



Governor Support Service

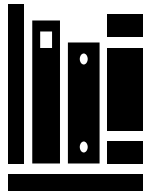
Governors' Statutory Responsibilities with a particular emphasis on Safeguarding & KCSiE

Rory McCormack



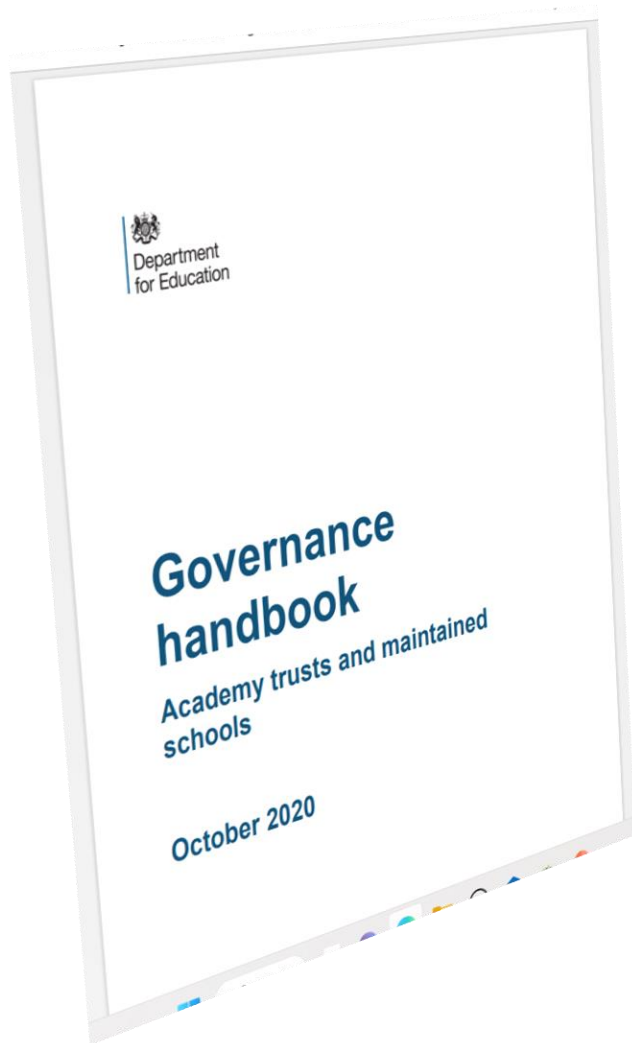
30th November 2022

Session Objectives



- To recap on specific roles of Governors
- To differentiate between those that are statutory and those that are non – statutory
- To ensure Governors are aware of their responsibilities regarding safeguarding of children
- To ensure that Governors are aware of their responsibilities with particular regard to the safe recruitment of staff.

Governance handbook



This is the key document in terms of what the responsibilities of Governors are

Governance handbook

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**Section 6 speaks of
Governors'
responsibilities –
some are statutory
some are not...**



Safeguarding responsibilities

Governance handbook

197. Section 175 of the Education Act 2002, and the Education (Independent School Standards) Regulations 2014 place a duty on the boards of maintained schools and academy trusts to have arrangements in place to ensure that they:

- carry out their functions with a view to safeguarding and promoting the welfare of children; and
- have regard to the statutory guidance issued by the Secretary of State in considering what arrangements they need to make for the purpose of that section

