

Keeping Children Safe in Education 2020

Briefing on key updates to statutory guidance for schools in England

August 2020

Background to the statutory guidance

The Department for Education (DfE) has published an updated version of the statutory guidance Keeping children safe in education (DfE, 2020a) which revises the 2019 guidance (DfE, 2019a). This comes into force for schools in England in September 2020.

It sets out what schools and colleges in England must do to safeguard and promote the welfare of children and young people under the age of 18.

This guidance is for:

- headteachers, teachers and education staff
- governing bodies and proprietors
- management committees of pupil referral units.

The guidance is statutory and applies to all schools and colleges. Schools are defined as “all schools whether maintained, non-maintained or independent schools (including academies, free schools and alternative provision academies), maintained nursery schools and pupil referral units”. Colleges means “further education colleges and sixth-form colleges as established under the Further and Higher Education Act 1992 and institutions designated as being within the further education sector” (DfE, 2020a).

Our briefing summarises changes to the Keeping children safe in education guidance introduced in 2019 and 2020. As of September 2020, schools in England must follow the 2020 edition of Keeping children safe in education.

Changes to the 2020 guidance

The 2020 guidance includes changes in the following areas:

- Legislation, including the mandatory Relationship Education, Relationship and Sex Education and Health Education guidance applicable from September 2020 (DfE, 2020b).
- The addition of information that will support schools and colleges to protect their children in areas including:
 - **mental health:** the guidance highlights schools' responsibility to promote mental health and also take action if mental health problems are a safeguarding issue
 - **domestic abuse:** the guidance points out that exposure to domestic abuse can have a serious, long lasting emotional and psychological impact on children
 - **child criminal and sexual exploitation and county lines:** child criminal exploitation is defined and included, together with some of the indicators. The potential for children to be exploited when missing education is emphasised.
- New guidance on managing allegations against supply teachers.
- Clarifications to help the sector better understand and follow the guidance

A full list of changes can be found in Annex H of the Keeping children safe in education 2020 (DfE, 2020a).

Changes to the 2019 guidance

The 2019 guidance introduced a number of changes to Keeping children safe in education, as set out below. A full list of changes can be found in Annex H of Keeping children safe in education 2019 (DfE, 2019a)

Part one: Safeguarding information for all staff

Upskirting

All staff should be made aware that 'upskirting' is now a criminal offence. A definition has been included which describes upskirting as, "taking a picture under a person's

clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm” (DfE, 2019a)

Serious crime

Specific guidance has been added to support schools in recognising where pupils may be at risk from serious crime.

The guidance sets out what school and college staff should look out for:

“All staff should be aware of indicators, which may signal that children are at risk from, or are involved with serious violent crime. These may include increased absence from school, a change in friendships or relationships with older individuals or groups, a significant decline in performance, signs of self-harm or a significant change in well-being, or signs of assault or unexplained injuries. Unexplained gifts or new possessions could also indicate that children have been approached by, or are involved with individuals associated with criminal networks or gangs” (DfE, 2019a)

And what school and college staff need to know:

“All staff should be aware of the associated risks and understand the measures in place to measure these. Advice for schools and colleges is provided in the Home Office’s Preventing youth violence and gang involvement and its criminal exploitation of children and vulnerable adults: county lines guidance.” (DfE, 2019a)

Part two: The management of safeguarding

Multi-agency working

New safeguarding partners and child death review partner arrangements will come into place from September 2019. These will comprise of the local authority, a clinical commissioning group and the chief officer for police equally sharing responsibilities for working together to safeguard and promote the welfare of local children within each area. Safeguarding partners are expected to ensure schools are “fully engaged, involved and included in the new safeguarding arrangements” (DfE, 2019a) and it is expected that they will name schools and colleges as relevant agencies and if named schools will have a statutory duty to cooperate with the published arrangements.

Opportunities to teach safeguarding

Schools should consider opportunities for teaching safeguarding as part of a broad and balanced curriculum. This can be covered through Relationships Education and Relationships and Sex Education (formerly known as Sex and Relationships Education)

Inspection

From September 2019 Ofsted will carry out inspections of early years, schools and post-16 provisions under the Ofsted’s Education Framework (Ofsted, 2019a).

Inspectors will **always** report on the effectiveness of safeguarding arrangements and Ofsted has published specific guidance on this entitled Inspecting safeguarding in early years, education and skills (Ofsted, 2019b). The Independent Schools Inspectorate (ISI) has published a framework for how they will inspect in independent schools (ISI, 2017).

Annex A: Further safeguarding information

'Honour-based' violence (including Female Genital Mutilation and Forced Marriage)

Female Genital Mutilation and Forced Marriage have been added into the title header to make it clearer what honour based violence includes.

"Abuse committed in the context of preserving "honour" often involves a wider network of family or community pressure and can include multiple perpetrators. It is important to be aware of this dynamic and additional risk factors when deciding what form of safeguarding action to take" (DfE, 2019a)

Annex C: Online safety

Information and support

New link to government guidance Teaching online safety in school (DfE, 2019c) has been added which outlines how schools can ensure pupils understand how to stay safe online

References

Department for Education (DfE) (2020a) **Keeping children safe in education: statutory guidance for schools and colleges (PDF)** London: Department for Education.

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Independent Schools Inspectorate (ISI) (2019) **Inspection framework**. London: Independent Schools Inspectorate
<<https://www.isi.net/site/downloads/1.1%20Handbook%20Inspection%20Framework%202018-09.pdf>>

Ofsted (2019a) **The education inspection framework**. London: Ofsted
<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/801429/Education_inspection_framework.pdf>

Ofsted (2019b) **Inspecting safeguarding in early years, education and skills settings**. London: Ofsted
<<https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015/inspecting-safeguarding-in-early-years-education-and-skills-settings>>

The Relationships Education, Relationships and Sex Education and Health Education (England) Regulations 2019
<<https://www.legislation.gov.uk/ukdsi/2019/9780111181997>>

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