



Independent Schools Inspectorate

Safeguarding Policy

June 2019

DATE OF POLICY: 12th June 2019

APPROVED BY: Board, Kate Richards (Chief Inspector), Caroline Hoare (CEO)

DATE TO BE REVIEWED: June 2020

Aims and objectives

1. ISI aims to ensure that children are safe in all the settings we inspect and in addition that they are supported and enabled to keep themselves safe. Safeguarding and promoting the welfare of children is a central purpose of inspection and all staff, inspectors and directors must be aware of their responsibilities in this regard.
2. ISI has a culture of continuous reflection and self-improvement and keeps its policies and practices under regular review to ensure their continued effectiveness.
3. 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 and directors to perform their respective roles
 - the ISI executive is held to account effectively by its Board.
4. This policy applies to the ISI group, including ISI Consultancy Limited (ISIC).

The definition of safeguarding

5. ISI adopts the definition used in *Working Together to Safeguard Children 2018* (Introduction), 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.

ISI's approach to inspection

6. National requirements for safeguarding and promoting the welfare of pupils in state-maintained and independent schools are set by the Secretary of State through the Department for Education (DfE). The rigour of ISI's inspections, including in relation to safeguarding, is monitored on behalf of the Secretary of State by Ofsted¹.
7. ISI ensures that there is a clear focus on the safety and welfare of children, throughout its inspection work. This focus is consistent across our inspection frameworks and our approach to inspection. On inspection, ISI expects 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 refer

¹ <https://www.isi.net/about/what-we-do/how-our-work-is-quality-assured-externally>

matters requiring attention to the appropriate authorities in the relevant jurisdiction, whether in the U.K or overseas, in the case of British Schools Overseas.

8. 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, by whatever medium including on-line
 - inadequate safer recruitment and vetting processes/incomplete records of recruitment checks
 - 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, and the DfE about areas of weakness in safeguarding practice within the sector and advising, where appropriate, how practice might be strengthened
- disseminating good practice and regulatory information to schools inspected through regular bulletins, training and support
- participating in serious case reviews and relevant 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.

9. At whatever level risks are identified (such as institutional, governance, procedural or relating to an individual member of staff or child), ISI highlights them and seeks to ensure that appropriate steps are taken to safeguard the child or children concerned, including on-going support for the child or children concerned.

10. 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. Those which involve safeguarding concerns are referred to the Deputy Chief Inspector and in serious cases the Chief Inspector is informed. The existence of concerns around a school may lead to an inspection being flagged internally as 'sensitive' prompting a risk-assessed approach to particular aspects of the inspection.

11. All concerns which pertain to the Independent School Standards are referred to the DfE as a matter of course.

12. ISI ensures 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.

13. **Notes:** For the avoidance of doubt, ISI does not investigate individual child protection cases. The statutory authorities for the conduct of enquiries into specific child protection concerns are the police and local authority (not ISI). ISI staff and inspectors must follow and advise others (schools/parents) to follow relevant local and national 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. Where information tends to show that a child or children may be at risk of harm, contact may be made by ISI with relevant external agencies, such as the police, local authority designated officers or children's services for the relevant area, the Health & Safety Executive or the Charity Commission, as appropriate. 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.

14. Decisions about the need for an unscheduled additional inspection visit or for a scheduled inspection to be brought forward, as well as decisions about notification periods, are the remit of the DfE². Such inspections are individually commissioned by the DfE; ISI cannot undertake non-routine inspections unless directed to do so by the DfE.

² See DfE publication: [Independent Schools: Regulatory and Enforcement Action Policy Statement April 2019](#)

Safeguarding responsibilities within the ISI group

15. **ISI's Board** has collective responsibility for ensuring ISI complies with its legal responsibilities and meets its objectives, including ensuring the safety and welfare of children through the inspection process.

16. The role of the Board is strategic. ISI's Articles of Association require the Board to include 'individuals with an appropriate range of skills and experience, commensurate with the Company's function and purpose, including education, inspection and safeguarding'.

17. National requirements for safeguarding and promoting the welfare of pupils in state-maintained and independent schools are set by the Secretary of State through the DfE. Each director recognises the central part played by the inspectorate in holding schools to account against their duty to keep children safe, and the role of the Board in ensuring the inspectorate is equipped for that task.

18. Directors 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, groups of schools, members of school communities, particular inspections or individual inspectors.

19. **Board level lead** – In accordance with the guidance 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 directors 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.

