



Clerks monthly briefing, June 2024

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DfE Updates

Keeping Children Safe in Education updated for 2024

We are pleased to announce the release of the 2024 edition of [Keeping Children Safe in Education](#) (KCSIE), which will take effect from 1 September 2024. This update introduces a few, primarily technical changes, aligning more closely with the "[Working Together to Safeguard Children 2023](#)" guidelines. Although this year's alterations are subtle, it is essential to familiarise yourself with the key updates, despite the absence of a consultation period.

Part 1

- o Protecting children from maltreatment, whether that is within or outside the home, including online.
 - o Preventing the impairment of children's mental and physical health or development.
 - o Making sure that children grow up in circumstances consistent with the provision of safe and effective care.
 - o Taking action to enable all children to have the best outcomes.
 - o Providing help and support to meet the needs of children as soon as problems emerge (this bullet point is new).
- In the list of indicators for early help (paragraph 18), your school should now also be alert to any child who:
 - o Has experienced multiple suspensions, is at risk of being permanently excluded from schools, colleges and in alternative provision or a pupil referral unit
 - o Has a parent or carer in custody (previously it was in 'prison'), or is affected by parental offending
 - o Is frequently missing/goes missing from education, home, or care (the word 'education' has been added)
 - When referring to 'abuse and neglect', the guidance now also refers to 'exploitation' throughout (e.g. see the heading at the top of page 11)
 - 'Unexplainable and/or persistent absences from education' has replaced the phrase 'deliberately missing education' when referring to safeguarding issues (paragraph 29)

Part 2

Children who are lesbian, gay, bisexual or gender questioning

This section has been updated but **remains under review** until the [gender questioning children consultation](#) results and final guidance have been published.

The phrase 'gender questioning' has replaced the word 'trans'.

This section reflects that the Cass review:

- Identified that caution is necessary for children questioning their gender as there are still unknowns around the impact of social transition, and that children may have wider vulnerability, such as complex mental health and psychosocial needs
- Recommended that families should be encouraged to seek clinical help and advice when making decisions about support for a gender questioning child

KCSIE says your school should take a cautious approach to supporting a gender questioning child and:

- Consider the broad range of the individual's needs
- Do this in partnership with their parents (except in rare circumstances where involving parents would bring a significant risk of harm to the child)
- Include any clinical advice that is available
- Consider how to address wider vulnerabilities, such as the risk of bullying

Other changes to part 2 include:

- A new paragraph (93) to reflect that governors, trustees and staff should use the data protection guidance for schools from the DfE to help you comply with data protection law and develop policies and processes
- A new paragraph (171) in the section on alternative provision to clarify that where a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil. Your school should be satisfied that the placement meets the pupil's need
- Some extra wording in the section on elective home education (paragraph 179) to say that elective home education can mean that some children are not in receipt of suitable education

There have been no changes to parts 3 and 4 of the guidance

Part 5

- The definition of early help has been updated to 'support for children of all ages that improves a family's resilience and outcomes or reduces the chance of a problem getting worse' (paragraph 497)

Annex A

- The changes in terminology around the safeguarding definition and 'unexplainable and/or persistent absences from education' in part 1 have not been reflected in Annex A.

The section on preventing radicalisation is still under review after the government published a [new definition of extremism](#) earlier this year.

Changes include:

- An updated definition of radicalisation, which is 'the process of a person legitimising support for, or use of, terrorist violence'
- Small terminology changes to bring the guidance in line with the Prevent Duty 2023, such as 'the need to prevent people from being drawn into terrorism' to 'the need to prevent people from becoming terrorists or supporting terrorism'

Annex C

- The final bullet point in the section on holding and sharing has been updated to include that the DSL (Designated safeguarding leads) should keep written records of all concerns, discussions, and decisions, including the rationale for those decisions
 - o This should include instances where referrals were or were not made to another agency such as LA children's social care or the Prevent program

DfE Emphasises Support for Wellbeing of School Leaders

The DfE issued a [letter](#) emphasising the vital role that governors and trustees have in shaping the culture and fostering a supportive environment within schools and trusts. The communication reiterates the existing responsibilities that employers and others hold in supporting the wellbeing of leaders in state-funded schools. While it introduces no new obligations, it effectively guides to sources of support and outlines new initiatives the DfE and Ofsted are taking regarding school inspections.

What schools must publish on their websites

There are no major changes to the requirements for [what schools should publish on their websites](#). However, the following updates have been made:

- A new section on 'Pay Gap Reporting' has been added.
- The 'Test, Exam, and Assessment Results' section has been updated.
- Information about publishing a Music Development Plan has been included in the 'Curriculum' section.

