

Safeguarding concerns raised during inspection

Instructions for Inspectors

1. Overview

Occasionally, you may learn that a child or young person in the setting you are inspecting, or another child or young person, is either being harmed or at risk of harm. This may be because a child or young person makes a disclosure to you. These cases are rare, but it is important that you know what to do if it happens.

In brief, concerns noted on inspection about the immediate safety of children must be referred to the ISI 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 (RI) considers that a child or children may be put at greater risk of harm. The appropriate external agencies must also be informed. The Chief Inspector must always be alerted of such instances (or the Deputy Chief Inspector, in her absence).

If at any point you are unsure of what to do, you should seek advice from the Duty Team and record the advice received. If the Duty Team is not available, contact a Deputy Chief Inspector.

More detail is given below.

2. The role of ISI

It is not your role as an inspector to investigate a child protection concern or an allegation against a member of staff. Any attempt to investigate the concern could jeopardise a subsequent investigation by the local authority or the police. You should, however, satisfy yourself that concerns about a child's safety are referred on, as appropriate, to the children's services department of the relevant local authority, using the processes below.

3. Your response

If a child or young person tells you something that suggests that they are, or another child or young person is, being harmed or are at risk of harm, you should:

- stop other activity so that you can focus on what the child or young person is telling you
- let them make the disclosure at their own pace and in their own way
- avoid interrupting, asking leading questions or probing for more information than the child or young person wants to give you.

Do not promise to keep the information confidential. Explain to the child or young person that you are not able to investigate what they have told you, but that you will need to discuss the issue with an appropriate person or people. Be aware that this may cause them some distress and/or anxiety. If the child or young person has concerns about a particular person, be clear that you will take that into account in passing on what they have said.

As a general principle, you are encouraged not to leave the child or young person alone. Make sure that a member of staff (not implicated in the disclosure) stays with them while you go to speak to the

designated safeguarding lead for the setting, the head or the relevant senior manager. However, this is a matter of professional judgement based on your assessment of the situation subject to considerations such as the nature of the disclosure, the age and vulnerability of the child or young person, when the alleged events are said to have taken place, and the need to avoid alerting any alleged perpetrator.

If you are a team inspector (TI), ensure that you inform the RI of the disclosure as soon as possible. The RI is responsible for taking the matter forward under this policy, with the TI acting under the RI's direction.

4. Referring safeguarding concerns

The RI should discuss the information disclosed with the designated safeguarding lead, head or relevant senior manager at the setting (unless the allegation is related to them), and confirm whether they will make a referral to the children's services department of the local authority.

Which authority:

- Referrals will usually be to the local authority for the area where the child or young person lives but may be the authority for the school, for example, if the child is currently residing at a boarding school. If in doubt, the Reporting Inspector should contact the ISI Duty Team for support who may refer to the ISI legal team for consideration of the referral protocols for the relevant authorities.
- If the concern raised is about a member of staff at the setting, then the referral should be made to the local authority designated officer for the area where the setting is located.

Who refers:

4.1. Referrals by the school: If the designated safeguarding lead, head or relevant senior manager at the setting agrees to make a referral, you (the RI) should make a note of this agreement in your record, obtain direct evidence that it has been done and pass the information on to the Duty Team¹. This is essential so that ISI can check that the referral to the local authority has been made.

- The referral of a child to the local authority children's services will normally be made by the person in the setting who acts as the designated safeguarding lead.
- In the case of an allegation about a member of staff or volunteer in a school, the referral to the local authority designated officer will normally be made by the head.
- Concerns about a head are normally referred by the chair of the governing body or by the proprietor to the local authority designated officer.

In the absence of direct evidence that the appropriate referral(s) has/have been made by the school, the Duty Team must liaise with the office (usually the Deputy Chief Inspector) to ensure that the matter is followed up with direct contact to the local authority.

