children and safer recruitment in education* DfES, 2006:

<http://publications.teachernet.gov.uk/default.aspx?PageFunction=productdetails&PageMode=spectrum&ProductId=DFES-04217-2006&>

2 It applies to pupil referrals units, governing bodies and headteachers of maintained schools (including aided and foundation schools), non-maintained schools, proprietors and headteachers of independent schools (including academies and city technology schools) and corporations and principals of FE colleges (including sixth form colleges)

children and young people. The guidance was issued by the Secretary of State, and governing bodies and proprietors are required by s.157 and s.175 of the Education Act 2002 to have regard to it. Ofsted has been advised by the DCSF that specific legal requirements about safeguarding do not apply in services' schools overseas, although they are strongly recommended.

7. One of Lord Laming's recommendations in his report of 12 March 2009 is that 'Ofsted should revise the inspection and improvement regime for schools giving greater prominence to how well schools are fulfilling their responsibilities for child protection'.³
8. Sir Roger Singleton in his review of safeguarding arrangements in independent schools, non-maintained special schools and boarding schools in England also made a number of recommendations which he regards as applying to all schools. 'I believe that when inspectors are conducting any inspection that includes scrutiny of safeguarding arrangements – be it inspection under s.5 of the Education Act 2005, s.162A of the Education Act 2002, or against any of the relevant National Minimum Standards – for them to be able to check out the *real* safeguarding practice of the school, in addition to its paper policies, they need to have sufficient time to engage in discussion with pupils, staff and school leadership.'⁴
9. Ofsted's report *Learning lessons, taking actions* identified a number of key messages regarding safeguarding which apply to universal services and some of which specifically apply directly or indirectly to schools. Ofsted's report on serious case reviews highlighted the need for additional staff training as a recommendation in most serious case reviews. The report states 'It is of concern that basic awareness of signs and symptoms of abuse, including child sexual abuse, was still lacking in some key staff groups including teachers, health visitors, midwives, GPs, accident and emergency and probation personnel.'⁵ Specific concerns about school records were noted in 15 of the 50 evaluations in relation to the adequacy and accuracy of records, and in four cases it was noted that school records had been lost.⁶
10. The Ofsted report pointed to three areas where universal services play a crucial role in protecting children and keeping them safe:

3 *The Protection of Children in England: A Progress Report*, The Lord Laming 2009, Recommendation 10; <http://publications.everychildmatters.gov.uk/eOrderingDownload/HC-330.pdf>

4 *Keeping our School Safe. Review of Safeguarding Arrangements in Independent Schools, Non-Maintained Special Schools and Boarding Schools in England*, Sir Roger Singleton 2009, para 4.65; [http://www.teachernet.gov.uk/_doc/13447/8156-DCSF-Safeguarding%20Arrangements\(WEB\).pdf](http://www.teachernet.gov.uk/_doc/13447/8156-DCSF-Safeguarding%20Arrangements(WEB).pdf)

5 *Learning lessons, taking action: Ofsted's evaluations of serious case reviews 1 April 2007 to 31 March 2008*, Ofsted 2008, p.24.

6 Ofsted 2008 p. 27

- Preventing children being abused - Many of the serious case reviews noted lost opportunities for universal services to intervene and prevent abuse occurring. This most often involved schools and health services, but also involved other services.
 - Identifying signs and symptoms. This is closely linked to the level of understanding and awareness of staff in universal services. This was of particular note in cases of chronic neglect and child sexual abuse, where children were seen regularly, for example by school staff, who did not recognise the significance of what they were seeing.
 - Recording incidents, issues and concerns over time. There were some good examples of schools keeping a record over time, but the significance of the information had not been recognised. In other cases school records were poor even when a child was subject to a formal monitoring process, such as those with a statement of special educational needs.⁷
11. Section 10 of the Children Act 2004⁸ places a duty on the local authority to make arrangements with relevant agencies to cooperate to improve the well-being of children. *Working Together to Safeguard Children (2006)*⁹ sets out an expectation on schools to identify where there are child welfare concerns and take action to address them, in partnership with other organisations where appropriate. However, Laming indicates that further work is needed in this area: 'Joint working between children's social workers, youth workers, schools, early years, police and health too often depends on the commitment of individual staff and sometimes this happens despite, rather than because of, the organisational arrangements. This must be addressed by senior management in every service.'¹⁰

12. Key telephone numbers:

Ofsted Helpline (08456 40 4045) Whistle-blowing (08456 40 4046)

Definition of safeguarding

13. Ofsted adopts the definition of safeguarding used in the Children Act 2004, and in the government guidance document *Working together to safeguard children*. This can be summarised as:

- protecting children and young people from maltreatment

7 Ofsted 2008 p. 19

8 The Children Act 2004; http://www.opsi.gov.uk/Acts/acts2004/ukpga_20040031_en_1.

9 *Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children*, HM Government, 2006; <http://www.everychildmatters.gov.uk/resources-and-practice/IG00060>.

