

No: 20

Adrian Over

FAO All Head teachers and Designated Safeguarding Leads

Dear colleagues

Apologies for the length of this bulletin and the amount of information within it - we thought it best to include all new information and resources for the next academic year within one bulletin.

Thank you very much to the large number of you that took the time and trouble to respond to the consultation about updated green and yellow forms. There were many positive and encouraging responses and also a large number of helpful suggestions for improvement. We have done our best to incorporate as many of those as possible into the final versions and hope you will like them and find them useful.

Comments about implementing each of them in notes below.

Please find as follows:

1) **New green form** - if you no longer use green forms please still read this section, it does still apply to you!

As you know, green forms remain our preferred and recommended tool for staff recording and reporting to DSLs any observations/conversations/disclosures/worries/ hunches about children from low level early help issues to direct disclosures of abuse. That is because they work, they can be used by all staff in all roles, they provide good evidence of staff identifying children in need of early help as well as at risk of abuse/neglect and Ofsted like them!

Nonetheless, as one head said to me recently, in these digital and computerised times, we probably won't still be using paper to record things in 10 years time and we are aware that a number of schools now have alternative tools to record safeguarding concerns, notably CPoms.

However, if you are one of those schools, please still have a look at the updated Green form and plan for how you will train and support your staff to think through and record the same issues and questions that staff using Green forms will be; and also how you will record and provide evidence as DSLs of having considered each concern raised by staff and responded appropriately, as on the back of the Green form.

In updating the form, we have tried to lead staff through a process of providing the DSL with a quick reference 'headline' of what their concern is; recording all the facts as facts; and also recording impressions/worries/feelings/opinions that may not be hard facts but contribute to a full description and understanding of what is causing the member of staff to feel concerned about the child.

Most important of all though is that, in introducing your staff to the new forms, you highlight the importance of them recording exactly what they see and hear children (and their parents as appropriate) do and say. Staff do not have to say they think a child is being abused/neglected but we do want them to record and tell you if they see or hear a child do or say something that raises their concern.

We have also included a mechanism for the member of staff and DSL to record that the DSL has fed the outcome of the concern back to the member of staff that raised it.

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2) Updated version of the '**Green form with guidance for completion**' document which we have previously circulated for training purposes. Again, please do not just give this out to staff without highlighting that the examples provided are just that and should never in any way limit their perception about what can and cannot be recorded on a Green form.

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3) New form for staff to record any concerns/observations/allegations about the behaviour of a member of staff or a volunteer, i.e. a mechanism to support effective whistleblowing in schools. As you know, these have been tentatively referred to as '**Yellow**' forms. The rationale for them was set out in my initial email asking you to take part in the consultation. Many of you welcomed them and felt they would be useful as in my rationale.

A small minority of respondents said they thought the yellow forms are unnecessary and others expressed concern about how they would be used. There was also a view that by making them a distinctive colour, staff might feel inhibited from taking one or being seen to be completing or handing one in, thus defeating their objective.

The overwhelming view was positive but we acknowledge some of the misgivings. We are therefore issuing an updated version of the form as a resource for schools to use if - in the view of the SLT - it will be useful in ensuring, as *Keeping Children Safe in Education* requires '*All staff and volunteers (to) feel able to raise concerns about poor or unsafe practice and potential failures in the school or college's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team.*'

The overriding concern here is to ensure that staff (1) understand they must report all allegations and concerns about the behaviour of colleagues to the headteacher and only to the headteacher unless their concerns are about the headteacher, in which case they must contact the chair of governors; and (2) they are supported by the school in having a variety of mechanisms for making any such report.

The 'yellow' form is simply a tool to support staff to do that. It is a matter for each individual school to decide whether it will help, how to implement it and whether to make the forms yellow, another distinctive colour or plain white. In keeping with other guidance recently issued by the IICSA, any such records must be retained by the school, irrespective of the outcome of any investigation. It will also be a matter for the headteacher to judge whether or not the content of a 'yellow' form warrants contacting the LADO. They will if the matter is a clearcut allegation but low level breaches of the staff behaviour policy may warrant no more than a conversation with the member of staff causing concern, which in itself may help to keep children safe and nip more serious problems in the bud.

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4) Please find attached a document called the '**Ealing Prevent Toolkit for Schools**'. Several schools inspected by Ofsted towards the end of the last academic year reported being asked by inspectors for their Prevent risk assessment. We had devised a simple risk assessment format for the purpose when we received notification from the LA Prevent Officer that Ofsted had been considering issuing a standardised format but had then come across the attached toolkit developed by Ealing Council with some Home Office funding

Ofsted have apparently indicated that inspectors will expect schools to be familiar with the Ealing toolkit and to be using it. It is a comprehensive and well written document. It has therefore been agreed in Warwickshire that we should issue it to schools with the advice for Headteachers and DSL's to read it as useful context and as a reference point. We have already incorporated the points highlighted on page 23 into the updated model safeguarding and child protection policy for 2017/18 (please see below).