4.2. Referrals by ISI: If you have concerns about discussing the referral with the designated safeguarding lead, head or relevant senior manager, or the designated safeguarding lead, head or

¹ The Duty Team must ensure advice is recorded on the ISI system (record of advice) and refer to the Deputy Chief Inspector.

relevant senior manager does not agree with you that a referral to the local authority is needed, but you believe that it is needed, then you should arrange for an urgent referral in liaison with the ISI Duty Team.

- Give the Duty Team the information that you have, including the child's name, address and date of birth; the nature of the concerns; and your own contact details.
- The Duty Team will liaise with the Chief Inspector, or Deputy Chief Inspector in her absence. This information will be passed immediately to the relevant local authority (where the child lives in the case of day schools, or the area where the setting is, if the referral concerns either a child currently residing in a boarding school or a member of staff).
- You will be informed when this has been done.

The referral will be made by or on behalf of the Chief Inspector.

If you are unable to get through to the Duty Team, then you should consult the Chief Inspector (or Deputy Chief Inspector) directly.

4.3. Making a referral yourself: You should only make a referral to the local authority yourself if you are unable to obtain a response from the Duty Team, Chief Inspector or Deputy Chief Inspector and you judge that a child is at imminent risk of harm unless a referral is made immediately. If you make a direct referral, you should inform the Duty Team at the earliest opportunity that you have done so. You should be able to find the telephone number for urgent direct referral on the relevant local authority's website or using the website: [Report child abuse](#) (which takes you quickly to the contact details for the relevant authority).

In any instance where you have a concern about the actions of another inspector, you should always alert the Chief Inspector (or one of her Deputies in her absence), who will be responsible for ensuring the appropriate referral is made to the local authority.

5. Record keeping

Keep a written record of all the information you receive from and about the child and the nature of the concerns, as well as the action that you and others take, including your conversation with the designated safeguarding lead, head or relevant senior manager (below). Distinguish, so far as possible in the record, the words of others from your own. Ensure that all events are recorded, dated and timed.

Your record of events should be retained with the evidence base, unless the record relates to concerns raised about another inspector in which case refer to the Duty Team for advice. The Duty Team will refer to the [ISI safeguarding policy](#): in all such cases the Chief Inspector or, in her absence, her Deputies must be informed.

6. Impact of disclosure on inspection

Receiving of a disclosure during an inspection will provide important contextual information for inspection evidence and, potentially, provide new lines of enquiry. It is important to note that the statutory purpose of inspection is to report on the extent to which the Independent School Standards are being met. Direct investigation of abuse or allegations is the role of other agencies (such as the police, local authorities, HSE etc) whose officers are equipped with appropriate legal powers and

relevant training. Having ensured that the relevant authorities are notified, the inspection team should make every effort to complete all necessary inspection activities by close of the inspection, as usual. The Duty Team should be contacted as soon as possible if completion on time is in jeopardy.

7. Inspections during active investigations

If an inspection takes place while there is an active investigation by another agency into one or more serious incidents or allegations involving the school, it is likely that ISI will be aware in advance and the RI briefed appropriately. It will be important to

- avoid making assumptions about the veracity of the allegations
- avoid compromising the investigation
- avoid breaching confidentiality about the existence of the investigation, or any aspect of the investigation
- avoid alerting those under investigation..

In the exceptional circumstance that you become aware during an inspection of an unknown active investigation, the RI must contact the Duty Team at once.

8. How to report

The published report must, likewise, avoid prejudicing the outcome of any referral, investigation or proceedings, identifying or giving information which could lead to the identification of, individuals involved in any capacity in the alleged events (eg victim/perpetrator), or breaching confidentiality. It will sometimes be important to avoid giving away that there is a 'live' investigation. In other cases, any reference at all in the published report to concerns or on-going investigations should be kept brief and be clear that ISI is not coming to any determination on the matters concerned. The above restriction on reporting does not limit the lines of enquiry which may be followed on inspection, though it will be important to conduct the inspection sensitively, for example, to avoid prejudicing the work of other agencies and ensure that confidentiality is maintained. Inspectors will, as usual, explore any matter which falls within the standards which are the focus of the inspection.

You can find more information in [ISI's safeguarding policy](#) and the Inspection Handbook.