10 Laming 2009 paragraph 1.6

- preventing impairment of children and young people's health or development
 - ensuring that children and young people are growing up in circumstances consistent with the provision of safe and effective care
 - undertaking that role so as to enable those children and young people to have optimum life chances and to enter adulthood successfully.
14. Safeguarding outcomes for children and young people are:
- children and young people are safe: the effectiveness of services in taking reasonable steps to ensure that children and young people are safe
 - children and young people feel safe: the effectiveness of services in taking reasonable steps to ensure that children and young people feel safe.
15. Safeguarding is not just about protecting children from deliberate harm. It includes issues for schools such as:
- pupil health and safety
 - bullying
 - racist abuse
 - harassment and discrimination
 - use of physical intervention
 - meeting the needs of pupils with medical conditions
 - providing first aid
 - drug and substance misuse
 - educational visits
 - intimate care
 - internet safety
 - issues which may be specific to a local area or population, for example gang activity
 - school security.

Inspection of safeguarding: The evaluation schedule

16. Safeguarding practice and guidance is underpinned by a duty for schools to cooperate with relevant agencies to safeguard and promote the welfare of children. The protection of children is of the highest priority for Ofsted across all its inspection remits. **'Safeguarding' is a limiting judgement** for schools, and indeed, across all inspection remits, and a 'graded scale' for safeguarding is in place from September 2009.

17. Inspectors will evaluate the impact of the school's safeguarding arrangements. This will include:
- outcomes for pupils
 - how well safeguarding is prioritised
 - whether child welfare concerns are identified and responded to appropriately by the school
 - the extent to which the school discharges its responsibility to work together with key agencies to safeguard and promote the welfare of children.
18. The school inspection evaluation schedule, grade descriptors and guidance for inspectors and schools gives high priority to safeguarding. In addition to a specific judgement on *the effectiveness of safeguarding procedures*, there are a number of other judgements which can inform it or are informed by it.
19. One of the seven outcomes for children and young people asks, *To what extent do pupils feel safe?* Another evaluates *pupils' behaviour*. Inspectors are asked to evaluate:
- how safe pupils feel in school, including their understanding of issues relating to safety, such as bullying
 - the extent to which pupils feel able to seek support from the school should they feel unsafe
 - pupils' own views about being safe and free from harassment.
20. When evaluating **care, guidance and support** for pupils, inspectors should take into account the judgement for *the effectiveness of safeguarding procedures*.
- **Care, guidance and support are likely to be judged to be inadequate if the effectiveness of safeguarding procedures is inadequate.**
 - If safeguarding is satisfactory or better there is no other knock-on effect on care, guidance and support.
21. When inspectors are evaluating *the effectiveness of the governing body*, they should take account of:
- the rigour of the governing body's procedures to ensure the health, safety and well-being of staff and pupils.
22. When inspectors are evaluating *the effectiveness of partnerships in promoting learning and well-being*, they should take account of:

