



Independent Schools Inspectorate

Safeguarding Policy

June 2018

DATE OF POLICY: 5th June 2018

APPROVED BY: Board, Kate Richards (Chief Inspector), Charles Elvin (CEO)

DATE TO BE REVIEWED: June 2019

Aims and objectives

1. ISI aims to ensure that children are safe in all the settings we inspect and in addition that they are assisted, if necessary, and enabled to keep themselves safe. Safeguarding and promoting the welfare of children is a central purpose of inspection and all staff, inspectors, directors and company members¹ must be aware of their responsibilities in this regard.
2. This document sets out the arrangements ISI makes to ensure
 - ISI inspections prioritise the safety and welfare of children,
 - the suitability of staff, inspectors and other contractors, directors and members to perform their respective roles,
 - the ISI executive is held to account effectively by its board.

The definition of safeguarding

3. In relation to children, ISI adopts the definition used in *Working Together to Safeguard Children 2015* (paragraph 2), which defines safeguarding and promoting children and young people's welfare as:
 - protecting children from maltreatment
 - preventing impairment of children's health or development
 - ensuring that children are growing up in circumstances consistent with the provision of safe and effective care, and
 - taking action to enable all children to have the best outcomes.

The above statutory guidance defines child protection as part of safeguarding and promoting welfare. Child protection is the activity undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.

ISI's responsibilities

4. ISI will ensure that there is a clear focus on the safety and welfare of children, throughout its inspection work. This focus will be consistent across our inspection frameworks and our approach to inspection.
5. On inspection, we expect that schools and colleges will have appropriate measures in place to safeguard and promote the welfare of children having regard to statutory guidance, and that they will bring matters requiring attention to the relevant authorities.

¹ See ISI's Articles of Association

6. The detail of inspection activity around safeguarding is to be found in the ISI Inspection Handbook and the ISI Commentary on the regulatory requirements. For the purposes of this policy, ISI's inspection responsibilities around safeguarding can be summarised as covering matters such as :

- identifying specific safeguarding concerns. Such concerns could include but may not be limited to:
 - lack of, or unsuitable, designated safeguarding lead for child protection within a school
 - inadequate safeguarding arrangements
 - inadequate training for staff, pupils and others
 - incomplete records of serious incidents
 - inadequate response to all forms of abuse, concern and bullying defined in statutory guidance
 - incomplete records of recruitment checks/inadequate recruitment checking processes
 - failure to share information appropriately with relevant statutory agencies about, for example, children and young people in need or at risk of harm, or about allegations
 - inadequate processes for handling allegations including failure to share information with relevant statutory agencies or to take appropriate advice;
- gathering evidence on the effectiveness of safeguarding arrangements to inform inspection judgements;
- referring safeguarding concerns to the DfE, as regulator;
- working with statutory agencies in order to protect children from harm;
- advising the Independent Schools Council (ISC) and its member associations about areas of weakness in safeguarding practice within the sector or association membership and advising, where appropriate, how practice might be strengthened;
- disseminating good practice and regulatory information to schools inspected through regular bulletins;
- participating in serious case reviews and national inquiries to enable lessons to be learned for inspection practice and to improve safeguarding practice in schools;
- actively participating in national consultations with a view to improving safeguarding practice.

7. At whatever level we identify risks, ISI will highlight them and seek to ensure that appropriate steps are taken to safeguard the child or children concerned.
8. For the avoidance of doubt, ISI does not investigate individual child protection cases. ISI is not the statutory authority for the conduct of enquiries into specific child protection concerns. Therefore, ISI staff and inspectors must follow and advise others (schools/parents) to follow relevant local procedures to ensure that all allegations or suspicions of abuse or significant harm to any child are reported to the children's services department of the relevant local authority, and/or the police as appropriate, without delay. ISI will share all relevant information with the respective statutory child protection agencies (children's services and/or police) without delay and within agreed protocols. The reasons for action taken, or not taken, by ISI will be clearly recorded either in the record of evidence of a relevant inspection or in the internal ISI concerns log.
9. ISI will ensure that it fulfils its responsibilities to work jointly with others to safeguard and promote the welfare of children and young people and, where necessary, to help bring to justice the perpetrators of crimes against children.
10. **Note:** Decisions about the need for an unscheduled additional inspection visit or for a scheduled inspection to be brought forward, as well as decisions about any notice periods, are the remit of the Department of Education (DfE). Such inspections are individually commissioned by the DfE; ISI does not have power to conduct non-routine inspections unless directed to do so by the DfE.

