



EDUCATION AND SOCIAL SERVICES SCRUTINY COMMITTEE - 20TH MAY 2024

SUBJECT: SAFEGUARDING

**REPORT BY: CORPORATE DIRECTOR FOR EDUCATION AND
CORPORATE SERVICES**

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to update Members regarding the work of the education department to support schools.

2. SUMMARY

- 2.1 Safeguarding children and young people is a key statutory duty of the Council and is embodied in the Social Services and Well Being (Wales) Act 2014 & Wales Safeguarding Procedures (2019).
- 2.2 The Local Authority (LA) is focused on ensuring a culture of safeguarding is embedded, and has clear policies and procedures linked to safeguarding children in education services, which are reviewed and updated when required. Safeguarding underpins priorities within the Directorate Plan (2023 – 2028) and all related plans and reflects the introduction of the Wales Safeguarding Procedures (2019) within its principles and practices.
- 2.3 On an annual basis, the LA undertakes a self-evaluation of its Directorate safeguarding arrangements, designed to give an understanding of how 'safeguarding' is currently being achieved in our service area and how practice might be developed. In addition, Education contributes to the Corporate self-assessment which provides the Council with an overview of safeguarding practices across all its service areas, to ensure that safeguarding duties are being effectively met. Data metrics are also collated to inform the National Multi-agency Safeguarding Performance Framework (NMSPF) report, requested annually by the Gwent Safeguarding Board to report on certain performance measures so that each region can be assured of safeguarding arrangements.
- 2.4 The LA works in partnership with Children's Services, Health, Police, education providers, parents/carers, and other partners to ensure that there is a robust multi agency approach towards safeguarding arrangements in schools/settings.
- 2.5 The LA has a pivotal role in safeguarding activities at a national, regional, and local level for example the National Safeguarding in Education Group (SEG), the regional

Safeguarding Board, the regional South East Wales Consortium (SEWC) SEG, in conjunction with Caerphilly Local Safeguarding Network (LSN) and Designated Safeguarding Officer (DSO) groups. This ensures that policy and practice are well informed to support schools/settings.

- 2.6 The LA Safeguarding Policy for schools/education settings directly reflects the 'Keeping Learners Safe' Circular 270/2021 & Wales Safeguarding Procedures (2019).
- 2.7 Schools/settings are robustly supported with managing allegations against practitioners with engagement from education, social services, Human Resources (HR) and other relevant professionals.
- 2.8 The LA provides robust training and support to schools/education settings & Governors. The LA have a sustainable model in place that will enhance the capacity for schools to effectively manage safeguarding issues.
- 2.9 There are robust monitoring arrangements in place with regards to the scrutiny of restricted physical interventions. This ensures schools/settings practice is safe and is aligned with policy and guidance.
- 2.10 Operation Encompass alerts from Police are shared with schools daily in order that the wellbeing of learners is adequately supported in schools following a domestic incident. Fortnightly updates resulting from Multi Agency Risk Assessment Committee (MARAC) meetings are also provided to schools to strengthen this process and assist with risk management and safety planning. This aligns with the VAWDASV National Framework.
- 2.11 The LA has an established Chanel process and has responded effectively to the Counter Terrorism Act 2015 by ensuring that the duty of the LA is incorporated into existing policies and procedures. Schools/settings are made aware of the Prevent Duty through safeguarding, and specific 'Prevent' training.
- 2.12 There are robust systems in place for schools/settings regarding the recording and monitoring of discriminatory incidents. Guidance is updated to reflect any new categories as they are defined. Stonewall has recognised the LA as developing good practice in this area.
- 2.13 The LA has responded to Welsh Government guidance, produced in 2021 in relation to Peer-on-Peer Sexual Harassment which provided education settings with practical tools to prevent and respond to instances of peer sexual abuse, exploitation and harmful sexual behaviour taking place both inside and outside of school. This includes digital abuse and exploitation. Education Safeguarding will continue to promote the principles within the recently published Welsh Assembly Government (WAG) Peer on Peer Action Plan.
- 2.14 The LA has a good system of audit for schools/settings to audit their responses to safeguarding responsibilities. The audit itself supports schools/settings in ensuring compliance with current guidance/legislation. Any actions arising from the audits are undertaken and checked by managers.
- 2.15 Any updated information from the Gwent Safeguarding Board, subgroups, Education Wales, Local Safeguarding Network or DSO group is circulated to staff across schools/settings.