- the effectiveness of the school's work with services provided, commissioned or brokered by the local authority to promote the safety and health of all learners
 - where there is regular movement of pupils from a school or to the school as part of partnership activity, for example as part of a 14-19 Diploma consortium, how well the school makes arrangements on a day-to-day basis to enable partnership activities to run safely and efficiently.
23. If inspectors are judging *the effectiveness of the Early Years Foundation Stage* they are required to evaluate the extent to which children feel safe, how effectively children's welfare is promoted and how well they are safeguarded. Inspectors should take account of:
- the extent to which children behave in ways that are safe for themselves and others
 - children's understanding of dangers and how to stay safe
 - the extent to which children show that they feel safe and are confident to confide in adults at the setting / school
 - the steps taken by the key people to safeguard and promote the welfare of children and how well adults teach children about keeping safe
 - whether necessary steps are taken to prevent the spread of infection, and whether appropriate action is taken when children are ill
 - the suitability and safety of outdoor and indoor spaces, furniture, equipment and toys
 - the maintenance of records and policies and procedures required for the safe and efficient management of the Early Years Foundation Stage and for ensuring that children are safeguarded and their needs are met
 - the suitability and qualifications of the adults looking after children or having unsupervised access to them
 - the effectiveness of risk assessments and actions taken to manage or eliminate risks.
24. If inspectors are judging *the effectiveness of the sixth form* they are required to evaluate how well students take responsibility for their own health, safety and well-being, how effectively care, guidance and support promote students' well-being and how effectively procedures help to ensure their safety. Inspectors should take account of the extent to which:
- students feel safe, use safe working practices and contribute to a safe learning environment
 - students' understanding of dangers and how to stay safe

- the extent to which students show that they feel safe and are confident to confide in adults at the setting / school
 - the sixth form provides a safe learning environment and promotes safe working practices
 - leadership and management are effective in implementing the school's procedures for safeguarding in the sixth form.
25. If inspectors are judging *the effectiveness of boarding provision* they are required to evaluate how well the provision contributes to boarders' needs in relation to their safety.

Leadership and management – the effectiveness of safeguarding procedures

26. A school's leaders and managers should be clear about their statutory requirements regarding safeguarding and the steps they are taking to develop good practice beyond the statutory minimum. The governing body is accountable for ensuring that the school has effective policies and procedures in place in accordance with the DCSF guidance, and is monitoring the school's compliance with this.¹¹ The Laming report emphasises the key role that schools play in early identification, intervention and support for children at risk of significant harm or who have additional needs.¹² The Singleton review indicates that, when inspecting safeguarding practices in schools, it is not sufficient to focus only on outcomes. 'It is possible for pupils in a school to have suffered no harm despite the absence of any systematic implementation of good safeguarding practice.'¹³
27. The DCSF guidance indicates that safer practice in recruitment should be reflected in every stage of the process, and that safeguarding judgements need to be made, in differing degrees in relation to all those that a pupil in school may come into contact with, as they may be perceived to be safe and trustworthy adults.¹⁴ All those who employ people to work in schools must carry out specified recruitment and vetting checks on intended new appointees, particularly identity and qualification checks, list 99 and where relevant, Criminal Records Bureau (CRB) checks and right to work in England.¹⁵
28. Inspectors have requested clarity on what is acceptable for the inspection of vetting procedures, especially the single, central record. To meet requirements, the appropriate checks must have been made and a record of them stored in a

11 DfES 2006, paragraph 2.18

12 Laming 2009, paragraph 3.5

13 Singleton 2009 paragraph 4.7

14 DfES 2006, paragraphs 3.3, 3.10, 4.12

15 DfES 2006, paragraph 4.8

single central place to which immediate access is possible. Currently, on routine section 5 inspections, it is often the case that inspectors give schools the opportunity to amend any administrative errors in the single central record, in order to ensure it meets requirements. This means that some schools have until the end of the inspection to make adjustments. **From September, inspectors judge a school's compliance with requirements for the single central record in relation to how it is found at the start of the inspection. Inspectors are advised to look at the school's compliance with the requirements for the single central record on day 1 of the inspection.**

29. The Laming report emphasises that if safeguarding is 'everybody's' responsibility then everyone should know who to contact if they are concerned about a child or young person. School staff should explicitly understand their responsibilities in order to achieve positive outcomes, keep children safe, and complement the support that other professionals may be providing. All service providers must look critically at how they receive referrals, the point known as their 'front door'.¹⁶ This reinforces a key message in the DCSF guidance of the importance for all staff in an establishment of having appropriate training and induction so that they understand their roles and responsibilities and are confident about carrying them out.¹⁷
30. School staff need to be particularly sensitive to signs which may indicate possible safeguarding concerns. This could include for example, poor or irregular attendance or children missing from education.
31. School are expected to make pupils aware of how they can keep themselves safe and what behaviour towards them is not acceptable. 'Schools are also expected to teach them to recognise when pressure from others (including people they know) threatens their personal safety and well-being, and to develop effective ways of resisting pressure, including knowing when and where to get help.'¹⁸

16 Laming 2009, paragraphs 3.6, 4.2

17 DfES 2006, paragraph 3.52

18 Singleton 2009, paragraph 3.2

Part 2

Specific guidance for inspectors in making the judgement about the effectiveness of safeguarding procedures

32. Evidence for some aspects will be gathered from evaluating other aspects of the evaluation schedule, particularly those referred to above.