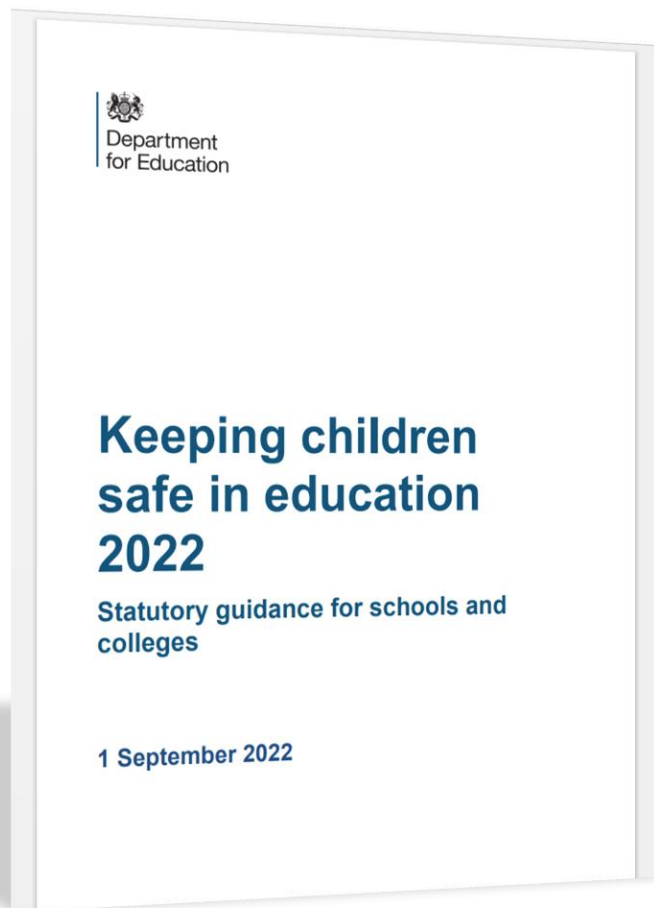
Safeguarding



In broad terms, boards are responsible for ensuring that:

- Safeguarding policies and procedures are effective and comply with the law at all times
- All staff understand their roles and responsibilities and are able to discharge them.
- The board has sufficient knowledge and capacity to fulfil its safeguarding responsibilities.

Keeping Children Safe in Education (KCSiE)



This document is published every September. All Governors should read **Part 1** if not all of it.....

What does this mean in practice?



1. All governors/trustees receive appropriate safeguarding and child protection **training** (that includes online safety)
2. Relevant safeguarding **policies** are in place
3. The **safeguarding link governor/trustee** fulfils their role effectively
4. Safeguarding forms part of the board's **routine monitoring** schedule
5. **Effective communication** strategies are in place to help safeguard pupils.
6. The number and types of **safeguarding incidents are systematically monitored** by the board
7. The board's oversight ensures the **Single Central Record (SCR)** is up to date.
8. The board is confident that **pupils in their school/trust know how to keep themselves safe.**

1. Safeguarding training

- What specific training has taken place
- What has been the impact of this training?
- For all maintained boards at least 1 member of a recruitment panel to also complete **safer recruitment training** (also advisable for academies)
- Be aware of PREVENT training



2. Safeguarding Policies



These can include:

- Child protection policy
- Staff code of conduct
- Behaviour policy
- Safer recruitment and selection
- PREVENT

3. Role of the Safeguarding link Governor



How is the role carried out?

- The link Governor interacts with the Designated Safeguarding lead (DSL) via termly meetings that are scheduled?
- The link Governor reports routinely to the Board
- The link Governor keeps up to date via regular training.

4. Routine monitoring



- Dedicated safeguarding visits are likely to be undertaken by the safeguarding governor/trustee (see slide 12)
- Other “themed” visits should take into account safeguarding practices in line with other adopted policies e.g. Behaviour Policy.
- There should be opportunity to comment on this on the appropriate adopted school visits form.

GOVERNOR SCHOOL VISIT REPORT FORM

Name of Governor: Dan Salem	
Date of visit: 24/3/16	
Focus of visit: Governor Open Afternoon	
Any issues discussed with Head/Teacher in advance of visit: No	
Staff met: Red Class	
Observations on focus of visit: DT week - kids making puppets. It was great to see them all engaged so much they were happy not to rush to playtime. Then all listened to feedback and got an understanding of the principles of planning and outcomes. Very impressed for the youngest members of the school.	
Any issues to be raised as result of visit: No...	
Signed:	Date:

5. Effective communication

The Governing Board monitors and has evidence that all staff and pupils are aware of who they need to contact if they have safeguarding concerns.



