Safeguarding

A guide for governing boards in schools and trusts

Updated November 2024

Guidance

nga.org.uk

Contents

Introduction

This guide is designed to help governors and trustees meet their safeguarding responsibilities. Safeguarding in schools is defined as:

- providing help and support to meet the needs of children as soon as problems emerge
- protecting children from maltreatment, whether that is within or outside the home, including online
- preventing the impairment of children's mental and physical 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

Advice for multi academy trusts and federations

Multi academy trust (MAT) boards and federation governing bodies will want to ensure that safeguarding culture and policies are consistent throughout all of their schools while taking into account the unique circumstances of each individual school. This can be achieved by:

- **Adopting an overarching safeguarding and child protection policy** that reflects all schools within the trust/federation and is developed through collaboration between leaders and safeguarding professionals. If appropriate, policy amendments may be necessary to reflect the safeguarding priorities of individual schools.

- **Appointing someone at executive leadership level** to coordinate safeguarding activity across the group of schools in a similar manner to the framework expected of designated safeguarding leads (DSLs) but on a larger scale. This role contributes to resources and knowledge being shared effectively and provides valuable support to school-level DSLs.

Keeping children safe in education

Keeping children safe in education (KCSiE) is statutory guidance from the Department for Education (DfE) that schools must have regard to when carrying out their duties to promote and safeguard the welfare of children and young people.

All governors and trustees must read and understand KCSiE – part two sets out governing board responsibilities. Governors and trustees should ensure that they are kept informed of changes to the guidance and to their safeguarding responsibilities. They must also have due regard to the need to prevent people from being drawn into terrorism (the prevent duty).

2024 changes to KCSiE

The latest version of KCSiE is in force from September 2024. It contains updates that boards should be aware of, including:

Change	Details
Updated safeguarding definition (Paragraph 3)	As detailed at the beginning of this guidance, the definition now places an emphasis on providing early help and support.
Additional indicators of the potential need for early help (Paragraph 18)	In addition to existing indicators, staff should be particularly alert to the potential need for early help for a pupil who: • is frequently missing/goes missing from education, home or care (previously described as 'persistently absent') • has experienced multiple suspensions, is at risk of being permanently excluded Boards should seek assurances that suspension and exclusion data is reviewed regularly by relevant staff.
Unexplainable and/or persistent absences (Paragraph 29)	Reference to 'deliberately missing education' within the section covering safeguarding issues has been changed to 'unexplainable and/or persistent absences from education'. This emphasises the need for boards to ensure that attendance data is fully interrogated.
Data protection guidance added (Paragraph 93)	Reference to DfE Data protection guidance for schools has been added – this guidance is designed to help staff, governors and trustees understand how to comply with data protection law.
Alternative provision responsibilities (Paragraph 171)	The guidance clarifies that where a school places a pupil with an alternative provision provider, it continues to be responsible for safeguarding that pupil and should be satisfied that the placement meets the pupil's needs. Governing boards should satisfy themselves that their school's approach reflects this.
Children who are lesbian, gay, bisexual, or gender questioning (paragraph 205 - 209)	The guidance has been amended to reflect the draft non-statutory guidance, 'Gender Questioning Children'. However, the section remains under review, pending the outcome of the consultation.
Preventing radicalisation – under review (Annex B, page 156)	There is a disclaimer that this section of the guidance remains under review following the publication of a new definition of extremism on 14 March 2024.

Safeguarding and school inspection

Although safeguarding is not graded as a specific area, Ofsted inspectors will always make a written judgement under 'leadership and management' about whether the arrangements for safeguarding pupils are effective.

Inspectors will gather evidence from a range of sources to evaluate the culture of safeguarding. This includes examining how a school is implementing its safeguarding policies and processes and how it keeps them under review. Inspectors may also ask governors/trustees about how they monitor safeguarding arrangements and ensure compliance.