Pre-inspection information

33. Inspectors may have access to a range of pre-inspection information, particularly:
- the previous inspection report will contain judgements about safeguarding and may also contain specific references which point to possible areas of focus for this inspection
 - one or more parental complaint which may point to safeguarding concerns
 - relevant local intelligence
 - RAISEonline information will contain information about the number of looked after children, persistent absentees. The scatter graphs may show pupils who are on the bottom line and this may indicate that they are on the school roll but not attending
 - the self-evaluation form (SEF).
34. If the **SEF** is available pre-inspection it may contain valuable information and point to possible inspection trails. The key areas for focus are:
- the specific parts of Section A which correspond to the evaluation schedule
 - the school's context may suggest a number of areas of relevance particularly to checking the single central record, for example, if the school is part of a federation or provides extended services
 - Section B may point to information which inspectors will need to take into account, particularly:
 - the number of sites being used
 - off-site provision
 - work-based learning provision
 - extended services provision
 - school federations
 - the number of learners involved in work-related learning
 - joint 14-16 provision
 - joint post-16 provision

- the number of children in out-of-school provision
 - the number of learners enrolled in alternative provision
 - **the number of children with a child protection plan**
 - the number of refugee and asylum seekers
 - **the number of looked after children**
 - exclusions and transfers of learners
- Section C will contain information of particular relevance, particularly:
 - the section relating to **learner’s care and well-being** (C15 to C19)
 - C29 – the school meets current government requirements regarding safeguarding children and safer recruitment
 - C30 – the governing body ensures that childcare is registered, where this is required by the Childcare Act 2006 and complies with all necessary registration requirements
 - Section D, where relevant, in regard to the welfare of boarders and residential pupils and the school’s compliance with specific national minimum standards.

Inspection planning

35. Inspectors will need to consider how to allocate inspection time and to deploy team members to gather the required sufficient evidence to underpin judgements. The time initially allocated may need to be re-adjusted depending on what emerges during inspection activities. Inspectors may carry out the following activities:
- a specific meeting with the designated senior member of staff for child protection, unless the designated person is also the headteacher
 - specific questions to the headteacher as part of a more general interview (suggested foci are included in Annex 1)
 - include specific questions to the chair of governors and/or governor(s) as part of a more general interview (suggested foci are included in Annex 2)
 - specific questions to staff as part of more general discussion with them or other activities such as lesson feedback
 - specific questions to pupils as part of more general interviews
 - look closely at the exclusions data, and check with the school whether they routinely notify social workers about every child excluded who is the subject of a child protection plan.¹⁹

¹⁹ Formerly a child whose name was on the child protection register

- on **every** inspection, inspectors should find out from the school:
 - what provision they make from day 6 of an exclusion
 - how they monitor the quality of this
 - what impact it has on improving behaviour
- particular attention to attendance patterns and procedures
- review of relevant school policies, guidance and procedures
- evaluation of the quality of recording, by reviewing at least one case file of a pupil where there have been child protection concerns.

Inspection guidance

36. The following two documents are intended to provide inspectors with specific guidance about elements which should be prioritised to ensure consistency in making judgements.
37. The first document explains what inspectors should take into account when arriving at a judgement about the effectiveness of a school's safeguarding practice. It is intended to complement the evaluation schedule of judgements. It also helps inspectors to make a professional judgement about the degree to which a school meets the grade descriptors for safeguarding procedures.
38. The second document (page 16) provides a list for use when checking the single central record.
39. The remaining Annexes are designed to provide inspectors with additional support.