6. Safeguarding incidents are systematically monitored by the board



This includes the actions taken, the steps put in place to minimise future incidents.

This should be high level data which **does not identify** individuals or families but enables the board to see how policies work in practice.

7. Single Central Record (SCR)

Single Central Register

Identity				Qualifications		DBS Enhanced Check	Banned List Check	Right to work in UK	Overseas Checks	
Name	Address	Date of Birth	Evidenced and Date	Qualifications required yes/no	Qualifications Evidenced and Date	Check evidenced and date	Check evidenced and date	Check evidenced and date	Check required and date	Checks carried out yes/no

Source: Keeping Children Safe in Education (2014) paragraphs 66/67

All staff must be entered, including supply staff, volunteers and proprietors.
Entries must be signed by checker.

Notes

See guide at Direct Gov website 'Providing identity documents for criminal record checks'

There should be :

- Routine reports from the DSL (Designated safeguarding lead)/HT
- Evaluations from external reviews (could be by the L.A. or MAT or consultants employed by either.
- Boards are not routinely required to audit the SCR though this could be a good way of fulfilling this duty.

8. Pupils in their school/trust know how to keep themselves safe.

Governors should know about/be able to identify:

- The opportunities pupils have to develop knowledge of how to stay safe
- The ways pupils are taught about how they can protect themselves online
- The school's approach to sexual harassment, online sexual abuse and peer – on - peer abuse
- How the school promotes appropriate standards of behaviour
- How the school delivers relationships, health and sex education. (RHS curriculum)



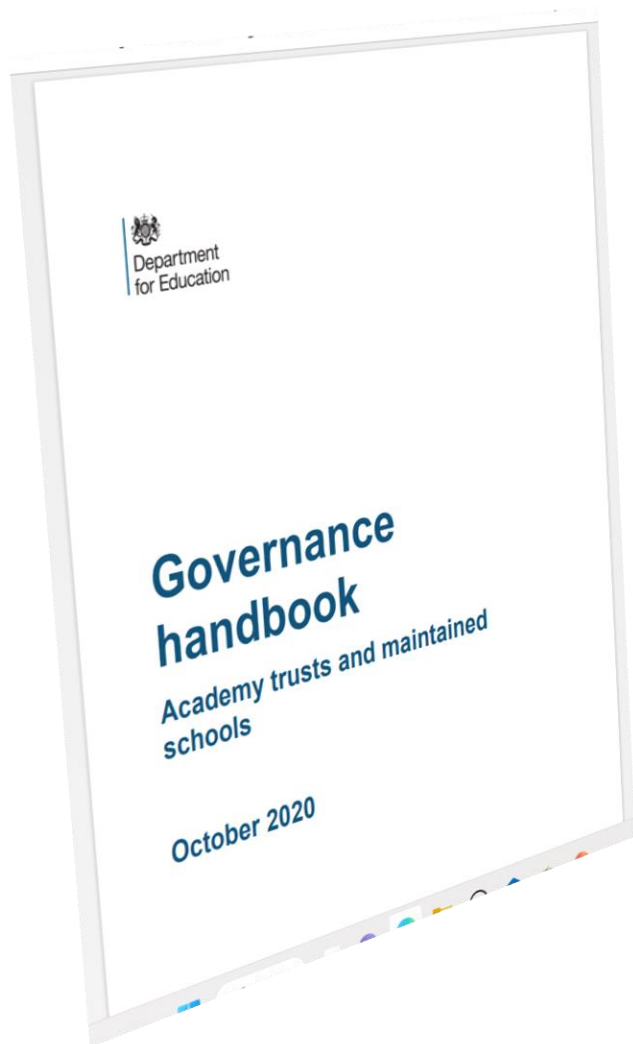
Questions?