Where an inspection identifies minor issues relating to safeguarding (such as administrative errors in paperwork or out-of-date policies) which may be easily rectified before the end of the inspection, the school will be given the opportunity to correct them. Where minor improvements cannot be resolved before the end of the inspection, but the school has taken steps to resolve the issue, the school can still be judged effective for safeguarding. The key point in such cases is that despite the improvements strengthening safeguarding practice, the identified weaknesses will not have an immediate impact on the safety of pupils.

If inspectors consider that safeguarding is likely to be judged ineffective (due to serious or widespread failures in the school's safeguarding arrangements), the action taken will depend on the school's wider context. From September 2024, if there are safeguarding concerns during a graded inspection but the school would be judged good or outstanding in all other key judgment areas, inspectors can withhold judgement and return in 3 months to complete the inspection.

This will only be the case if inspectors feel leaders are capable of resolving the issues in that time period. The school will not be placed in a category of concern at this stage, as the inspection will not have concluded. A letter will be sent to the school, copied to the Secretary of State, setting this out, and explaining the next steps. Before the suspension is confirmed, inspectors will need the school to agree that they will share this letter with parents.

Where safeguarding is ultimately found to be ineffective, this may result in an 'inadequate' grading of the 'leadership and management' key judgement. However, it will **always** result in a school being placed in a formal category of concern ('special measures' or 'serious weaknesses'). Paragraph 411 of the school inspection handbook includes examples of what may constitute ineffective safeguarding.

Our Ofsted inspection guidance and toolkits provide further information.

1. Governing board responsibilities

KCSiE sets out governing board responsibilities to keep pupils safe. In broad terms, this means ensuring that:

- the safeguarding policies and procedures in your school/trust are effective and comply with the law at all times
- all staff understand their roles and responsibilities and are able to discharge them
- the board has sufficient knowledge and capacity to fulfil its safeguarding responsibilities

Leading a safeguarding culture

Governing boards fulfil their safeguarding duties by providing strategic leadership that supports an overarching culture of safeguarding and checking that the culture has become embedded.

An effective safeguarding culture is characterised by:

- safeguarding and child protection underpinning all elements of school life so that school/trust systems, processes and policies operate with the best interests of the pupil at their heart
- an environment where pupils feel confident to approach a member of staff if they have a worry or problem, and pupils' wishes and feelings being taken into account when determining what action to take
- an environment where staff remain vigilant and act on safeguarding concerns

A robust approach to safeguarding should be tailored to the specific needs of the school/trust.

2. Meeting your responsibilities

Governing board training

All governors and trustees must receive appropriate safeguarding and child protection training (that includes online safety). This should form part of your board's induction programme and take place regularly thereafter; we recommend that boards engage in safeguarding training on an annual basis. The training should:

- equip the board with the knowledge to provide strategic challenge and assure themselves that safeguarding policies and procedures are effective
- be tailored to governance, and so distinct from that received by designated safeguarding leads and other school staff
- take into account your specific context and your board's delegated responsibilities
- respond to the needs of different board members (for example, a lead safeguarding governor/trustee may require more detailed coverage of the topic)

Governing board safeguarding training should cover:

- the duties that schools and trusts have to safeguard and promote the welfare of children
- the governing board's relationship with the DSL
- effective safeguarding monitoring (including how to review data related to safeguarding)

You should also make use of opportunities to learn about how safeguarding works in your own school(s), such as through your monitoring visits and discussions with the lead safeguarding governor/trustee and designated safeguarding lead.

Accessing safeguarding training

- NGA's introduction to safeguarding training session helps governing boards to understand the theory and practice of safeguarding and the board's role in keeping pupils safe.

- Subscribers to NGA Learning Link can complete an e-learning module that sets out the governing board's role in safeguarding.

- Safeguarding training for governors and trustees is also offered by local authorities and organisations such as the NSPCC. Some schools and academy trusts arrange their own.