Safeguarding responsibilities within ISI group

11. **The Chair of the board** is responsible for ensuring
 - all board and company members support the commitment of ISI to the safety of children and young people in educational settings inspected by ISI, acknowledging the important contribution of inspection activity to keeping children safe and the centrality of safeguarding considerations in inspection activity,
 - the suitability all members of the board and company, drawing on the executive through the CEO to carry out formal vetting checks, where relevant, as described below,
 - the appropriate conduct of all members of the board and company, having regard to the need to protect ISI from the risk of reputational damage as a result of proven, alleged or perceived wrong-doing in relation to safeguarding,
 - the board and members are suitably inducted and trained in relation to safeguarding, where necessary, and through the auspices of the CEO if appropriate, about the role of inspection in relation to safeguarding and kept apprised of relevant regulatory developments.

12. **ISI's CEO** is responsible for ensuring

- the suitability of those who work for or with ISI at all levels (including that suitability checks required by the DfE are duly carried out on those selected by the Chief Inspector for inspection duties),
- that ISI is properly resourced to fulfil those duties.

13. **ISI's Chief Inspector** is responsible for leading safeguarding practice in the context of inspection, including the selection, training and conduct of inspectors and all matters relating to the inspection of safeguarding.² She may delegate day to day responsibility to a named colleague, whether staff or an inspector, as appropriate.

14. **Inspectors** are responsible for carrying out inspections, including the inspection of safeguarding, in line with the guidance of the ISI Handbook for Inspection of Schools and the ISI Commentary on the regulatory requirements.

15. Concerns noted on inspection about the immediate safety of children must be referred to the ISI senior Duty Team for guidance. They must also be brought to the attention of the appropriate person in the school unless by doing so the reporting inspector considers that a child or children may be put at greater risk of harm. The Chief Inspector must be informed of such instances (or the Deputy Chief Inspector, in her absence), for onwards transmission to external agencies where appropriate.

Pre-recruitment checks

16. Inspection of schools is regulated activity where it gives a person opportunity to have contact with children³. There must be no concerns about the suitability to work with children of those who inspect or otherwise work for or with ISI, or govern or manage ISI, whether or not they come into direct contact with children through ISI.

17. **Inspectors** - As a condition of continuing to approve ISI as an independent inspectorate, the DfE requires that inspectors are subject to the same vetting checks as teachers. As a matter of policy, ISI renews certain formal checks (enhanced DBS, barring information, prohibition from teaching and from management) for all reporting inspectors every three years and all non-serving team inspectors and may undertake further checks (such as references) at the discretion of the Chief Inspector.

18. ISI is currently rolling out a requirement that all inspectors must join the DBS update service to facilitate repeat checking in the future. From September 2017, all new inspectors must join the DBS update service if they have not already. All existing inspectors are encouraged to join at their earliest convenience and no later than

² See footnote 2.

³ Para 1(9C) and 1(10), Schedule 4 to the Safeguarding Vulnerable Groups Act 2006

when their DBS comes up for 'renewal' under this policy. All reporting and non-serving inspectors will be checked against the update on a termly basis.

19. Applicants for inspector roles must also meet the stringent requirements of ISI's criminal records policy to ensure the public and the schools ISI inspects have confidence in inspection judgements.

20. **Staff, Board and Members** - ISI ensures that internal staff involved in inspection, as well as other staff, members of the board and of the company who do not inspect, are subject to the same level of vetting checks as inspectors, so far as legally permissible⁴.

21. More information about recruitment processes for inspectors is available in the ISI policies on 'Recruitment and Deployment'.

Codes of Conduct

22. ISI inspectors are required to follow the Code of Conduct for inspectors which is published in the Inspection Framework on the ISI website. They are also obliged by contract to declare anything that they may call into question their suitability to work with children.

