

# Safeguarding: What Can we Learn from Schools Where it was Judged 'Not Effective'

Based on Judicium's Safeguarding 'Sofa Session' from 2<sup>nd</sup> February 2022

With Hannah Glossop and James Simoniti

# An Introduction to the Findings

It is important to mention Inspectors will not grade safeguarding. However, inspectors will always make a written judgement under **'leadership and management'** in the report about whether the arrangements for safeguarding children and pupils are effective.

According to the Ofsted's inspection handbook: *"Safeguarding is ineffective when there are serious or widespread failures in the school's/setting's safeguarding arrangements that give cause for concern because children are not protected, and statutory requirements are not being met."*

Paragraph 304 of the inspection handbook gives examples of what ineffective safeguarding might include:

"Children, pupils and students or particular groups of children, pupils and students do not feel safe in school/the setting"

"Incidents of bullying or prejudiced and discriminatory behaviour are common"

Between September 2019 and July 2021, we have looked at **all** of the **'inadequate'** Ofsted reports where safeguarding was been found to be 'not effective' - **59 in total**.

# 12 Key Reasons for “Not Effective” judgements

After reading through all 59 commentaries, we deduced **12 key reasons** that were commonly mentioned in the reviewed Ofsted reports.

A frequency (tally) system was used to record every time one of those 12 reasons was mentioned. One report may hit five or six different areas.

It is important to remember that each reason would not have necessarily been a standalone failure. Often the “not effective” judgement is given for a multitude of different reasons. The results provided learning points, similar to serious case reviews.

We know that looming inspections can cause anxiety for DSLs and other school leaders. Our hope is that this research will save time for school leaders and reassure them in the lead up to an inspection, allowing more time to be spent on effectively safeguarding young people.

# 1. Record Keeping

This was the most common reason for Safeguarding we came across in the reports to be labelled 'Not Effective'. **It was found in 31 of the 59 schools.**

Three main areas were frequently highlighted as bad examples of record keeping:

a) **Lack of detail** – Not recording outcomes, not recording dates (paper), overlooking minor details. **NB:** Not recording in detail means that vital information may be missed. Not recording minor details may leave you missing the final piece in a jigsaw, especially when the data is shared with other agencies.

b) **Disorganised** – Not having an accessible chronology, paper files dumped in a folder, files for separate students kept together.

c) **Concerns not recorded first-hand** - e.g., a child discloses to teacher, the teacher passes to DSL and DSL records leaving no direct record of the initial disclosure!

If there is a criminal investigation, this chain of correspondence would be heavily scrutinised as staff receiving the initial disclosure should record.

KCSIE states that records should include:

- 'A clear and comprehensive summary'
- 'Details of how the concern was followed up'
- 'A note of decisions reached and the outcome'

A good question to ask yourself is, 'If the DSL left tomorrow, would someone understand what was going on from the records themselves?'

## 2. Leadership and governance

This was the second most common reason, found in **30 out of 59 schools**.

Ofsted frequently referenced governors not having a good understanding of safeguarding, and therefore not effectively holding safeguarding arrangements to account. Governors are reliant on leaders to tell them what is working well. Governors should ensure a good understanding of safeguarding procedures to allow them to critique policy and question what is working themselves.

How can staff be expected to understand the arrangements if those writing the policy don't?

Another point often raised in Ofsted reports relates to dealing with allegations against adults poorly, e.g., not referring to the LADO correctly and sometimes not taking allegations seriously.

**NB:** *Judicium will be hosting a free Sofa Session on the 23rd of March 'Safeguarding: From the Perspective of a Former Police Detective' which will discuss working with the LADO. Sessions will be held at 10am and 11:30am*

### 3. Following up concerns

This reason was found in **28 of the 59 schools**.

- a) Not making referrals to Children's Social Care promptly - 'sitting on' information that should be shared immediately!
- b) Using unclear systems and not using appropriate pathways to refer.

You need to make referrals as soon as practicable and must ensure a clear pathway for referrals exists.



## 4. Pupil safety

This reason was found in **26 of the 59 schools**.

Pupil safety falls into three broad themes:

- a) **The school culture** - to quote one Ofsted report - 'the culture victimises students for being themselves'. E.g., Students with certain protected characteristics may feel unsafe.
- b) **Physical safety** - by this we mean violence from students, or sometimes even staff.
- c) **Bullying** - Is bullying dealt with well? Systems may be great, but are they followed? Are staff aware of the extent of bullying?

## 5. Training and understanding of staff

This reason was found in **25 of the 59 schools.**

It refers to staff not understanding their safeguarding duties, and not meeting the minimum requirements for training. Safeguarding training should be delivered on induction, no matter what time of the year that staff member joins. Safeguarding updates should be delivered at least annually. However, we recommend in-depth training, short and often to keep this fresh in the minds of staff.

Formal DSL training should be delivered every two years for the DSL and Deputies.

