



Changes to Keeping Children Safe in Education 2022 briefing

This amended statutory guidance will replace KCSIE 2021 when it comes into force on 1 September 2022.

[Keeping children safe in education: information for all school and college staff \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/106522/Keeping-children-safe-in-education-information-for-all-school-and-college-staff.pdf)

Headlines only

The guidance:

- refers to **'child-on-child'** abuse throughout, rather than **'peer-on-peer'** abuse, which was used in previous versions.
- states that the DSL will now make a referral to the local authority children's social care (and if appropriate the police) **immediately** if a child is suffering, or is likely to suffer from harm and will follow the local referral process.
- recognises that children may not feel ready or know how to tell someone that they are being abused. This should not prevent staff from having a professional curiosity and speaking to the designated safeguarding lead (DSL) if they have concerns about a child (**inside** and **outside** of school -paras 19 21, 23 (extra-familial harms)
- includes a new paragraph on **impact of domestic abuse on children**. DA has now been added to the list of safeguarding issues that all staff should be aware of.
- stresses the importance of the requirement for children [investigated by the police] to have an **Appropriate Adult**
- notes that **all governors and trustees should receive appropriate safeguarding and child protection training at induction, and then at regular intervals**. This will equip them with the knowledge to provide strategic challenge to test and assure themselves that the safeguarding policies and procedures in place in schools are effective and support the delivery of a robust whole school approach to safeguarding. (para 81)
- provides a lot more detail on the **safeguarding implications of the Human Rights Act 1998**, (including the Public Sector Equality Duty) It makes it clear that being



subjected to harassment, violence and or abuse, may breach children's rights, as set out in the Human Rights Act (paras 82-93)

- goes into a lot more detail about the **Equality Act 2010** and its implications for safeguarding. It stresses that schools must not unlawfully discriminate against pupils because of their **protected characteristics**. They should consider how they are supporting their pupils and students regarding to particular protected
- characteristics, including making **reasonable adjustments** for disabled pupils and students. - paras 86-90
- stresses that the **DSL (s) should be given the additional time, funding, training, resources, and support needed to carry out the role effectively**. It does not go as far (as was expected) to ensure supervision is provided but this is something that we believe GBs should consider for staff who are dealing with very challenging cases. We can signpost GBs to our partners for this) para 103
- has expanded **Part 5** (the child-on-child sexual violence and sexual harassment section) and notes the importance of any necessary support for siblings following incidents
- defines how the terms '**victims**', '**alleged perpetrators**', and '**perpetrators**' are used. NB schools may want to use their own definitions as appropriate, on a case-by-case basis.
- notes that Governing bodies and proprietors should be doing all they can to reasonably limit children's exposure to harmful internet situations via the school's IT system by ensuring the school has appropriate filters and monitoring systems in place and that these are regularly reviewed to check their effectiveness.
- has added **contractors** to the list of people (temporary staff, volunteers, visitors) who should receive safeguarding information -para 100
- emphasises that the school's safeguarding **policies and procedures** should be transparent, clear, and easy to understand for staff, pupils, students, parents, and carers-para 96
- provides useful links to resources, including harmful online challenges and online hoaxes – para 132
- looks at the implications of the **Public Sector Equality Duty** for schools and notes that specific consideration must be given to the equality implications of changes to policies and significant decision-making.
- emphasises having appropriate, embedded and effective **safer recruitment** policies and notes
 - as part of the shortlisting process **an online search** may be being carried out as part of due diligence on the shortlisted candidates. (further advice to be available from the LDBS HR team) para 220- NB these checks should only be for checking suitability for working with children and not other areas of a person's life.