23. All staff in the ISI group, including members of the senior management team, must abide by the ISI Staff Code of Conduct as published from time to time in the Staff Handbook. Staff must maintain standards of behaviour in and outside of work that do not call into question their suitability to work with children and are under and on-going duty to report any such circumstances to their line manager.

24. All ISI directors must abide by the Code of Conduct for directors, for which see Appendix One to this policy.

Training

25. **Inspectors** – Inspectors receive initial and on-going update training concerning

- the safeguarding duties of schools,
- what constitutes a safe school,
- how to inspect safeguarding.

They are therefore expected to have a good understanding of safeguarding concerns, including potential abuse and neglect of children and young people, which may come to light in the settings we inspect.

26. **Staff** - All ISI employees must maintain a proper focus on safeguarding children, young people and vulnerable adults, and this must be reflected both in

⁴ Barring information is only available where people work in regulated activity.

sound individual practice and in our internal policies and guidance. All permanent and contracted staff must:

- be aware of the importance of the role of inspected services in promoting the safety and welfare of children and young people
- contribute, as necessary, to all stages of ISI's safeguarding and protection processes
- give highest priority to the safety and welfare of children
- know the internal processes within the inspectorate for responding to safeguarding concerns relating to children, including for a responding to a disclosure to ISI by a child of abuse
- respond appropriately to concerns (including allegations) against staff, inspectors and against themselves.

27. ISI Staff will receive an initial safeguarding induction, refreshed at least every three years. Staff may supplement their training by attending inspector training sessions when places are available.

28. **Board** - Board members from outside the education sector will receive initial safeguarding training to introduce them to and familiarise them with key documents and safeguarding requirements of schools. These are currently:

- Keeping Children Safe in Education 2016 (2018 version in effect from 3rd September 2018)
- Working Together to Safeguard Children 2015 (as amended)
- Prevent.

29. School-based board members will already be familiar with this guidance but may opt into the safeguarding training as a refresher, if they wish.

30. All board members receive a pack of essential documents including the ISI safeguarding policy (internal processes) and the requirements which the inspectorate must meet to maintain approval, against which to measure their strategic actions and decisions. These are currently found in:

- Approval of Independent Inspectorates - DfE advice 2014 [expected to be updated 2018]
- Letter of approval, with attached service level agreement attached - DfE to the Chief Inspector of ISI, Kate Richards, 27 April 2017 (expected to be updated in 2018)

- Memorandum of Understanding – DfE/Ofsted/ISI April 2016 (expected to be updated 2018).

31. On going training to the board, in the form of regular briefings concerning developments in safeguarding, will be provided to ensure that strategic decisions, such as financial decisions, which may affect the efficiency and effectiveness of the inspection of safeguarding are informed by up to date knowledge concerning emerging trends, risks and guidance (such as lessons arising from serious case reviews).

Safeguarding officer

32. ISI provides a dedicated Safeguarding Officer on the staff who is available on the telephone to external callers (such as parents, children and safeguarding professionals) during office hours. The Safeguarding Officer is trained to the level of a designated safeguarding officer and may be able to advise or arrange for written advice to be provided to the caller/correspondent or otherwise escalate a concern within ISI and/or to the DfE.

33. Records are kept of all concerns which are received by ISI, logged against the relevant school and brought to the attention of the reporting inspector who leads the next inspection concerning that school. All concerns which pertain to the Independent School Standards are referred to the DfE as a matter of course. Those which involve serious safeguarding concerns are also referred to the Chief Inspector or her deputies in her absence. Where information received tends to show that a child or children could be at risk of harm, contact may be made direct by ISI with relevant external agencies such as the police, local authority designated officers (LADOs) or children's services for the relevant area, the Health & Safety Executive or the Charity Commission.

34. The safeguarding officer routinely liaises with LADOs prior to inspections in respect of any safeguarding concerns in the relevant school.

Confidentiality

35. All information coming into ISI from whatever source (such as, parent phone calls or questionnaires, pupils and pupil questionnaires, staff, DfE, statutory agencies, direct inspection etc) is all confidential except when it is in the best interests of children to pass on the information for safeguarding reasons. In those instances, the information is passed on according to proper processes to the correct recipient. See below. All staff, inspectors and directors sign confidentiality agreements.