Training should also be 'localised' where possible. For instance, if radicalisation is a major concern in the area, then there may be a need for more Prevent training. If CSE is a concern, training should focus on that.

## 6. Risk assessments

This reason was found in **14 of the 59 schools**.

Risk Assessments cover a lot of different aspects. Some are compulsory such as in the case of a report of sexual violence where it is **required**.

We have often seen schools criticised for not having a risk assessment in these areas:

Site risk assessment (e.g. school split between sites and no RA for students moving between them)

Students on a part-time timetable not being risk assessed

School trips

**TIP:** Remember to keep risk assessments as a live documents. An outdated risk assessment is of no use!

## 7. Registration and exclusion

This reason was found in **12 of the 59 schools**.

- a) Not informing local authority when students are removed from school roll and off rolling.
- b) Not checking pupils that are not attending.
- c) Inaccurate registration of pupils.

## 8. Safer recruitment

This reason was found in **12 of the 59 schools**.

Judicium's HR service held a sofa session on Safer Recruitment last week. To see more about this topic please click the link to the summary notes here.

**<https://www.judiciumeducation.co.uk/news/HR-Safer-Recruitment>**

**In summary, make sure appropriate checks are done on staff and recorded on the SCR.**

## 9. Alternative provision

This reason was found in **9 of the 59 schools**.

Safeguarding can be judged not effective due to this. For example, pupils attending the school may be adequately safeguarded, but if one pupil goes to AP they **MUST** receive the same level of safeguarding.

Here one Ofsted report summarises what can go wrong with AP: "The school have not been alert to the risks for pupils who were not attending, or when the provision failed to meet pupils' needs."

KCSIE says: "When a school places a pupil in AP, the school remains responsible for the safeguarding of that pupil." **The AP does not take sole responsibility** and it is something that the home school must be aware of.

When using AP, make sure:

- Attendance and wellbeing are checked regularly
- There is an established process for when a pupil does not attend as planned
- Obtain written confirmation that appropriate safeguarding checks have been carried out on individuals working at the AP.

## 10. Pupils not raising issues

**This reason was found in 7 out of 59 schools.**

A school can have perfect policies, but if students don't feel able to talk to staff those policies won't work, especially around harmful sexual behaviours. It is important that children know of trusted adults within school that they can talk to.

There are many ways in which schools allow pupils to raise issues without talking face to face. If it hasn't done so already, perhaps consider if your school is able to implement something like this.

# 11. Site Safety

This reason was found in **5 of the 59 schools.**

Although this was a fairly uncommon reason, it was seen when:

- Leaders have not considered well enough the risks posed by a split site
- Complacent attitude towards site safety
- Unsafe equipment is accessible
- Medication not stored correctly



## 12. SCR

This reason was found in **4 of the 59 schools.**

Many schools worry about their SCR – but actually very few schools are admonished for this!

It is rarely a reason for failure!

Ofsted's 'Inspecting Safeguarding' document mentions:

If there is a **minor** admin error that can easily be rectified before the end of the inspection, you will have the chance to resolve this

**Minor** = failure to record one or two dates, illegible entries, one or two omissions where the school holds the information but has not transferred this to the SCR.

There is NO ALLOWANCE for serious failures, such as DBS checks.

# Practical Steps and Actions Schools Can Take

- 1. Read Ofsted's Inspecting Safeguarding in early years, education and skills settings: <https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills>
- 2. Regularly audit the effectiveness of your safeguarding. Go through the 12 categories and highlight strengths and any concerns.
- 3. Involve your wider SLT and whole governing body.
- 4. Get a fresh pair of eyes to assess your safeguarding. Consider using any partner schools, other DSLs, safeguarding governors or an external auditor.
- 5. Continue to update your safeguarding knowledge (e.g., free training sessions, new consultation on KCSIE 2022, Twitter, Andrew Hall). Have key documents saved on your Desktop and hit shift-F to find key words.
- 6. **Stay positive!** Remember that we don't safeguard for the sake of Ofsted – we do it to keep our pupils safe.

# Helpful Links

- Judicium have hosted various sofa sessions on Safeguarding, covering many topics including *'How to Make the Most of Your Safeguarding Governor'*. To look at previous session summary notes please follow this link to our blog page: <https://www.judiciumeducation.co.uk/news/>
- **Judicium Education offer a complete Safeguarding Service including audits, training, advisory and support. Assisting schools to meeting the statutory requirements and providing best practise on safeguarding children and safer recruitment. For more information, please visit [here](#).**
- You can also follow the Safeguarding team on Twitter: [@JudiciumSG](#)
- The Safeguarding Service is also providing CPD accredited open training courses for DSLs, ALL staff and Governors. For more information or to book, please visit [here](#).
- If you require any support in any of these steps or would like to talk to someone surrounding some support for your school, please do not hesitate to call us on 0203 326 9174 or email [tara.jones@judicium.com](mailto:tara.jones@judicium.com).