- Governing boards should discuss additional training needs with school/trust leaders, considering the characteristics of their setting.

Safer recruitment training

Where the governing board forms a panel to recruit an executive leader, it is a statutory requirement in maintained schools (and recommended for academies) for at least one panel member to have completed safer recruitment training.

NGA Learning Link subscribers can complete safer recruitment e-learning.

Safeguarding policies and procedures

KCSiE refers to the safeguarding policies and procedures that governing boards should ensure are in place in order for appropriate action to be taken to safeguard and promote pupil's welfare. The procedures required are wide-ranging and so will not be covered in a single policy.

Central to this is an effective **child protection policy** which sets out the approach to safeguarding, including procedures, in accordance with law and government guidance. It should be reviewed and updated annually (as a minimum) and be publicly available – normally on the school's website. The child protection policy should also include the policy and procedures to deal with sexual violence and sexual harassment.

Additional policies with safeguarding considerations include:

- **Staff code of conduct/staff behaviour policy** – this sets out expected behaviour including important elements of safeguarding such as staff/pupil relationships and use of technology.

- **Behaviour policy** – every school must have a behaviour policy which aligns with the procedures set out in the safeguarding policy, giving particular thought to the school's response to bullying. The behaviour policy should also encompass the school's procedures for searching, screening and confiscation.

- **Attendance policy** – appropriate safeguarding arrangements must be in place to respond to children who are absent from education, particularly on repeat occasions and/or for prolonged periods.

- **Safer recruitment and selection policy and procedure** – this should include details of the required recruitment checks and procedures that must be carried out to prevent people who pose a risk of harm from working with children.

Policies and procedures for recruiting staff should reflect the expectation to carry out online searches on shortlisted candidates (see paragraph 226 of KCSiE) – schools should inform shortlisted candidates that searches may be carried out. Governing boards should be mindful of this expectation when recruiting an executive leader.

Organisations using school premises

When services or activities are provided by school staff, the school's arrangements for child protection will apply. However, where services or activities are not provided by school staff, the board should seek assurance that the provider concerned has appropriate safeguarding and child protection policies and procedures in place. This applies regardless of whether the children who attend these activities are on the school roll.

If the school receives an allegation relating to an incident that happened when an organisation was using school premises to run activities for children, the school/trust should follow their safeguarding policies and procedures, including informing the Local Authority Designated Officer (LADO).

The DfE's After-school clubs, community activities and tuition: safeguarding guidance for providers sets out further detail on the policies and procedures that should be in place.

Approving safeguarding policies

When approving safeguarding policies, consider:

- What risks are pupils in your school facing (or likely to face)? – the nature and level of risk will vary according to the type of school, location, the age and demographic of pupils and other factors; policies should be developed accordingly.

- What do your policies communicate to parents and staff about the importance of safeguarding in your organisation?

- Do staff (with relevant expertise and first-hand experience) have opportunity to input into policy development?

See pages 29 - 30 of KCSiE for further information on safeguarding policies and procedures.

Appointing a designated safeguarding lead

A designated safeguarding lead (DSL) is a senior member of the school's leadership team that takes lead responsibility for safeguarding and child protection (together with one or more deputies). The DSL or a deputy should always be available during school hours to discuss any safeguarding concerns. The DSL is expected to:

- **Manage referrals** to the relevant body in circumstances of suspected abuse or neglect, radicalisation concerns, where a person is dismissed or left due to risk/harm to a child or where a crime may have been committed.
- **Work with others, acting as a source of support, advice and expertise** for all staff and as a point of contact with safeguarding partners. Internally, the DSL should also liaise with the headteacher and keep them informed of safeguarding issues, ongoing enquiries and work with other school staff (such as the special educational needs coordinator).
- **Ensure that child protection files are kept up to date**.
- **Raise awareness of safeguarding** internally and externally of the school.