Whistleblowing

36. Constructive challenge is welcomed. Concerns about poor practice within ISI, including poor inspection practice, or suggestions for areas where practice might

usefully be strengthened and developed, may be raised without fear of detriment with the Deputy Chief Inspector or Chief Inspector, or via the ISI whistleblowing policy (available on the ISI website and through the inspector portal). It is the duty of all members of the ISI community to raise such concerns so that they can be fully aired and in order that through appropriate challenge and analysis, improvements can be made.

Handling allegations within the ISI group

37. This section deals with how ISI would handle any concerns that might emerge about the suitability of any person connected with the inspectorate to work with children.

38. **Internal reporting lines** - Suitability concerns about

- a member of ISI and ISIC staff and non-inspection consultants must be reported to the CEO, who must keep the Chief Inspector informed in case there are implications for inspection procedures or data, for example
- inspectors and inspection-related consultants (such as editors) must be reported to the Chief Inspector
- the CEO must be reported to the Chair, who must keep the Chief Inspector informed
- the Chief Inspector must be reported to the Chair, who must keep the CEO informed
- the Chair must be reported to the CEO who must speak to two directors in confidence who will take the matter forward, keeping others who may need to know appropriately informed, such as, the CEO and Chief Inspector.

39. **External reporting** - In all cases where the following criteria appear to have been met, the recipient of the information or concern (as above) will report the concern to the relevant police force or local authority via the authority's designated officer or officers (LADO).

40. **Criteria** - The information received suggests that the person has

- 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; or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children.

41. **Internal procedures** - After taking external advice where appropriate (see above), depending on the nature and gravity of the concern, an individual may be

removed from an inspection-facing role and/or access to the ISI 'system' may be terminated at the discretion of the CEO. In the case of

- Staff – internal employment processes will be applied where relevant at the discretion of the CEO (eg disciplinary)
- Inspectors – deployment may be suspended at the discretion of the Chief Inspector and performance review processes deployed, as appropriate
- The Chief Inspector, CEO or Chair - the Department for Education will be informed and internal disciplinary/removal processes commenced.⁵

42. Following completion of procedures, or as advised by statutory agencies, referrals will be made to the DBS or Teaching Regulation Agency.

Concerns about the safety or welfare of children

43. ISI staff do not normally have direct contact with children through their work at ISI. However, concerns about the safety or welfare of children are regularly received by ISI from third parties and the following process is in place:

44. External correspondence is passed to and external callers with concerns are put through to the ISI safeguarding officer (contact details below and on the ISI website) who has received training to the level of a designated safeguarding officer. See the Safeguarding Policy (Inspection) for more.

45. Any inspector, member of staff etc who, in that capacity, receives a disclosure from or about a child must not promise confidentiality but explain that in the best interests of the child the information must be passed through the appropriate channels to people who will help. Other than that, anything said is, of course, confidential.

Accountability – The role of the board

46. **Board members** - Each board member recognises the central part to be played by the inspectorate in holding schools to account against their duty to keep children safe, and the role, of the board in equipping the inspectorate for that task.

47. The role of the Board is strategic. Board members may not use their status to access children or to request or access information about individual children, just as they may not access information about, for example, individual schools or members of the school communities, particular inspections or individual inspectors.

48. **Articles of Association** – ISI's constitution requires the board to include at least three Independent Directors, at least one of whom must have "knowledge and

⁵ For information about the process for removal of the Chair, see the ISI Articles of Association which are filed at and published by Companies House.

understanding of child welfare, children’s rights and the inspection of boarding accommodation for children”.

49. **Board level lead** – In accordance with the guidance to all organisations in *Working Together to Safeguard Children*, the ISI board has nominated a board level lead for safeguarding who brings depth of expertise in safeguarding to strategic decisions, though recognising that all board members share responsibility for ensuring that ISI carries out its duties with a view to safeguarding and promoting the welfare of children in the institutions it inspects.

50. **Annual review** - This policy will be reviewed annually by the Chief Inspector working with the CEO and board level safeguarding lead, and amendments recommended to the Board.