3. RECOMMENDATIONS

- 3.1 Members are requested to note the contents of the report.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 Supporting schools/settings in relation to safeguarding is a priority and it is important that Members are apprised of relevant work undertaken in this area.

5. THE REPORT

- 5.1 Safeguarding children and young people is a key statutory duty of the Council and is embodied in the Social Services and Well Being (Wales) Act 2014. Processes and procedures are identified within the Wales Safeguarding Procedures.
- 5.2 The LA has a clear Corporate Policy for Safeguarding outlining the intention of the council in relation to safeguarding. As part of the Council's commitment to safeguarding, we work proactively with our partners under the auspices of the Gwent Safeguarding Board to ensure that statutory guidance is followed, and schools/settings' practices are safe and effective.
- 5.3 The LA has a clear definition of safeguarding linked to the Wales Safeguarding Procedures and clearly defined responsibilities as outlined in the Corporate Policy including areas such as Violence Against Women, Domestic Abuse and Sexual Violence (VAWDA&SV) and Counterterrorism and risk of radicalisation (Prevent).
- 5.4 There is excellent partnership working across Education, Children's Services, and other key stakeholders in safeguarding to ensure that there is a robust approach towards safeguarding arrangements. There is on-going representation from education in the broader context, in relation to Multi Agency Risk Assessment Committee meeting (MARAC), Multi Agency Sexual Exploitation meeting (MASE), Case Practice Review's (CPR'), Procedural Response to Unexpected Deaths in Childhood (PRUDIC) and Operation Encompass Task & Finish Group. Information from schools/settings is shared within these forums to contribute towards the multi-agency approach to keeping learners safe – any actions/recommendations are then disseminated back to schools/settings to implement.
- 5.5 The Education Safeguarding Team provides effective advice to schools/settings daily regarding a broad range of safeguarding issues, which supplements the support from other partner agencies, such as Information, Assistance and Advice Team (IAA), Child Protection Coordinator and HR (where appropriate). The role of the Education Safeguarding Team will continue to ensure there is an appropriate level of ongoing support and guidance to schools/settings and Youth Services in relation to safeguarding and provide challenge where necessary.
- 5.6 The LA has a clear Safeguarding Children in Schools/Education Settings Policy, adopted by all schools/settings in the Borough; this is reviewed annually in readiness for the new academic year each September. This directly reflects 'Keeping Learners Safe' Circular 270/2021. When updates are made to the policy, schools/settings are emailed the new information and related paragraph number for ease.