Safer Recruitment

Safer recruitment

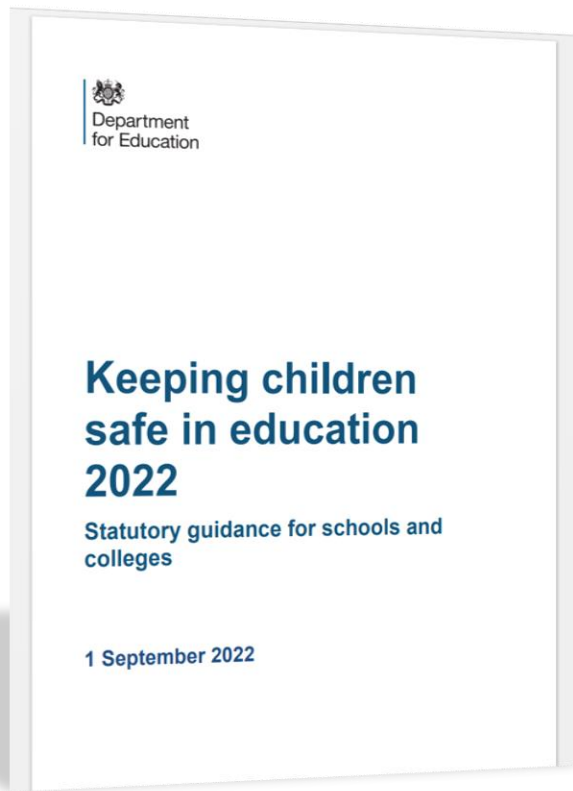


Para 113

“In relation to the appointment of staff, Boards must have regard to the requirements and important information set out in KCSIE which includes:

- the recruitment and selection process;
- pre-appointment and vetting checks, regulated activity and recording of information;
- other checks that may be necessary for staff, volunteers and others, including the responsibilities on schools and colleges for children in other settings; and
- how to ensure the ongoing safeguarding of children and the legal reporting duties on employers.”

Safer Recruitment



Safer recruitment: KCSiE (2022: pp 51 – 85)

This part of the guidance has four sections providing schools and colleges with the legal requirements **‘must do’, what they should do, what is considered best practice and important information about:**