Complete list to help inform the judgement on the effectiveness of safeguarding procedures

1. Inspectors should take into account the extent to which the school has clear policies, strategies and procedures to ensure the safeguarding and welfare of pupils, including those relating to behaviour, bullying, health and safety, harassment and discrimination and meets all required duties	Yes	No	N/A
<ul style="list-style-type: none"> ■ Have leaders, managers and governors taken account of the DCSF guidance, <i>Safeguarding Children and Safer Recruitment in Education</i>, issued to all schools, setting out their responsibilities to safeguard and promote the welfare of children? ■ Is there robust governance and lines of responsibility to ensure that the school's practice meets required standards? ■ Does the school have a child protection policy and procedures that are in accordance with local authority guidance and locally agreed inter-agency procedures, and that this policy is made 			

available to parents on request?			
<p>2. Inspectors should take into account the extent to which the school has clear management responsibilities in relation to child protection including relevant designated staff</p> <ul style="list-style-type: none"> ■ Is there a senior member of the school's leadership team designated to take lead responsibility for dealing with child protection issues, providing advice and support to staff, liaising with the local authority and working with other agencies? ■ Does the school have procedures for dealing with allegations against staff which are in accordance with locally agreed inter-agency procedures and the DCSF guidance? 	Yes	No	N/A
<p>3. Inspectors should take into account the extent to which the school monitors and evaluates the effectiveness of its policies and practices</p> <ul style="list-style-type: none"> ■ Are there robust governance and lines of responsibility to ensure that effective and prompt action is taken to ensure that any deficiencies brought to its attention are put right? 	Yes	No	N/A
<p>4. Inspectors should take into account the extent to which the school ensures that adults working with pupils are appropriately recruited and vetted.</p> <ul style="list-style-type: none"> ■ Are there robust governance and lines of responsibility to ensure that effective and prompt action is taken to ensure that any deficiencies brought to its attention are put right? ■ Has the school carried out the mandatory pre-appointment checks set out in the DSCF guidance? ■ Does the school keep a single central record detailing the range of checks, set out in the DCSF guidance, covering all employed staff, supply staff and others identified by the school as having regular contact with children? ■ Have all staff appointed before 1 March 2002 been checked against List 99? ■ Have all staff had a List 99 check (unless covered by a CRB check) undertaken before they started work? ■ Have all staff, appointed on or after 1 March 2002, who come into regular contact with or have unsupervised access to children, and who have not had continuity of employment (if they have no break of service longer than three months), been subject to CRB enhanced disclosure and other designated checks? ■ Has there been a CRB enhanced check on all new appointments to the school's workforce under the School Staffing (England) (Amendment) (No 2) Regulations 2006 (in force on 12 May 2006)? 	Yes	No	N/A

<ul style="list-style-type: none"> ■ Has the school written confirmation from the supply agency that the appropriate checks have been carried out and are satisfactory? Has the school carried out identity checks on all those provided by a third party, such as an agency? ■ Does the school follow the DSCF guidance in relation to checks on governors and volunteers who supervise or are in sole charge of children? 			
<p>5. Inspectors should take into account the extent to which the school ensures that adults receive up-to-date, high quality, appropriate training, guidance, support and supervision to undertake the effective safeguarding of pupils.</p> <ul style="list-style-type: none"> ■ In addition to basic child protection training, has the designated member(s) of staff undertaken training in inter-agency working that is provided by, or to standards agreed, by the Local Safeguarding Children Board (LSCB), and refresher training at two yearly intervals to keep his or her knowledge and skills up to date? ■ Do all staff and other adults who work with children undertake appropriate and up-to-date training, relevant to the type of school, to equip them to carry out their responsibilities for child protection effectively, that is kept up to date by refresher training at three yearly intervals? 	Yes	No	N/A
<p>6. Inspectors should take into account the extent to which the school encourages and enables pupils to report any concerns or complaints including concerns about poor or abusive practices</p> <ul style="list-style-type: none"> ■ Is there a clear reporting system if a pupil, member of staff, parent or other person has concerns about the safety of children? 	Yes	No	N/A
<p>7. Inspectors should take into account the extent to which the school takes reasonable steps to ensure that pupils are safe on the school site, for example by monitoring visitors or volunteers or those using the premises during school time</p> <ul style="list-style-type: none"> ■ Does the school have adequate security arrangements for the grounds and buildings? 	Yes	No	N/A
<p>8. Inspectors should take into account the extent to which the school identifies concerns about possible abuse and/or neglect and/or pupils who may have gone missing, and refers such concerns promptly to the relevant agencies</p> <ul style="list-style-type: none"> ■ Are there effective and prompt systems for referring safeguarding concerns about pupils to relevant agencies? ■ Are relevant staff aware of pupils who are persistently absent or missing and have they taken appropriate action to respond to 	Yes	No	N/A