Update Guidance: Meeting digital and technology standards in schools and colleges

The [latest cyber security](#) standards have been updated to reflect a collective responsibility across different roles, emphasising that both the senior leadership team (SLT) and IT support must participate actively in maintaining cyber security.

Key updates include:

Annual Cyber Risk Assessment: This standard evolves from the previous requirement for a business continuity and disaster recovery plan to include a cyber-attack contingency plan, highlighting ongoing risk assessments to direct future security improvements.

Cyber Awareness Plan for Students and Staff: Building on the former standard of basic cyber security training for all staff, this now extends to educating students and staff, integrating training with an acceptable use policy to strengthen the first line of defence against cyber threats.

Digital Technology and Data Security: Combines several previous standards about network protection and malware defence into a comprehensive requirement for using anti-malware solutions and firewalls.

Significant changes include the removal of specific previous standards, such as the requirement for a regularly tested contingency plan in response to a cyber-attack, which is now covered under new digital leadership and governance standards. Also, the Data Protection Impact Assessment (DPIA) requirement has been integrated into broader standards regarding server and cloud solutions.

For a complete overview of all updates, including detailed mappings from old to new standards, please refer to this [link](#).

Updated Guidance: Managing Older School Buildings

The Department for Education has released new [guidance](#) designed to assist schools in managing their buildings more effectively. This guidance outlines the various construction types commonly found within the school estate and details the maintenance practices associated with each type. It aims to enhance the understanding schools and trusts have of the materials and construction methods used in their buildings. This knowledge is crucial for planning effective maintenance and for early detection of potential deterioration. Schools are advised to use this guidance alongside the existing DfE guidelines on [good estate management](#).

Updated Guidance: Enhancing Security in Educational Settings

The DfE has issued new [guidance](#) focused on protective security and preparedness for educational environments. This guidance is designed to assist schools and trusts in strengthening the safety and security of their premises. With the safeguarding of pupils, staff, and school property primarily resting on the shoulders of governors and trustees, it is vital that board members actively ensure the implementation of robust security measures and comprehensive emergency response strategies. We encourage you to consult the new guidance to understand how you can proactively evaluate and enhance your schools' and trusts' security protocols.

New DfE tools for monitoring attendance

Minister for Schools, Damian Hinds, has written to governors and trustees to thank them for their continued support in improving school attendance. The [letter](#) goes on to outline the new DfE data tools available to schools that aim to support a more detailed view of absences and can allow leaders to channel their efforts. This includes new absence banding reports within the [monitor your school attendance tool](#), as well as a public interactive tool to provide national and local breakdowns of the 2022-23 attendance data.

The letter highlights the key role that governors and trustees play in overseeing the strategic response to attendance, including the scrutiny of key performance and financial data.

DfE Announces Up to £6,000 Bonus for Teachers of Key Subjects

The Department for Education has [unveiled an initiative](#) that will provide teachers of essential subjects with a bonus of up to £6,000. This incentive aims to double the levelling up premium for schools in disadvantaged areas, enhancing efforts to recruit and retain teachers in mathematics, physics, chemistry, and computing.

DfE releases draft guidance on Relationships, Sex and Health Education (RSHE)

The DfE has released [new draft guidance](#) for Relationships, Sex, and Health Education (RSHE) and is currently inviting feedback from parents, school staff, and governors/trustees. This draft was developed after a comprehensive review by independent experts and proposes new guidelines, including setting the earliest year for sex education at Year 5.

The draft also suggests introducing restrictions on teaching about gender identity and challenges the use of educational materials that portray gender as a spectrum. The guidance is in the consultation phase, which will last for eight weeks. To participate in this consultation or to view the complete draft guidance, please visit the DfE's [website](#).

New DfE data shows less than half of schools have access to MHSTs

Recent [data](#) from the DfE reveals that only 44% of pupils currently have access to the Mental Health Support Team (MHST) programme, despite the target to extend this to 54% of schools by March 2025. MHSTs are crucial in supporting children's mental health. On a positive note, 74% of schools and colleges have applied for the senior mental health lead training [grant](#), indicating a commitment to enhancing mental health support.

Additionally, a [study](#) by Teach First highlights that 84% of teachers have been actively involved in addressing pupil mental health issues over the past year. The research also shows that 58% of teachers are dedicating more hours to social care concerns, and 52% are increasingly dealing with family or financial hardships. These challenges are significant factors affecting teacher recruitment and retention, according to Teach First.

