

The governance of safeguarding A guide for governing boards

December 2020





National Governance Association

The National Governance Association (NGA) is the membership organisation for governors, trustees and clerks of state schools in England.

We are an independent, not-for-profit charity that aims to improve the educational standards and wellbeing of young people by increasing the effectiveness of governing boards and promoting high standards. We are expert leaders in school and trust governance, providing information, advice and guidance, professional development and e-learning.

We represent the views of governors, trustees and clerks at a national level and work closely with, and lobby, UK government and educational bodies.

www.nga.org.uk



Introduction

One of the most important duties that a governing board fulfils is to ensure that their school or trust is creating safe environments for pupils through robust safeguarding practices.

Safeguarding in schools means:

- protecting pupils from maltreatment
- preventing impairment of pupil's mental and physical health or development
- ensuring that pupils grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all pupils to have the best outcomes

The board's safeguarding responsibility

Governing boards fulfil their safeguarding duties by providing strategic leadership that supports an overarching culture of safeguarding in the school/trust and checking that the culture has become embedded. In practice this means:

- ensuring that adults who work in the school, including volunteers, don't pose a risk to pupils
- staff undertake training so that they know how to respond to concerns and are kept up to date with policy and practice
- pupils being taught about staying safe
- an environment where pupils feel confident to approach any member of staff if they have a worry or problem

This guidance comprises:

- [Part one](#): equipping the governing board to carry out its safeguarding responsibilities
- [Part two](#): the safeguarding responsibilities of governing boards
- [Part three](#): strategic oversight and monitoring at board level
- [Appendix 1](#): summary of governing board safeguarding responsibilities
- [Appendix 2](#): governing board safeguarding checks

NGA's [role description for safeguarding link governors/trustees](#) accompanies this guidance.



Part one: equipping the governing board

The guidance that governing boards should refer to: 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.

Governing boards should read and follow KCSiE, ensuring that the safeguarding policies, procedures and training in their school are effective and comply with the law at all times. Boards should ensure that they are kept informed of any changes to the guidance and to their safeguarding responsibilities.

In addition to the responsibilities that are set out in KCSiE, governing boards must have due regard to the need to prevent people from being drawn into terrorism. This is known as the [prevent duty](#).

Governing board training requirements

Whilst there are no statutory requirements for governors and trustees to undergo safeguarding training, the DfE [governance handbook](#) makes clear: “it is best practice if everyone on the board has training about safeguarding, to make sure they have the knowledge and information needed to perform their functions, understand their responsibilities and assure themselves that their own organisation’s safeguarding arrangements are robust”.

In maintained schools, at least one member of a recruitment panel must have undergone safer recruitment training. It is advisable for academies to mirror this requirement.

NGA provide [safeguarding e-learning](#) for Learning Link subscribers to help governors and trustees understand their safeguarding responsibilities and how to carry them out effectively.

Safeguarding checks for governing boards

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. Section 128 checks ensure that any person governing is not restricted from taking part in the management and governance of independent and maintained schools. Additional identity and right to work checks are required for trustees.

A summary of required checks for each type of governance role is provided as an [appendix](#) to this document. Full details of each type of check can also be found on pages 50-52 of [KCSiE](#).

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.



Part two: governing board safeguarding responsibilities

A [summary of governing board duties](#) is included as an appendix to this document.

Approving appropriate safeguarding policies and procedures

KCSiE refers to the safeguarding policies and procedures that governing boards should ensure the school has in place. Central to this is effective child protection policy, which refers to locally agreed multi-agency safeguarding arrangements. The policy should be reviewed and updated annually (as a minimum) and be publicly available e.g. on the school's website.

The procedures required to keep children safe are wide ranging and so will not be covered in a single policy. Additional policies with safeguarding considerations include:

- **Staff code of conduct:** 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.
- **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.

When approving safeguarding policies, consider:

- What risks are pupils in your school facing (or likely to face)? – 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?

Appointing a designated safeguarding lead

Governing boards must ensure that a senior member of the school's leadership team is designated to take lead responsibility for safeguarding and child protection (together with one or more deputies). This role is known as the Designated Safeguarding Lead (DSL). The DSL or a deputy should always be available during school hours to discuss any safeguarding concerns.

The DSL is expected to:

- liaise with external agencies (such as social services) and act as a point of contact
- work with other school staff (such as SENCOs) on safeguarding matters
- keep the headteacher informed of safeguarding issues and ongoing enquiries
- provide support, advice and expertise for all staff

Appointing a designated teacher for looked-after pupils

Looked-after children are in the care of the local authority (living with a foster family, for example). Many looked-after and previously looked-after children have suffered disrupted learning and so a [designated teacher](#) should be appointed with responsibility for promoting the educational achievement of looked-after pupils.

Governing boards should ensure that the designated teacher has appropriate training and the relevant qualifications and experience.



Appointing a lead safeguarding governor/trustee

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

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 be around the suitability of policies and whether any amendments are necessary
- stay up to date on relevant guidance and policy, ensuring the board are made aware of any changes to their safeguarding responsibilities
- report to the governing board following meetings with the DSL and any visits/interactions with staff and pupils

Where multi academy trusts (MATs) have academy committees with sufficient delegated management responsibility, NGA recommends that each academy committee also appoints a safeguarding lead to help maintain trust-wide oversight.