<p>this, especially with regard to the most vulnerable? Has the school notified the local authority of any children who have been removed from the school's roll?</p>			
<p>9. Inspectors should take into account the extent to which the school records information relevant to safeguarding concerns clearly and accurately and shares it appropriately, both internally and with other agencies</p> <ul style="list-style-type: none"> ■ Does the school support interagency working to safeguard children by regular attendance at child protection conferences and reviews, and where appropriate by attending other professional meetings? 	Yes	No	N/A
<p>10. Inspectors should take into account the extent to which the school helps pupils to keep themselves safe, including encouraging pupils to adopt safe and responsible practices and deal sensibly with risk</p> <ul style="list-style-type: none"> ■ Do pupils feel safe and adopt safe practices? 	Yes	No	N/A

Single central record

Questions for the school	Fully in Place (✓)	Partly (✓)	Not in place (✓)
1. Is a Single Central Record (SCR) of staff in place?			
2. Does the SCR indicate that identity checks have been carried out and by whom?			
3. Is there evidence on the SCR that all teachers have been checked against list 99 (L99)? (If a teacher has a CRB check in place they have been L99 checked)			
4. Is there evidence that all staff employed since March 2002, and have not had continuity of employment, have been CRB checked, if they have regular contact with or unsupervised access to children?			
5. Have all staff appointed since May 2006 whether or not they have regular contact with children have been CRB checked?			
6. Does the SCR include evidence that supply teachers who work at the school regularly have been checked against L99 or have a recent CRB check?			
7. Has the school evidence that agency supply teachers have been L99 or CRB checked?			
8. Have volunteers including governors who have regular contact with children been CRB checked or are they never left in sole charge of children?			
9. Does the SCR record the date when the CRB or L99 check was carried out (and who carried out check)?			
10. Does the SCR record qualifications – where the qualification is a requirement of the job i.e. those posts where a person must have QTS?			
11. Does the SCR record evidence of permission to work and suitability for those who are not nationals of European Economic Area (EEA) country?			

Annex 1 - Interviewing the headteacher

- Does s/he have a clear overview of safeguarding procedures and practice?
- How well do procedures for safe recruitment and vetting of staff take account of the DCSF and any other local guidance?
- Have appropriate steps been taken to ensure that the staff are recruited safely?
- Are the policies and procedures adopted by the governing body fully implemented and followed by staff?
- What is the quality of support provided for the designated member of staff? Has the designated person appropriate seniority? How is s/he held to account? Has sufficient time and resources been allocated to the designated person and other staff to discharge their responsibilities, including taking part in inter-agency assessments and meetings?
- How does s/he ensure that appropriate training is in place for staff and other relevant adults?
- What are the procedures for managing allegations or concerns about safeguarding regarding staff? Do these come directly to the headteacher?
- Are all cases referred to the Independent Safeguarding Authority (ISA) if a person ceases to work in a school and there are grounds for believing s/he may be unsuitable to work with children, or may have committed misconduct?²⁰
- Who is responsible for ensuring that risk assessments are carried out, not only in relation to school activities, but in admitting or re-admitting pupils with behaviour that could place themselves or others at risk? How effective are these arrangements?
- Have safeguarding complaints or concerns been made to the headteacher and has s/he taken effective steps to address these?
- How does s/he ensure that all staff and volunteers feel able to raise concerns about unsafe or poor safeguarding practice?

²⁰ Misconduct referrals on teachers other than child protection must go to the General Teaching Council.

Annex 2 - Interviewing the chair of governors or other governors

Possible questions to consider.

- How aware is the governing body of its responsibilities regarding policy, procedures, monitoring compliance and reporting, as set out in DSCF and any locally agreed guidance?
- How well do procedures for safe recruitment and vetting of staff take account of the DCSF and any other local guidance?
- Have they specifically ensured that:
 - an appropriate child protection policy and procedures are in place and they are made available to parents on request
 - a senior member of the school's leadership team is designated to take responsibility for dealing with child protection issues
 - appropriate training is undertaken by the designated person (refreshed every two years) and all staff (refreshed every three years), and that temporary staff or volunteers are made aware of the school's arrangements and responsibilities
 - there is a nominated member of the governing body responsibility for liaising with the local authority (LA) and / or other partner agencies in the event of an allegation being made against the headteacher
 - policies and procedures are reviewed annually by the governing body and it provides information to the LA about them and how their duties have been discharged?
- Do they have appropriate procedures in place for managing safeguarding allegations or concerns about staff and volunteers?
- How well do they hold the headteacher and staff to account for the effectiveness of safeguarding arrangements in the school?
- How do they ensure that appropriate training is in place for staff, governors and other relevant adults?
- How do they ensure that the school site is secure and safe?
- How do they ensure that appropriate arrangements are in place to safeguard children who take part in or are affected by the provision of extended services and other school activities that take place outside of normal school hours?
- Have safeguarding complaints, concerns, deficiencies been brought to the governing body and have taken effective steps, without delay, to address these?
- How do they ensure that the ethos of the school promotes positive practice in relation to safeguarding?