DfE Introduces New Tools for Behaviour Improvement in Schools

The DfE has introduced new [audit and action planning tools](#) designed to enhance behaviour management in schools. These tools are intended to assist schools in evaluating their behaviour culture through a comprehensive audit tool, which includes staff and pupil surveys. Alongside this, an action planning tool is provided to help schools develop and monitor a detailed strategy for behavioural improvement.

Furthermore, the DfE has curated a [set of resources](#) aimed at supporting schools and trusts in developing, implementing, and sustaining a behaviour policy that fosters a positive whole-school behaviour culture.

Government Consults on Changes to Faith-Based Admissions and Special Schools Policy

The government has initiated a [consultation](#) on proposals to remove the existing 50% cap on faith-based admissions for oversubscribed free schools. Additionally, the consultation will consider opinions on enabling the establishment of new faith-based special schools. The DfE states that these measures are designed to increase the availability of high-quality school places and enhance educational provision for children with SEND. Critics, however, contend that these changes could lead to increased division and disadvantage within the education system. Schools and trusts are urged to engage in the consultation process to ensure their perspectives are considered.

OFSTED Updates

Government Confirms Continuation of Single Phrase Ofsted Judgements

The government has decided to maintain the use of single phrase judgements in Ofsted inspections, as outlined in their response to the [Education Select Committee report](#) on Ofsted published in January. The DfE has expressed a commitment to refining the current Ofsted system, despite continuing to use single phrase judgements. This commitment includes exploring different systems, enhancing how findings and grades are presented, and finding ways to more effectively communicate the details underlying the summary grades.

Ofsted Announces End to 'Deep Dives' in Ungraded Inspections

During the NAHT Annual Conference, Ofsted's Chief Inspector, Sir Martyn Oliver, revealed significant [changes](#) to the ungraded inspection process, set to commence in September 2024. The alterations are intended to alleviate the pressure on school leaders and facilitate a more nuanced understanding of the school's context and priorities by the inspectors.

Key Changes:

- The removal of subject deep dives during inspections for schools with good or outstanding grades. These inspections will now focus more on dialogue with school leaders to discuss strengths and areas for development.
- Inspectors will utilise extended learning walks instead of deep dives, allowing them to evaluate the curriculum impact and pupils' personal development more broadly.
- The initial conversation between the lead inspector and the school will aim to grasp the school's context and progress since the last inspection, setting the stage for a tailored inspection plan.
- This shift, impacting over 40% of all school inspections, follows feedback particularly from smaller primary schools and is part of Ofsted's ongoing "Big Listen" consultation.

Ofsted Review Highlights Challenges in Teacher Professional Development

According to a [recent independent review by Ofsted](#), a significant number of teachers are dissatisfied with their professional development experiences. Less than half of the teachers surveyed described their training as "high quality, relevant, or sufficient." The most significant obstacle to accessing professional development is workload, reported by 85% of respondents. Other notable barriers include the financial cost to schools, the availability of staff to cover lessons, and the cost of hiring substitute teachers, each cited by 73% of respondents.

The review also indicated that opportunities for training and professional development are not uniformly distributed. Factors such as a teacher's role, contract type, and length of tenure influence access, with many teachers noting limited opportunities beyond the initial stages of their careers.

Academy Updates

Persistent Gender Pay Gap in Multi-Academy Trusts

Trust boards are urged to be cognisant of gender pay gap within their organisations. Trusts with 250 or more employees are mandated to publish this data. It is advisable for trust boards to explore measures to reduce this pay disparity.

2024 Academy Trust Handbook Publication Postponed Until After Election

The Education and Skills Funding Agency (ESFA) has informed school leaders that the release of the updated academy trust handbook will be delayed until after the upcoming general election on July 4. Typically published before the end of the summer term, the handbook outlines mandatory compliance and financial oversight requirements for academy trusts. The delay is necessary to ensure that any changes to the handbook receive ministerial approval post-election.

News in Brief

Surge in Cyber Attacks Disrupts Schools and Trusts

Data from the [Information Commissioner's Office](#) (ICO) reveals a 55% rise in reported cyber security incidents within the education and childcare sector since 2022. Notably, ransomware incidents have surged by 170%, representing the highest increase across all sectors between the end of 2022 and 2023.

Clerks' autumn term briefing meetings

Tuesday 10 th September 2024	10.00am-11.00am
Wednesday 9 th October 2024	10.00am-11.00am
Thursday 7 th November 2024	10.00am-11.00am
Tuesday 10 th December 2024	10.00am-11.00am

Book a place for the autumn term briefings [here](#)

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