

**This document highlights the changes made in KCSiE 2020. Annex H in the actual Government document lists all substantive changes but the following is a summary of Annex H changes.**

## **Part 1**

**Part one of KCSiE sets out what all staff need to know, what they need to look out for and where they should report their concerns.**

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

Protecting children from maltreatment.

Preventing impairment of **children's mental and physical health or development** (additional wording highlighted).

Ensuring that children grow up in circumstances consistent with the provision of safe and effective care.

Taking action to enable all children to have the best outcomes.

### **Contextual Safeguarding**

The paragraph on contextual safeguarding has changed

*'All staff should be aware that safeguarding incidents and/or behaviours can be associated with factors outside the school or college and/or can occur between children outside of these environments. All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.'*

Reference to contextual safeguarding has been removed.

**Extra-familial harms** (Risks lying outside the family) is the term used.

### **Child Criminal Exploitation and Child Sexual Exploitation**

Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity.

This paragraph goes into **more detail** in the main body. Further information is included in Annex A.

### **Mental Health**

New paragraphs have been included to help staff connect mental health concerns with safeguarding.

*'All staff should also be aware that mental health problems can, in some cases, be an indicator that a child has suffered or is at risk of suffering abuse, neglect or exploitation. Only appropriately trained professionals should attempt to make a diagnosis of a mental health*

*problem. Staff however, are well placed to observe children day-to-day and identify those whose behaviour suggests that they may be experiencing a mental health problem or be at risk of developing one.'*

There is a section on mental health in Part two 'The management of safeguarding' where links are provided for additional information.

## **Part 2**

**Part two of KCSIE sets out the responsibilities of governing bodies and proprietors to safeguard and promote the welfare of children and includes guidance on the safeguarding policies and procedures they should have in place.**

(The wording in this section has been updated to reflect the three safeguarding partners system is now running.)

### **Designated safeguarding Lead**

The designated safeguarding lead and any deputies should liaise with the three safeguarding partners and work with other agencies in line with Working together to safeguard children.

A link to NPCC guidance has also been added:

A link to National Police Chiefs' Council (NPCC ) guidance When to call the police has also been added. It should help designated safeguarding leads to understand when they should consider calling the police and what to expect when they do.

### **Multi-Agency working**

New safeguarding partners and child death review partner arrangements are now in place. It is important that schools and colleges understand their role in the three safeguarding partner arrangements and local arrangements.

### **Information Sharing**

Updated to provide further clarification about GDPR and withholding information.

'Governing bodies and proprietors should ensure relevant staff have due regard to the relevant data protection principles, which allow them to share (and withhold) personal information, as provided for in the Data Protection Act 2018 and the GDPR.'

This should include:

Confidence in processing conditions and the implications of safeguarding of children and individuals at risk.

Examples when schools do not provide pupil personal data when the serious harm test under legislation is met\*.

*\* A person satisfies the harm test if they may harm a child or vulnerable adult or put them at risk of harm. It is something a person may do to cause harm or pose a risk of harm to a child or vulnerable adult.*

## **Online Safety**

Updated to make clear that additional information is available in Annex C on how to support keeping children safe online when they are learning at home.

## **RHSE (Relationship, Health & Sex Education)**

New links to include compulsory teaching of RSHE from September. Schools have flexibility to decide how they discharge their duties effectively within the first year of compulsory teaching and are encouraged to take a phased approach (if needed) when introducing these subjects.

## **Allegations**

Revised to make clear that schools and colleges should have processes in place to manage all concerns about staff (including supply teachers and volunteers) and in addition follow the guidance in Part four where a concern includes an allegation that might meet the harm threshold.

Children potentially at greater risk of harm

Updated to reflect the needs of children with a social worker and supporting DSLs and schools to be able to best support these children to do well, in line with the evidence from the children in need review.

*'Children may need a social worker due to safeguarding or welfare needs. Children may need this help due to abuse, neglect and complex family circumstances. A child's experiences of adversity and trauma can leave them vulnerable to further harm, as well as educationally disadvantaged in facing barriers to attendance, learning, behaviour and mental health.'*

Improving the educational outcomes of children in need of help and protection contains further information and Help, protection, education sets out the action Government is taking to support this.

## **Children requiring Mental Health Support**

This is a new section identifying schools and colleges having an important role in supporting the mental health and wellbeing of pupils.

Recognising that in some cases mental health is an indicator of a child suffering or at risk of abuse. Schools and colleges should be familiar with Mental health and behaviour in schools guidance and the Link programme.

## **Part 3**

### **Safer Recruitment**

There are no changes

## **Part 4**

**Part four of KCSIE is about managing cases of allegations that might indicate a person poses a risk of harm if they continue to work in their present position or in any capacity with children in a school or college.**

### **Duties as an employer and an employee**

An **extra point** has been added under the unacceptable behaviours section.

Behaved in a way that has harmed a child, or may have harmed a child;

Possibly committed a criminal offence against or related to a child;

Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children;

**Behaved or may have behaved in a way that indicates they may not be suitable to work with children.**

For example, a member of staff was involved in domestic violence at home. No children were involved but schools need to consider what triggers these actions and could a child in school trigger the same reaction from the member of staff.

### **Supply Teachers**

Added guidance on how to deal with allegations about supply teachers. In some circumstances schools and colleges will have to consider an allegation against an individual not directly employed by them, where its disciplinary procedures do not fully apply. Whilst schools and colleges are not the employer of supply teachers, they should ensure allegations are dealt with properly.

## **Part 5**

### **The Management of Safeguarding**

**Part five of KCSIE is about managing reports of child on child sexual violence and sexual harassment.**

There are no changes to the statutory requirements placed on schools and colleges.

## **Annex A**

## **Further Safeguarding Information (renamed from Further Information)**

### **Child Criminal Exploitation**

(CCE) and county lines have been separated into two sections. The texts reflect the individual and the gang activity. It identifies the indicators of CCE and the imbalance of power.

**The County Lines** section defines what county lines is and the connection to organised criminal groups and how exploitation is an integral part of county lines.

**Child Sexual Exploitation** – rewording of the section.

**Domestic abuse** - rewording of the section to include Operation Encompass.

**Honour-based abuse** - the word violence replaced with the word 'abuse' to recognise the non-violent form of HBA.

**Preventing radicalisation** - section now includes what terrorism looks like.

**Upskirting** - the text now includes reference to the The Voyeurism (Offences) Act. It also identifies any gender as being a victim.

## **ANNEX B**

### **Designated Safeguarding Lead**

Advice added for designated safeguarding leads on the needs of children with a social worker and suggestions for actions that could be taken to help promote these children's educational outcomes.

## **ANNEX C**

### **Online Safety**

Added additional links and a section on education at home. Where children are being asked to learn online at home the department has provided advice to support schools and colleges to do so safely.

*(Coronavirus (COVID-19): safeguarding in schools, colleges and other providers and Safeguarding and remote education during coronavirus (COVID-19).)*

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