Annex 3 - Evaluating a school's child protection policy

What is set out below is not a prescriptive table of contents for a child protection policy but a guide which helps inspectors to make a judgement about the quality of the policy.

Does the policy:

- Set out its purpose and aims clearly?
- Provide a secure framework for the workforce?
- Link with other relevant safeguarding policies, for example, *bullying, physical intervention*?
- Set out what other elements of provision are in place to enable pupils to feel safe and adopt safe practices, for example, through the *curriculum*?
- Appear accessible and easy to understand?
- Set out responsibilities and expectations of staff and other relevant adults clearly, particularly in identifying and reporting possible or actual instances of abuse?
- Make it clear who is/are the designated member/s of staff?
- Distinguish between the steps that should be taken for general safeguarding concerns or disclosures and those which should be taken if the concern is about the headteacher or other members of staff?
- Support an ethos where pupils or staff can talk freely about concerns, in the belief that they will be listened to and appropriate action taken?
- Set out clear expectations about reporting (and recording) concerns to relevant agencies?
- Indicate what training is provided to staff and what steps are taken to bring policy and procedures to the attention of temporary staff?
- Set out the role of governors?
- Indicate how the policy will be implemented, monitored and evaluated?
- Indicate how parents or carers will be made aware of the policy and relevant procedures?

Annex 4 - Evaluating the quality of records relating to safeguarding issues

Possible questions to consider.

- Are records up to date and complete?
- Do records demonstrate both effective identification and management of the risk of harm?
- Do records demonstrate sound decision making, appropriate responses to concerns and evidence of relevant referrals made in a timely manner?
- Does it indicate that appropriate action is taken in response to concerns and allegations in a timely manner?
- Does it show evidence of tenacity in following up concerns with relevant agencies?
- Does it provide evidence of effective partnership working and sharing of information?
- Is there evidence of attendance at or contribution to, inter-agency meetings and conferences?
- Is there clarity about the school's policy relating to the sharing of information internally, safe keeping of records and transfer when a pupil leaves the school?

Annex 5 - Single central record – additional points

- Providing a person is not named on List 99, s/he can begin work while an enhanced disclosure CRB check is being carried out as the process may take some weeks to complete.
- List 99 checks, CRB disclosures and, where appropriate, Protection of Children Act 1999 checks – now Independent Safeguarding Authority checks (a list of people who are deemed unsuitable to work with children under the Act) must be completed on overseas staff (defined as 'those who have lived outside the UK') recruited since January 2007. Schools must check to confirm these individuals have the right to work in the United Kingdom. In addition, criminal records information should be sought from countries where individuals have lived or worked (there are reciprocal CRB arrangements with 22 countries and some embassies provide certificates of good conduct). CRB checks should have been completed on those recruited from overseas since March 2002. Any outstanding checks for this group had to be completed by 1 July 2007.
- Inspectors should not ask for the CRB forms of trainees on initial teacher education (ITE) courses. It is the ITE providers' responsibility, not the school's, to ensure these checks are made. In the event of a delay in receiving disclosures from the CRB, DCSF guidance gives headteachers discretion to allow trainees to start working in a school subject to a satisfactory check of List 99 and completion of other normal recruitment procedures. Training providers should keep headteachers fully informed of the progress of applications for disclosures, since schools will want to maintain closer supervision of trainees who have not yet received enhanced clearance. Schools must be satisfied that checks have indeed been done.
- There is no specific guidance in relation to federations. In relation to federations – the important question to ask is – does the school have a separate URN? If it does it must have a separate CRB. There may be some staff who work in both institutions. They need to be dual registered but the CRB is portable.
- Governing bodies continue to be responsible for extended school activities on the school site before and after school, unless they have a 'transfer of control agreement' so that other bodies are responsible during the times specified. In the latter case, governors should seek assurance that these other bodies have appropriate policies in place to safeguard children. Where a third party is running extended services, there should be a written agreement setting out responsibility for vetting checks, health and safety, insurance cover and the like.