Appointing a lead safeguarding governor/trustee

Governing boards must appoint a governor or trustee to take leadership responsibility for safeguarding arrangements in their school/trust. Employees of the school/trust should not take up this role, nor should associate board members.

Where MATs have academy committees with sufficient delegated responsibility, we recommend that they also appoint local governor safeguarding leads to help maintain trust-wide oversight.

The appointed person (sometimes known as the safeguarding link governor/trustee) is often the serving chair or vice chair. In practice, the safeguarding link governor/trustee is required to:

- **meet with the DSL termly** to discuss (without details of specific pupils) any safeguarding incidents; conversation should focus on the suitability of policies and whether any amendments are necessary
- **stay up to date on relevant guidance and policy**, ensuring the board is made aware of any changes to their safeguarding responsibilities
- **report to the governing board** following meetings with the DSL and any monitoring visits

NGA's role description for safeguarding link governors and trustees can be adapted to suit your context and ensure your appointed safeguarding governor/trustee understands their role.

The appointed governor/trustee should take the lead on safeguarding. However, the governing board retains collective responsibility for making sure that safeguarding procedures are properly followed and that the overarching culture is right.

Appointing a designated teacher for looked-after pupils

Looked-after pupils are in the care of the local authority (living with a foster family, for example). Many looked-after and previously looked-after pupils have suffered disrupted learning and so a designated teacher must be appointed with responsibility for promoting the educational achievement of looked-after pupils. The designated teacher works closely with the DSL to ensure that any safeguarding concerns regarding looked-after and previously looked-after children are quickly and effectively responded to. Governing boards should ensure that the designated teacher has appropriate training and the relevant qualifications and experience.

Governing boards should, through the designated teacher, hold the school to account for how it supports its looked-after and previously looked-after pupils. In some schools, designated teachers do this by providing the governing board with a regular report.

Maintaining oversight of the single central record

Schools and academy trusts must maintain a single central record of pre-appointment checks which cover all staff and those who govern. These checks help to identify whether a person may be unsuitable to work with children. A list of safeguarding checks for governors and trustees is provided in appendix 2 of this guide.

In the case of MATs, the record is maintained at trust level but must be done in a way that allows for individual academy records to be provided when required.

It is not the duty of the governing board to administer the single central record or to conduct an audit of the document. However, governing boards do have a role in ensuring it is up to date. In practice, the board's oversight of the single central record is likely through routine reports from the DSL and evaluating external reviews (sometimes carried out by the local authority).

Ensuring staff receive appropriate CPD

Boards must ensure that staff who work directly with children have read at least part one of KCSiE. Staff who do not work directly with children may read part one or the condensed version labelled as 'Annex A'. This is a matter for the school or trust to decide based on their assessment of which part of the guidance will be most effective for their staff. Senior leaders within schools are expected to read and follow KCSiE in its entirety.

Governing boards should ensure that a safeguarding CPD programme is in place that is relevant to the school/trust. The CPD should result in staff developing the necessary knowledge, skills and understanding of child protection and safeguarding (including online safety).

Ensuring pupils are taught about safeguarding

Building safeguarding into learning supports pupils by helping them to recognise, understand, and develop resilience to the risks around them. As such, governing boards should ensure that pupils are taught about safeguarding in their curriculum, covering mental and physical health and wellbeing, as well as online safety.

Online safety

It is essential that pupils are safeguarded from potentially harmful and inappropriate online material. Governing boards should ensure that their school has appropriate filtering and monitoring on school devices and school networks and regularly review their effectiveness. The measures in place should be detailed within the school/trust IT (or other relevant) policies. The board should ensure that the leadership team and relevant staff have an awareness and understanding of the provisions in place and manage them effectively.

Governing boards and school/trust leaders should consider the age range of their pupils, the number of pupils, how often they access the IT system and the proportionality of costs versus safeguarding risks.