- 5.7 The local authority promotes responsibilities for safe recruitment processes for all schools/settings (including any directly recruited and paid through the school). The revised Safer Recruitment Policy (agreed January 2021) places greater emphasis on safeguarding responsibilities for recruiting officers, which is re-enforced within safeguarding training. Education Safeguarding will collaborate with HR colleagues to promote to schools/settings around Safer Recruitment so all education staff are aware of their statutory responsibilities; this includes the new Safeguarding Protocol for contractors/suppliers who may come into contact with children in our learning environments.
- 5.8 The LA has a clear process of self-evaluation; schools/settings are required to submit an up-to-date SER to the LA as part of their routine three yearly safeguarding Audit. For those schools/settings who are not due for audit, the LA will request a copy of their SER on an annual dip sample basis. This system supports schools/settings to identify any gaps in processes/arrangements relating to safeguarding and provide advice/guidance where necessary.
- 5.9 Allegations against practitioners are managed robustly with engagement from Education, Social Services, HR, and other relevant professionals. Following allegations schools are supported by the LA to ensure appropriate risk management plans are in place and that disciplinary investigations are conducted robustly. Education Safeguarding also support with bespoke training and reflective practice sessions to improve outcomes and learning. Following conclusion of the Section 5 (S.5) process where an employer investigation is recommended, a meeting is held between Education Safeguarding, the school/setting, Chair of Governors, and Human Resources to support schools to determine how the investigation will be conducted. A further meeting is then held jointly with the investigating officer, school/setting, and HR colleagues to set out terms of reference and timescales; built into this will be a mid-point review meeting to avoid drift. Commissioned providers or agencies are also provided with pre-meetings where relevant, held to establish clear guidance and terms of reference regarding the expectation of employer investigations.
- 5.10 A 'train the trainer' Tier 2 safeguarding training model is delivered by Education Safeguarding to Heads/DSP's in schools/settings to ensure there is a sustainable model in place that will enhance the capacity for schools to effectively manage safeguarding issues; this is delivered to Heads/DSP's at least 2-3 months in advance of their three-year rolling due date. This training is then rolled out by Heads/DSP's to 'whole school' staff, including teaching and non-teaching staff, governors, and other partners. Schools/settings are requested to update the LA when whole school training has been delivered so accurate records can be kept and schools/settings are subsequently then reminded when this is next due under the 3-year rolling programme.
- 5.11 Education Safeguarding delivered specific DSP training throughout 2023. A total of 9 training sessions were delivered, which consisted of a pre-course module and attendance at a 4-hour face to face training session at Ty Penallta. This was aimed at school/setting's senior leadership team members and designated safeguarding persons to enhance their knowledge of local/regional guidance/legislation and wider safeguarding issues. A total of 129 staff attended the Tier 3 training.
- 5.12 Governor training is delivered annually by the Safeguarding Team; two sessions are held annually for Designated Safeguarding/Chair of Governors and three sessions held for Governing Body members via the GB Network. A full GB training schedule is sent out by the LA /EAS each year to GB members and schools/settings, advising of training dates so advanced notice is given. The LA's contribution to the safeguarding

training for Governors will ensure high standards are maintained and compliance is met in schools/settings.

- 5.13 Within the broad remit of safeguarding there are several key areas of focus such as Violence Against Women, Domestic Abuse and Sexual Violence (VAWDA&SV) and Counterterrorism and risk of radicalisation (Prevent). Schools/education setting staff are encouraged to complete the mandatory VAWDASV Level 1 training and front facing staff will complete Level 2 Ask & Act live virtual training sessions. Education is represented at strategic groups such as the Whole School Approach to VAWDASV, Operation Encompass Task & Finish Group and Gwent Prevent Forum to ensure that school/setting Heads/DSP's are kept up to date of latest updates in guidance/legislation and that information is cascaded to all staff.
- 5.14 Since the introduction of the Counter – Terrorism and Security Act 2015, specific duties have been placed on Local Authorities and education providers to have due regard to the need to prevent people being drawn into terrorism. Safeguarding training ensures schools/settings are aware that the LA have an effective Channel panel in place and how to refer. When accessing the internet in schools the LA adopt controls via the web filtering solution where specific sites or site categories are restricted; hate, discrimination, extremism, and radicalisation are blocked as part of the policies. School/setting staff receive Prevent Home Office training via e-link and access support via Safeguarding & Community Safety partners to ensure they are aware of their duties. Schools can evaluate their performance in line with Respect and Resilience self-assessment toolkit and can evidence how they undertake their duty during Estyn Inspection. On 2 May 2023, the Government published the draft Terrorism (Protection of Premises) Bill, also known as Martyn's Law, for pre-legislative scrutiny by the Home Affairs Select Committee. Schools are aware of the need to consider their preparedness for, and protection from, a terrorist attack and align with relevant risk assessment and security plan.
- 5.15 In response to the recently published report commissioned by the Gwent Safeguarding Board focusing talking racism in Wales the LA is developing an action plan to identify support for schools and activity for the LA and is working with partners regionally to ensure a collaborative approach.
- 5.16 Head Teachers and Designated Safeguarding Persons (DSP) in all schools/settings are regularly updated by Education Safeguarding, via the half termly Safeguarding Bulletin, of relevant documentation, training resources and available safeguarding courses e.g. Stop it Now, County Lines, Human Trafficking, Safety On-line, Hwb on-line courses and any new local/national guidance/legislation. The Bulletin actively promotes special events such as Internet Safety Day, Mental Health Awareness Week, Anti Bullying, and National Safeguarding Week, for example. It also includes 7 Minute Briefing and Serious Case Review learning information. All schools/settings are aware that further information/courses can be accessed via the Gwent Safeguarding Board.
- 5.17 'Understanding Safeguarding' and 'How to make a Duty to Report', is highlighted within the safeguarding training delivered by Education Safeguarding and promoted within all schools and education settings, along with recognising when a child is at risk or in need of services. The different forms of abuse are explored within this training, as well as the wider safeguarding concerns relating to human trafficking, county lines, FGM, Suicide & Self Harm. With increased awareness of safeguarding matters, schools/settings are more confident to identify harm/need for support and routinely refer to IAA. In terms of 'data' to support this, reports made to IAA by education staff from 1st April 23 include 1097 DTR's submitted, 534 DTR's submitted on open cases and 250 JAFF referrals made for support services for families. This is testament to the