We would advise you to go through the self-assessment and complete the checklist on pages 24-25 and the survey on page 26 of the toolkit and retain your completed versions as evidence of your use of the toolkit and your risk assessment.

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5) Please find attached the updated **model safeguarding and child protection policy for 2017/18**. In view of there being no new version of *KCSiE* this year, we have tried to keep changes and additions to a minimum but have made amendments based on advice as with the Prevent toolkit highlighted above and feedback from school Ofsted inspections through the last year. We have highlighted all amendments in red for ease of reference but please make sure you also address all italicised notes in grey font, which should all then be deleted once they have been addressed.

The policy is issued as a draft, providing opportunity for schools to comment and highlight any errors or glaring omissions. Please submit any such comments by **Friday 8th September**. We will consider all comments submitted and issue a final version as soon afterwards as possible.

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6) Please also find attached the updated **model Staff Behaviour policy (code of conduct)**. This is an extensive update. We have endeavoured to highlight changes in red for ease of reference but there are also some structural changes so that has not been entirely possible. Although a significant proportion of the original version has been retained, there is almost as much that has been amended in line with the updated version of *Guidance for safer working practice for those working with children and young people in education settings 2015*, issued by the Safer Recruitment Consortium with an endorsement from the Minister for Education.

The policy is also issued as a draft, providing a similar opportunity for schools to submit any comments and highlight any errors or glaring omissions by **Friday 8th September**. Again, we will consider all submissions and issue a final version as soon afterwards as possible.

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7) Please also find updated versions of the **whole school safeguarding/CP awareness** training programmes for primary, secondary and special schools for your use in staff training. There are several short films in the programme, the links for which are as per the first three links in the word document attached below.

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8) **Police investigations of complaints/allegations by parents against school staff reported directly to the Police**

I was concerned on several occasions last year about Police officers from local Police stations - who had been asked to investigate allegations/complaints by parents that their children had been harmed in some way by school staff - arriving at schools and wanting to interview school staff under caution, sometimes at local Police stations.

You will all appreciate that any such allegation or complaint has to be taken seriously and due process has to be followed. The Police are sometimes in a difficult position in such situations. However, there is a process to be followed and the outcome of me raising my concerns with senior Police Officers in the MASH with responsibility for public protection is an assurance that the uniform chief inspector to all patrol inspectors has cascaded the message about the appropriate process down to all uniformed police officers who might respond to incidents.

It must be recognised that each incident has to be treated on its merits so it is impossible to provide an unequivocal message about every situation.

There are - sadly - very rare cases when children do suffer serious harm caused by education professionals and Police colleagues occasionally have to act swiftly to secure evidence and safeguard children.

However, I was confident that the situations that raised my concern last year did not warrant immediate Police action - or any action at all in some cases - and it is recognised by senior Police colleagues that the appropriate course of action in the majority of cases would be for the Police Officer receiving the allegation or complaint to discuss that with a senior officer, who would in turn take advice from one of the senior officers in the MASH, who would whenever possible consult the LADO. A multi-agency decision would then be made about whether or not the Police should investigate immediately, whether a Position of Trust meeting should be convened in the first instance or whether the parents should simply be advised to discuss their concerns with the Headteacher.

Headteachers would then be contacted by the LADO or a Police Officer and advised about the allegation/complaint and agreed course of action.

The senior Police Officer that I approached has agreed that I should advise Headteachers that in the event of a Police Officer presenting her/himself at a school without prior notice as above with a view to interviewing a member of staff about a parental allegation/complaint, then it would be reasonable for the Head to ask the Police Officer whether the Police Harm Assessment Unit (HAU) in the MASH has been consulted and, if the officer is unable to confirm that, for the Head to ask the Police Officer politely either to do that first or to give the Head an opportunity to contact the LADO (or the Education Safeguarding Manager in the absence of the LADO) so that the matter can be escalated immediately and the Police Officer advised accordingly

The Police fully appreciate the negative impact upon school professionals of being approached by Police Officers in a precipitate manner and I am confident they are committed to working with us to minimise or eradicate any repetition of those difficult situations.

In saying that, Heads would be well advised to respond with all due discretion in order not to place themselves at risk of a Police Officer suggesting they are obstructing them from carrying out their lawful duties.

We trust that advice is helpful.

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Apologies again for such a lengthy and detailed communication. We trust you will appreciate that much of the content is interwoven, hence the logic of presenting it to you in one bulletin.

May we extend our best wishes to all of you for a successful year. We look forward to working with you throughout the year.

Thank you

Adrian Over
Education Safeguarding Manager

Education Safeguarding Service:

Adrian Over
Education Safeguarding Manager
07966 224 286 or 01926 742525

Ann Seal
Taking Care Scheme Manager (Protective
Behaviours):
01926 742523 or 07745 655906

Linda Fenn
ESS Team Administrator/PA
01926 742525 or 07717 891064

Sophie Morley
ESS Training Administrator
01926 742601 or 07747 758712