Annex 6 - Independent Safeguarding Authority

- The Vetting and Barring Scheme (VBS) is being launched in October 2009. The VBS is designed to ensure that anyone who presents a known risk to vulnerable groups is prevented from working with them. However, it cannot guarantee that anyone who is barred is 'suitable' or 'safe' to work with the vulnerable. The three current barring lists, Protection of Children Act (POCA), the Protection of Vulnerable Adults (POVA) and List 99, will be replaced by the creation of two new barred lists administered by the Independent Safeguarding Authority (ISA)²¹. Checks of these new lists can be made as part of an Enhanced Criminal Records Bureau (CRB) check.
- From November 2010 all new governors will need to be registered with the ISA before they can take post. Existing governors will not be affected by the scheme until 2011.
- One implication in the new arrangements is that it reinforces the importance for schools of having robust recruitment procedures and checking previous employment history carefully. This is because the ISA will not provisionally bar a person while considering a referral. It will be more important for employers to check the references to understand why applicants left previous employment.
- The ISA will automatically bar a person without a referral, when they receive information directly from the police that the person received a new conviction or caution (on or after 20 January 2009) for a specified serious offence. The duty on schools, backed up by appropriate criminal offences, to make referrals to the ISA comes into force in October 2009
- These changes will not have immediate relevance for inspectors, other than to be aware of them. The only thing that changes from October 2009, with regard to schools, is that the barred list which needs to be checked will be the ISA list rather than List 99. The mechanism for making a barred list check remains the same. The duty to make checks does not change.

²¹ ISA is referred to in legislation as the Independent Barring Board (IBB)

Annex 7 - Interviewing the designated member of staff about child protection

Possible questions to consider.

- Has s/he an appropriate level of seniority?
- Has s/he a clear understanding of his or her role and responsibilities and that of other staff?
- What is the quality of his/her own training, knowledge and understanding? Has s/he kept up to date with recent guidance, for example, in relation to forced marriage?
- Has s/he undertaken specific training for the role provided by or to standards agreed by the Local Safeguarding Children Board? Has s/he kept this up to date with appropriate refresher training every two years?
- Has s/he ensured that all staff receive appropriate and timely training which is refreshed at biannually?
- Are temporary staff given appropriate guidance about their responsibilities?
- Do induction arrangements have sufficient focus on safeguarding?
- How effective are the designated person and other staff in identifying pupils at risk or vulnerable, making referrals and taking appropriate follow-up action?
- If relevant, how does the school ensure that there are appropriate safeguarding arrangements in place for those undertaking work-based learning, work experience and educational visits?
- How does the designated person ensure the quality of record keeping?
- How does the designated person ensure that s/he and the school have access to LA procedures, guidance, training and support?
- How well does the designated person (if not the headteacher) keep the headteacher informed of the welfare of pupils with a child protection plan and of general child protection issues within the school?
- How well does the school contribute to child protection conferences / reviews, through attendance and / or reports? How well does the school contribute to inter-agency working, for example assessments and attendance at core group or other professional meetings?
- How effective is the designated person in advising on child protection input in the curriculum?
- How well does the designated person monitor and evaluate the effectiveness of child protection work carried out in the school?

Annex 8 - Training for designated members of staff

What is set out below is not a prescriptive table of contents for a training programme but a guide which helps inspectors in understanding the principal elements of a training programme. It can vary considerably from authority to authority, and it is often a programme put together by the LSCB.

Principal elements of specific training are likely to include the following.

- Identification of the signs and symptoms of abuse.
- Relevant legislation and guidance.
- National and locally agreed procedures.
- Managing disclosures.
- Confidentiality.
- Recording and keeping safe records – transfer of information.
- How local statutory services are configured and referral processes.
- Thresholds for referral.
- Making referrals.
- Contact with parents.
- Common Assessment Framework, initial and core assessments, child protection conference and review conferences, child protection plans.
- Training and supporting staff.
- Writing a policy, procedures and guidance for staff.