high levels of advice, support and training offered to schools/settings by the Education Safeguarding Team.

- 5.18 Great emphasis is placed on the S.5 Practitioner Concerns process within all safeguarding training delivery for schools and education settings to ensure staff across the Directorate have good knowledge and understanding of their responsibilities in this section of the Wales Safeguarding Procedures (2019). Also, the 'duty to report' any concerns about a staff member in both their employment capacity and in the context of their personal circumstances. Additional specific S.5 training sessions were delivered at Deputy Heads Forums and to Secondary Heads, jointly delivered by education safeguarding and HR colleagues for completeness and a joined-up approach. Between 1.04.23 – 20.02.24 a total of 32 practitioner concerns reports were made to IAA, only 10 of which progressed under S.5. Again, the increased levels of awareness to schools/settings are likely to have contributed to the increase in the identification of practitioner concerns reports.
- 5.19 There is an effective process for monitoring incidents of physical intervention and restraint in schools/settings. There are clear criteria to trigger follow up visits with schools. Physical interventions are received by Education Safeguarding within 24 hours of the intervention taking place; these are subsequently reviewed on a weekly basis by Education Safeguarding & CLA Coordinators (both Team Teach trained) to ensure the correct Team Teach approaches are used and any safeguarding concerns are identified/followed up. Schools are regularly contacted for clarity and offered guidance/advice or bespoke reflective sessions from a safeguarding or Team Teach perspective. Guidance Use of Physical Intervention and Reasonable Force to Restrain Pupils, along with the Time Out Policy have been reviewed and available for schools/settings to adapt/adapt.
- 5.20 As a result of Estyn's thematic review Autumn 2021, a number of recommendations were made to consider the prevalence of peer-on-peer sexual harassment and how schools' safeguarding culture encourages and empowers pupils to keep safe, stand up to their peers and report all forms of sexual harassment. The LA leads meet to develop a local education action plan in relation to Peer on Peer Sexual Harassment/Harmful Sexual Behaviours, bringing together support from education safeguarding, healthy schools and the wellbeing team to support schools/settings to identify, implement and monitor 'sexually motivated behaviour' as a specific type of behaviour through school bullying / discriminatory recording and reporting procedures.
- 5.21 In response to Everyone Invited and the recently released WAG Peer on Peer Sexual Harassment Action Plan/Statement, the LA will continue to support all schools and education settings in Caerphilly to be actively reviewing the culture and processes they have in place to safeguard learners, including fostering a culture where incidents of sexual harassment and abuse are not normalised and learners are encouraged to, and feel confident in, reporting incidents. In relation to secondary schools, Education Safeguarding have been working directly with those schools to undertake an earlier audit, reviewing policies, safeguarding self-evaluation, and safeguarding practices more broadly. There is a range of current guidance and training resources, which has been made available to schools and education settings on issues relating to peer sexual harassment and abuse, exploitation and harmful sexual behaviour which are routinely promoted and distributed by Education Safeguarding; schools are also provided with advice on practical tools to prevent and respond to instances of peer sexual abuse, exploitation and harmful sexual behaviour taking place both inside and out of the settings, including on-line and digital abuse. Secondary schools have been requested to submit a copy of their own action plans for LA scrutiny and support.