The DfE has published filtering and monitoring standards which set out that schools should:

- identify and assign roles and responsibilities to manage filtering and monitoring systems
- review filtering and monitoring provision at least annually
- block harmful and inappropriate content without unreasonably impacting teaching and learning
- have effective monitoring strategies in place that meet their safeguarding needs

Governing boards should ensure their settings are meeting these standards.

Protecting pupils from sexual violence and sexual harassment

Sexual violence and sexual harassment can occur between pupils of any age and sex. Part five of KCSiE covers child-on-child sexual violence and sexual harassment and sets out what schools should be aware of. In summary, this involves:

- understanding that sexual violence and sexual harassment may be happening, even if it is not being reported
- building an awareness of child-on-child sexual violence and understanding that it can happen both inside and outside of school
- making clear that sexual violence and sexual harassment is never acceptable
- challenging seemingly harmless inappropriate physical behaviour
- ensuring that all victims are reassured that they are being taken seriously and that they will be supported and kept safe
- maintaining effective working relationships with external agencies (such as the police and local authority)

NGA's PSHE guidance explains that PSHE education (often encompassing relationships and sex education) should teach pupils how to build healthy, respectful relationships.

3. Strategic oversight and monitoring

Identify strategic priorities linked to safeguarding

Keeping up to date with guidance and policy is important but it is strategy that sets direction, maintains focus and ensures continued improvement. Safeguarding should be central to conversations around school/trust strategy and development.

School/trust leadership teams may undertake a self-assessment or audit of their safeguarding procedures or ask a third party (such as the local authority) to do so. Governing boards should review and discuss the output of any such activity. The below questions may be helpful to refer to during strategic discussions:

- Do we understand safeguarding strengths and areas for development in our school/trust?
- What lessons have been learned from safeguarding incidents?
- How is this reflected in our strategy/development plan? – what are our key goals and how will we know when these have been achieved?
- How are school/trust leaders shaping and influencing practice to help achieve these goals?

Understanding how policy works in practice

Governing boards should develop a good understanding of how safeguarding policies work in practice. Consider applying the following principles to your safeguarding monitoring approach:

Observe

- What does data tell you about the school's safeguarding procedures and the overall context? For example, trends emerging from: the number of looked-after pupils, attendance rates, exclusions, behaviour incidents and responses.
- What is your experience of safeguarding behaviour and culture in practice? For example, is effective staff training evident – are staff approachable and accessible?

Listen

- Is your board engaging with stakeholders (parents and pupils in particular) to understand their experience of the school's safeguarding procedures and the support provided to vulnerable pupils and their families?
- How do staff perceive the school's safeguarding culture?
- What can staff tell you about how policies and procedures work in practice? – are the expected routines well understood and manageable?

Discuss

- Regular discussion with school/trust leaders helps to establish and maintain an open and transparent safeguarding culture.
- Make safeguarding a standing item on each agenda.
- Ensure due regard is always given to safeguarding, discussing the potential safeguarding implications of the board's decision-making.

Safeguarding monitoring questions

The below example questions are intended to support conversations between the governing board and school/trust leaders. Some of these topics may be covered during meetings between the DSL and the board's appointed safeguarding governor/trustee.

- Do all staff know what to do if they have concerns about a pupil's welfare?
- Do staff have sufficient time to commit to safeguarding duties?
- Are there any staff vacancies? How are these being covered to minimise safeguarding risks?
- Does the school/trust work with other schools and agencies to stay informed about local risks?
- Is the DSL suitably skilled and supported to undertake their role?
- How are pupils learning to stay safe online?
- How does the school identify pupils and families that may need extra help and support?
- How is the effectiveness of staff safeguarding training monitored?