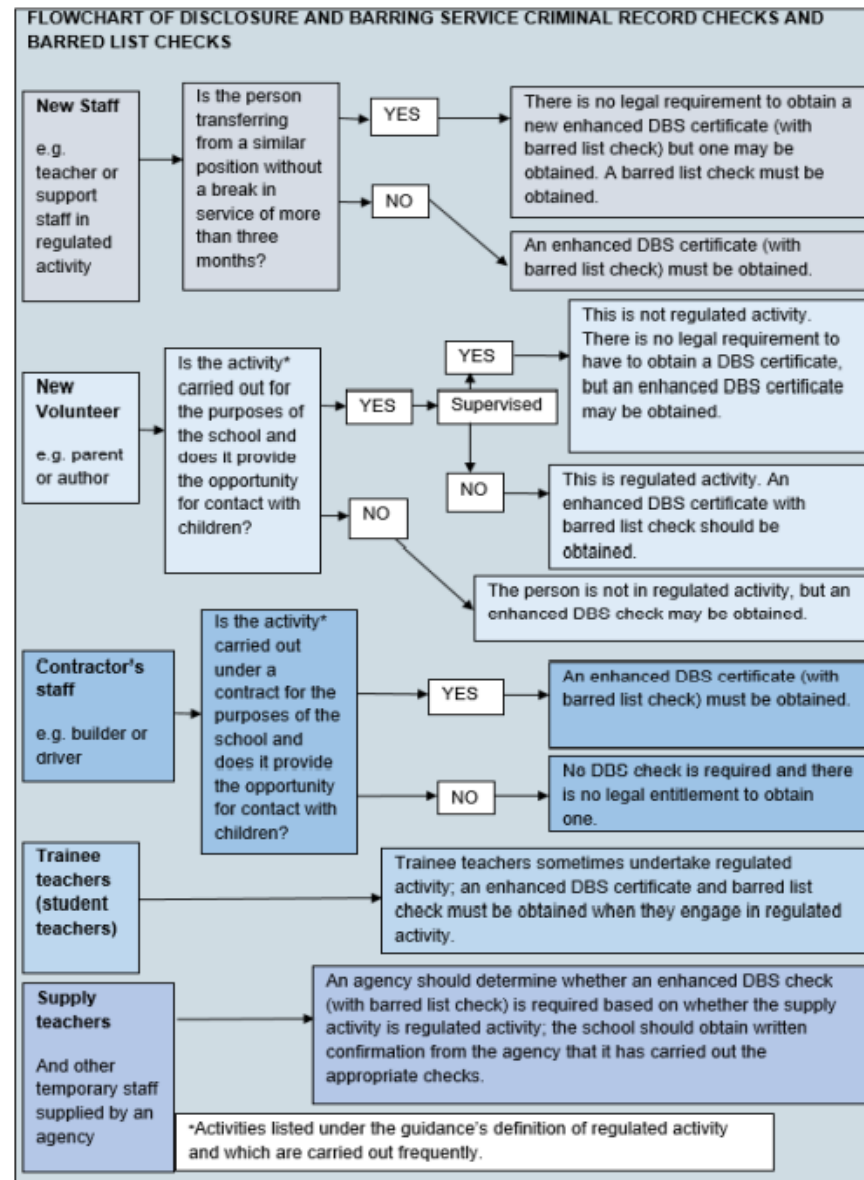
- i. the recruitment and selection process
- ii. pre-appointment and vetting checks, regulated activity and recording of information
- iii. other checks that may be necessary for staff, volunteers and others, including the responsibilities on schools and colleges for children in other settings, and,
- iv. how to ensure the ongoing safeguarding of children and the legal reporting duties on employers

Safer Recruitment

Flowchart of disclosure and barring service criminal record checks and barred list checks

From, "KCSiE (2022)
p.65

208: Governing bodies and proprietors should ensure that those involved with the recruitment and employment of staff to work with children *have received appropriate safer recruitment training*, the substance of which should at a minimum cover the content of this part (Part three) of this guidance. (KCSiE (2022))



Questions?





Other areas of Governors' statutory responsibilities

Compliances from the Governance Handbook

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It is natural to see this list and be daunted. However, it is often about having **the appropriate structures or support** in place to ensure Governors/Trustees can fulfil these statutory responsibilities. Governors/Trustees work **strategically**.

Statutory Responsibilities/Compliance

The support service that is not included on that list but “overarches” a lot of these is legal advice.

You can procure your support services from whatever source you feel gives you the best value. It may well depend on what sort of school you are e.g. Maintained, Voluntary Aided, Single Academy, MAT. Also how much money you have!!!!



Statutory Responsibilities/Compliance



Some compliances will be ensured by policy that will be written initially by the school or Trust professionals e.g. information sharing, complaints, whistleblowing....

Some compliances
Governors/Trustees can ensure themselves via the Clerk/Governance Professional e.g. Governance Procedures

Some compliances will need professional support e.g. health and safety, finance, school premises

This feels very “operational” but the role of Governors/Trustees is strategic

Statutory Responsibilities/Compliance

The important point is that the Board and the Clerk/Governance Professional ensure there are effective procedures so that all these responsibilities/compliances can be carried out over an agreed regular calendar.

e.g.

- Committees or no committees
- If “committees” what do we need?
What are their Terms of Reference?
How often do they meet, the drafting of agendas. Reporting to the full board.
- A calendar of “decisions” e.g. what needs to be done
termly/annually/longer



Questions?





**Governor Support Service
Based in Hillingdon and
supporting governors and clerks
throughout the borough and beyond**

Email: office@governor.support

Phone: 01895 717321

Website: www.governor.support