- 5.22 In terms of promoting the message around on-line safety, the LA Safeguarding Policy for schools/settings includes specific guidance relating to internet safety, which also aligns itself to the KLS guidance. The LA Customer and Digital Services apply the All-Wales filtering standards as an example, hate, discrimination, extremism, and radicalisation are blocked as part of the policies. The 360 Degree Assessment Tool is also promoted to schools/settings via safeguarding training to enable them to review their own internal systems, so they are safe for learners.
- 5.23 In partnership with Gwent Police, the LA has engaged with Operation Encompass since 2019, regularly attending quarterly Task & Finish Groups. The LA has developed a robust process of ensuring that schools receive daily information regarding incidents of domestic abuse so that they are able to fully support the needs of their learners in a safe environment; feedback continue to indicate that this is welcomed by schools and enables them to identify potentially vulnerable pupils.
- 5.24 There is a robust system for recording and monitoring a range of discriminatory incidents requiring schools to submit returns to the LA on a termly basis which are scrutinised by LA officers. This is updated with any additional characteristics linked to discrimination as required. Schools/settings are offered support and guidance from Education Psychology Services, Healthy Schools and Safeguarding as required.
- 5.25 The LA has a good system of audit for schools/settings to examine their responses to safeguarding responsibilities. This aligns with the 'Keeping Learners Safe,' using the Estyn model of audit. Additional checks are built into this process to ensure that the audits themselves are robust. The LA rates audits using a traffic light system and undertakes follow up actions with schools as required. Often, recommendations are made, even if there are no safeguarding 'actions' identified; any recommendations made are to enhance schools/settings safeguarding practices and approaches, for example to access additional training such as Ask & Act, access guidance Young Carers (due to the increased number of identified young carers in the school), or to undertake pupil surveys. Any safeguarding actions arising from the audits are undertaken and checked by managers, however, recommendations are reviewed via a follow-up monitoring form.
- 5.26 Any safeguarding themes/updates are also promoted within the DSP termly meetings so SLT in schools/settings are furnished with all current legislation/guidance.

5.27 Conclusion

- 5.28 Safeguarding underpins all priorities within the LA. The LA contributes to national and regional groups to ensure up to date practice across the Education Directorate and schools. There are several areas of focus for the work of education safeguarding including advice and support, training, audit, and support for practitioner concerns, to enhance safeguarding practices in schools/settings; this ensures that, not only safeguarding compliance is met, but that there is a robust and effective culture of safeguarding which is centred on the welfare of young people, protecting them and creating conditions for them to thrive.

6. ASSUMPTIONS

- 6.1 In considering the recommendations the following assumptions have been made:
- Safeguarding children and young people is a key statutory duty of the Council. The LA providing on-going advice, guidance and support to schools/settings remains a critical

element of this and as such must be reported to scrutiny to ensure that members are kept informed.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 This report provides information and therefore an integrated impact assessment has not been completed at this time.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications.

10. CONSULTATIONS

- 10.1 The report reflects the views of the consultees based on consultations undertaken to date.

11. STATUTORY POWER

- 11.1 Social Services and Wellbeing Act
Well-being of Future Generations (Wales) Act 2015
Education (Wales) Act 2014
Education Act 1996 - Equality Act 2010
Additional Learning Needs and Tribunal Act 2018

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Councillor Teresa Parry, Chair of Education and Social Services Scrutiny Committee
Councillor Brenda Miles, Vice Chair of Education and Social Services Scrutiny Committee
Councillor Carol Andrews, Cabinet Member for Education and Communities
Keri Cole, Chief Education Officer
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Jane Southcombe, Financial Services Manager
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