51. **Annual review – Internal arrangements** - The CEO will review and report to the board annually on the efficacy of ISI’s internal arrangements for safeguarding, including matters such as:

- **Pre-recruitment checks and training**– whether the required recruitment checks and internal training are being carried out,
- **Record-keeping** – the rigour of ISI internal record-keeping, such as those relating to recruitment checks and training,
- **Resource** – whether the inspectorate has been provided with sufficient resource to support implementation of this policy;

52. **Annual review – inspection** - The Chief Inspector has direct responsibility to and is accountable to the Secretary of State for inspections by ISI, including the inspection of safeguarding, which are not within the remit of the board to direct. For information, she will report annually to the board on

- **Inspection** - analysis of the rates of compliance by schools with safeguarding requirements;
- **Quality assurance** - review and analysis of the inspection of safeguarding and, where appropriate, the identification of future developments;
- **Resource** - linked to quality assurance - whether adequate resources have been provided to enable the inspectorate to fulfil its responsibilities effectively relating to the inspection of safeguarding.

Contact		
Charles Elvin	CEO – ISI safeguarding lead (ISI group - internal)	020 7600 0100 Alison.Buckley@isi.net
Kate Richards	Chief Inspector – ISI safeguarding lead (Inspection)	020 7600 0100 Alison.Buckley@isi.net
Christine Swabey	Chair of the board (non-executive)	020 7600 0100 Alison.Buckley@isi.net
Paul Cook	Board level lead for safeguarding	020 7600 0100 Alison.Buckley@isi.net
Daisy Madder (Support for parents)	Safeguarding Officer	020 7600 0100 concerns@isi.net safeguarding@isi.net
Duty team (Support for inspectors)		020 7600 0100
Richard Johnson (Support for duty team)	Deputy Chief Inspector	020 7600 0100

APPENDIX ONE

Code of conduct for Directors

Values

1. The Board endorses and abides by the principles of public life as set out by the Committee on Standards in Public Life

A board member must

2. observe this Code of Conduct
3. behave at all times, including online, in such a way that does not undermine the trust the public places in inspection and ISI
4. promptly disclose to the Chair of the board any matter or emerging matter from their personal or professional life which might, if it were to come to light, cause reputational damage to ISI
5. uphold the rule of law including the government prescribed standards against which ISI inspects (Independent School Standards, National Minimum Standards for Boarding Schools, statutory framework for the Early Years Foundation Stage, Standards for British Schools Overseas) and associated governmental guidance
6. act in good faith
7. declare personal interests in matters that are or might be perceived as being relevant or material to the business of ISI or that might conflict with their duties as a director of ISI, and, at the request of the Chair, withdraw from parts of board meetings where such issues are under discussion
8. maintain confidentiality of material provided to the board and discussions with board members, including at board meetings, sharing information with associations or others only by mutual agreement of the board
9. abide by the ISI policies, from time to time, relating to
 - a. safeguarding
 - b. anti-bribery, hospitality and gifts
 - c. expenses
 - d. whistleblowing
 - e. data protection.

A board member must not

10. allow his or her independence to be compromised,
11. access or seek to access information relating to schools and colleges inspected by ISI or any members of those communities such as pupils, students, parents, staff, governors or proprietors, save as required for the purpose of financial management of ISI or in the case of the Chair such access as required for the proper administration of the complaints policy
12. use their position as a board member of ISI as a means to access staff or children at institutions inspected by ISI

13. use information gained in the course of their directorship to promote their private interests, or those of connected persons, Associations, schools, colleges, firms, businesses and other organisations
14. imply to others and must avoid leading others to believe or allowing others to believe that they have any influence over the conduct, scheduling or judgements of or relating to particular inspections
15. purport to represent ISI or speak on behalf of ISI as an individual
16. comment publicly on matters relating to ISI, inspection, individual inspections, or institutions inspected by ISI (other than their own, in the case of board members who are serving heads), except when the board agrees that it would be proper for a statement to be made through the Chair.

The board must

17. ensure ISI complies with its legal obligations
18. ensure ISI continues to meet any terms prescribed by the Secretary of State for continued approval as an inspectorate
19. ensure ISI is run effectively by the executive team, in accordance with proper governance and sound financial and risk management principles, ensuring good stewardship of the funds provided to ISI for the purpose of inspection.

The board must not

20. interfere with the independence of the Chief Inspector in matters relating to inspections, for which he/she is accountable to the Secretary of State.