A [model role description for the nominated safeguarding governor/trustee](#) accompanies this document and further details the duties associated with the role.

The appointed governor/trustee should take the lead on safeguarding and establish an effective working relationship with the DSL. However, the governing board retains collective responsibility for making sure that safeguarding procedures are properly followed in schools and that the overarching culture is right.

Maintaining oversight of the single central record

Adopting recruitment procedures that help deter, reject or identify people who might harm children is an important element of effective safeguarding.

Schools and academy trusts must maintain a single central record of pre-appointment checks which cover all staff and those who govern. In the case of multi academy trusts, 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 governing board's oversight of the single central record is likely through routine reports received from the DSL and from external reviews, sometimes carried out by the local authority.

Building safeguarding capacity through staff CPD

Governing boards should ensure that a safeguarding CPD programme is in place such that staff develop the necessary knowledge, skills and understanding of child protection and safeguarding (including online safety). Boards must ensure that all school staff have read at least part one of KCSiE. Training should be constructed as a continuous process of building safeguarding capacity, rather than a series of one-off events.

Ensuring pupils are taught about safeguarding

Building safeguarding into learning supports pupils by helping them 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.



Embedding an effective safeguarding culture across a group of schools

Embedding an effective safeguarding culture, procedures and practices across a group of schools is a more complex activity, however, the principles are the same.

Governing boards in maintained school federations and the trustees in a MAT, will want to ensure the overarching culture, policies and training are consistent throughout all of their schools but at the same time are tailored to fit the unique circumstances and context of each individual school. This can be achieved by:

- Adopting an overarching safeguarding and child protection policy that reflects all schools and which has been developed through collaboration between leaders and safeguarding professionals.
- Appointing someone at executive leadership level to co-ordinate safeguarding activity across the group of schools in a similar manner to the framework expected of DSLs but on a larger scale. This role will contribute to resources and knowledge being shared effectively, provide valuable advice and guidance to the school-level DSLs and support shared professional development.

Part three: 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. Governing boards should work with school leaders to develop the school's strategy and development plans; safeguarding should be central to these conversations.

The school's leadership team 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 help identify relevant areas for improvement during strategic discussions:

- Do we understand the strengths and development areas for safeguarding in our school?
- 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 leaders shaping and influencing practice to help achieve these goals?

Understand 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 the board's safeguarding monitoring approach:

1. Observe

- What does data tell you about the school's safeguarding procedures and the overall context? For example, look for trends emerging from: the number of looked after children, attendance, 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? Is the board confident that pupils know how to raise safeguarding concerns?



2. 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?

3. Discuss

- Regular discussion with school leaders helps 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 questions are examples 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 work with other schools and agencies to stay informed about local safeguarding 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 governing board safeguarding responsibilities

Equipping the board	Governing board responsibility
Governing board checks	<ul style="list-style-type: none">all governors and trustees need to have enhanced DBS certificates; section 128 checks are also required in some casesadditional checks may be required – see appendix 2
Safer recruitment training	<ul style="list-style-type: none">maintained schools: at least one member of recruitment panel must have safer recruitment training (also advisable for academies)
Safeguarding training	<ul style="list-style-type: none">not compulsory for governing boards but highly recommendedNGA provide safeguarding e-learning for Learning Link subscribers
Keeping Children Safe in Education (KCSiE) – statutory DfE guidance	<ul style="list-style-type: none">have regard to KCSiE when carrying out your safeguarding dutiesread and follow KCSiE - ensure that safeguarding policies, procedures and training are effective and comply with the law
Prevent duty	<ul style="list-style-type: none">include this duty (preventing people from being drawn into terrorism) in wider safeguarding obligationsensure DSL is familiar with prevent duty guidance
Safeguarding link governor/trustee appointment	<ul style="list-style-type: none">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	<ul style="list-style-type: none">review and update as needed (update child protection policy at least annually)publish child protection policy (i.e. on school website)ensure policies are developed to reflect the needs/ context of the individual school and community (utilising staff expertise)ensure policies are reviewed and appropriate changes made after any safeguarding incident
Staff code of conduct	
Behaviour policy	
Recruitment policy	

Safer recruitment	Governing board responsibility
Pre-appointment checks and supervision	<ul style="list-style-type: none">prevent people who pose a risk of harm working in school: ensure statutory checks are being carried out (i.e. DBS and section 128)decide if additional checks are neededensure volunteers are appropriately supervised
Monitoring the single central record (SCR)	<ul style="list-style-type: none">ensure the SCR is up to date (but no need to administrate)have oversight of the SCR - could be through routine reports received from the DSL and/or external reviews

Building safeguarding capacity	Governing board responsibility
Designated safeguarding lead (DSL) appointment	<ul style="list-style-type: none">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	<ul style="list-style-type: none">ensure all staff receive appropriate and regular safeguarding and child protection trainingensure all staff understand the policies and procedures in place and know what to do if they are concerned about a pupilall staff must read at least part one of KCSiE
Teaching safeguarding	<ul style="list-style-type: none">ensure children are taught about safeguarding, including online safety, as part of a broad and balanced curriculum



Appendix 2 – governing board safeguarding checks

Refer to pages 50-52 of [KCSiE](#) for further detail on what the checks entail 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 academy committee member (with delegated responsibilities)	✓	✗	✓	✗