Appendix 1. Summary of responsibilities

Equipping the board	Governing board responsibility
Governing board checks	• all governors and trustees need to have enhanced DBS certificates; section 128 checks may also be required • additional checks may be required – see appendix 2
Governing board training	• all governors and trustees must receive safeguarding and child protection training that covers online safety
Safer recruitment training	• maintained schools: at least one member of a recruitment panel must have safer recruitment training (advisable for academies)
Keeping Children Safe in Education (KCSiE) – statutory DfE guidance	• have regard to KCSiE when carrying out your safeguarding duties • read and follow KCSiE – ensure that safeguarding policies, procedures and training are effective and comply with the law
Prevent duty	• include this duty (preventing people from being drawn into terrorism) in wider safeguarding obligations • the DSL (and deputies) and other senior leaders should familiarise themselves with prevent duty guidance, especially paragraphs 141-210, which are specifically concerned with education.
Safeguarding link governor/trustee appointment	• appoint a governor or trustee to take leadership responsibility for the school's safeguarding arrangements (the board retains collective responsibility)

Policies and procedures	Governing board responsibility
• Child protection / safeguarding policy • Staff code of conduct • Behaviour policy • Recruitment policy	• review and update as needed (update child protection policy at least annually) • publish child protection policy (on school website) • ensure policies are developed to reflect the needs/context of the school and community (utilising staff expertise) • where appropriate, ensure policies are reviewed and changes made after any safeguarding incident
• IT policy (monitoring and filtering systems)	• the IT policy should detail measures in place to ensure children are safeguarded from potentially harmful and inappropriate online material • governing boards should ensure that effective monitoring and filtering systems are in place

Safer recruitment	Governing board responsibility
Pre-appointment checks and supervision	• prevent people who pose a risk of harm working in school: ensure statutory checks are being carried out (DBS and section 128) • decide if additional checks are needed • ensure volunteers are appropriately supervised
Online searches for shortlisted candidates	• policies and procedures for recruiting staff should reflect the expectation of carrying out an online search on shortlisted candidates • governing boards should be mindful of this when recruiting an executive leader
Monitoring the single central record (SCR)	• ensure the SCR is up to date (but no need to administrate) • have oversight of the SCR (this could be through routine reports received from the DSL and/or external reviews)

Building safeguarding capacity	Governing board responsibility
Designated Safeguarding Lead (DSL) appointment	• ensure that a member of the school's senior leadership team is designated to take lead responsibility for safeguarding and child protection (together with one or more deputies)
Staff training	• ensure all staff receive appropriate and regular safeguarding and child protection training (including online safety which, amongst other things, includes an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) • ensure all staff understand the policies and procedures in place and know what to do if they are concerned about a pupil • all staff must read at least part one of KCSiE (or the condensed version labelled as Annex A as appropriate). • senior leadership teams within schools are expected to read and follow KCSiE in its entirety
Teaching safeguarding	• ensure children are taught about safeguarding, including online safety, as part of a broad and balanced curriculum

Appendix 2. Governing board checks

- All governors and trustees are required to hold an enhanced Disclosure and Barring Service (DBS) certificate.

- Section 128 checks are also required for trustees, governors and local academy committee members that retain or have been delegated any management responsibilities.

- Additional identity and right to work checks are required for trustees.

Refer to pages 84-86 of KCSiE for further detail on the checks and why they are required.

✔ = required ✖ = not required	Enhanced DBS	Enhanced DBS countersigned by DfE	Section 128 check	Identity and Right to Work Check
Maintained school governor	✔	✖	✔	✖
Maintained school associate member	Governing bodies should consider if it is appropriate for associate members to undergo this check	✖	Governing bodies should consider if it is appropriate for associate members to undergo these checks	✖
Chair of trustees	✔	✔	✔	✔
Trustee	✔	✖	✔	✔
Member	✔	✖	✔	✔
MAT local governor (with delegated responsibilities)	✔	✖	✔	✖

The process of applying for a DBS certificate goes through the school, local authority or trust as appropriate. There is no specified requirement for individuals with a governance role or staff members in schools to renew their DBS checks, however, boards should ensure they have a consistent policy on renewing checks that avoids unnecessary repetition.