- provides greater clarity about dealing with low-level concerns, including examples such as ‘humiliating’ pupils and notes that schools should ensure that their low-level concerns policy* contains a procedure for **sharing confidentially** such concerns. This must be which is clear, easy to understand and implement-para 432
*can be part of your school’s overall safeguarding and child protection policies and procedures.
- states that if schools and colleges are in any doubt as to whether the information which has been shared about a member of staff as a low-level concern meets the harm threshold, they should **consult with their LADO** -para 434
- includes additional aspects to be included in the school’s **safeguarding curriculum**
 - healthy and respectful relationships
 - boundaries and consent
 - stereotyping, prejudice and equality
 - body confidence and self-esteem
 - how to recognise an abusive relationship, including coercive and controlling behaviour
 - what constitutes sexual harassment and sexual violence and why these are always unacceptable.
 - the concepts of, and laws relating to- sexual consent, sexual exploitation, abuse, grooming, coercion, harassment, rape, domestic abuse, so called honour-based violence such as forced marriage and Female Genital Mutilation (FGM), and how to access support
- notes that, when letting the school premises, **regardless of whether or not the children who attend any of these services or activities are children on the school roll**, the body concerned
 1. has appropriate safeguarding and child protection policies and procedures in place (including inspecting these as needed)
 2. there are arrangements in place to liaise with the school on these matters where appropriate.

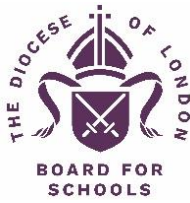
What you need to do (in more detail than the headlines above):

Leaders, including Governors should ensure that they:

- organise appropriate safeguarding and child protection (including online) training at induction for all governors and trustees



- add regular safeguarding update training to the GB training cycle.
- update the school's CP and safeguarding policy
 - remove all references to peer-on-peer and replace with child-on-child.
 - include domestic abuse as a safeguarding issue for all staff to be aware of
 - include here(or in a separate policy) the school's policy /process to deal with any concerns, including allegations, which do not meet the harm threshold noting they focus on early intervention.
- update the lettings policy to include aspects above
- revisit their obligations under the Human Rights Act 1998 21, the Equality Act 201022 (including the Public Sector Duty 23)
- agree the school's approach to online searches for job applicants.
 - It might be helpful to include this in application packs so that there is transparency in the school's approach. We also suggest you consider creating a matrix where the parameters of what the school is searching for are recorded. This will ensure consistency in the range of what is searched for each candidate.
- check the cycle for reviewing the school's IT systems
- The DSL to establish their referral process for this following the 'immediately' change.
- Ensure that staff training in early autumn includes
 - 'harm' (can include ill treatment that is not physical as well as the impact of witnessing ill treatment of others)
 - Domestic abuse
 - staff being made aware that children may not feel ready or know how to tell someone that they are being abused, exploited, or neglected, and/or they may not recognise their experiences as harmful.
 - emphasising that staff have a professional curiosity and speaking to the DSL if they have concerns about a child.
 - determine how best to build trusted relationships with children and young people which facilitate communication.
 - an understanding that children are at risk of abuse or exploitation in situations outside their families. (Extra-familial harms)
 - how staff communicate with, and provide safe space for LGBT pupils so that they can speak to staff
 - discussion about support for siblings of pupils following sexual harassment /violence incidents
- the DSL and DDSs are very clear of the requirement for children [investigated by the police] to have an Appropriate Adult



- update the school 's safeguarding curriculum to include Look at your safeguarding curriculum and adapt to include the new listed elements (age-appropriate, spiral approach)

We also advise that appropriate staff and leaders familiarise themselves with new resources in KCSiE 2022:

- A video on supporting children who are victims of sexual abuse
- A link to SWGfL, a charity which provides support regarding abuse and technology
- A link to the Marie Collins Foundation, a harmful sexual behaviour support services
- A county lines toolkit for professionals
- Government guidance on forced marriage
- LGfL 'undressed' a website featuring a video and song that schools can use to teach children about the risk of being tricked into getting undressed online

In addition, and not in KCSiE , there is new guidance on searching students ' searching, screening and confiscation guidelines" DfE guidance

Please refer to the LDBS guidance 'Safeguarding self-evaluation toolkit 22-23' for detailed support.

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