20. **The Chair of the Board** is responsible for ensuring that

- all directors 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 of all directors, drawing on the executive through the CEO to carry out formal vetting checks, where relevant, as described below
- the appropriate conduct of all directors, 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 directors are suitably inducted and trained in relation to safeguarding, and the role of inspection in relation to safeguarding, and are kept apprised of relevant regulatory developments.

21. **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.
22. **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. She may delegate day to day responsibility to a named colleague, whether staff or an inspector, as appropriate.
23. **ISI 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 which are set by the DfE.
24. 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 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 who leads on safeguarding, in her absence), for onwards transmission to external agencies where appropriate.³
25. **Safeguarding officer** – ISI's dedicated safeguarding officer has primary responsibility within ISI for keeping records of all safeguarding concerns brought to the attention of ISI. The safeguarding officer is available to external callers (such as parents, pupils or safeguarding professionals) during office hours. The safeguarding officer may be able to provide direct advice, arrange for written advice to be provided to the caller/correspondent or otherwise escalate a concern within ISI or to the DfE.
26. The safeguarding officer routinely liaises with local authority designated officers prior to inspections in respect of any safeguarding concerns in the relevant school.

Pre-recruitment and other checks

27. Inspection of schools is regulated activity where it gives a person opportunity to have contact with children⁴. 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

³ For more detail see ISI website: [Safeguarding concerns raised during inspection](#)

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

or manage ISI, whether or not they come into direct contact with children through ISI.

28. **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 at least every three years and may undertake further checks (such as additional references) at the discretion of the Chief Inspector.

29. ISI is currently rolling out a requirement that all inspectors must join the DBS update service to facilitate efficient repeat checking in the future. From September 2017, all new inspectors must join the DBS update service if they have not already done so. All existing inspectors are encouraged to join at their earliest convenience and no later than when their DBS comes up for 'renewal' under this policy.

- All reporting inspectors are re-checked through the DBS update service before the start of each term
- All team inspectors who are not actively serving in a school are re-checked before each inspection.

30. 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 those making inspection judgements.

31. **Staff and Board** - ISI ensures that internal staff involved in inspection, as well as other staff and directors who do not inspect, are subject to the same level of vetting checks as inspectors, so far as legally permissible⁵.

32. More information about recruitment processes for inspectors is available in the ISI policies on 'Recruitment and Deployment'⁶.

Codes of Conduct

33. 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.

34. 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. Staff must maintain standards of behaviour in and outside of work that do not call into

⁵ Barring information is only available where people work in regulated activity.

⁶ [Reporting Inspector Recruitment and Deployment Procedure](#)

question their suitability to work with children and are under an on-going duty to report any such circumstances to their line manager.

35. All ISI directors must abide by the Code of Conduct for directors as published from time to time.

Training

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

- the safeguarding duties of schools
- how to inspect safeguarding
- how to recognise a culture of 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 ISI inspects both in the U.K. and internationally.

37. **Staff** - All ISI employees must maintain a proper focus on safeguarding children, young people and vulnerable adults, and this must be reflected both in 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 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 responding to a disclosure to ISI by a child of abuse
- respond appropriately to concerns (including allegations) against staff, inspectors and against themselves.

38. 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.

39. ISI's safeguarding officer is trained to the level of a designated safeguarding lead.

40. **Board** – Directors will receive initial safeguarding training, unless they have recently done it elsewhere, to introduce them to and familiarise them with the

government's key documents and the safeguarding requirements for schools. These are currently:

- Keeping Children Safe in Education 2018
- Working Together to Safeguard Children 2018
- Prevent 2015.

41. As part of their induction, directors are provided with key documents including the ISI safeguarding policy and the requirements which the inspectorate must meet to maintain approval. These include:

- Approval of Independent Inspectorates - DfE advice 2014
- Letter of approval - DfE to the Chief Inspector of ISI, Kate Richards, 27 April 2017
- Memorandum of Understanding – DfE/Ofsted/ISI April 2016.

42. 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).

Confidentiality

43. 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 are bound by a duty of confidentiality.

Whistleblowing

44. 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 Inspectors 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

45. 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.

46. **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
- directors or 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.

47. **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.

48. **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.

49. **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 (e.g. 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 DfE will be informed and internal disciplinary/removal processes commenced.

50. 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

51. 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:

52. 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). See paragraph 25 above for more.

53. 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.⁷

Review and reporting

54. This policy will be reviewed annually by the Chief Inspector or her nominated deputy, working with the CEO and Board level safeguarding lead, and substantive amendments recommended to the Board. Minor amendments may be approved by the Chief Inspector and CEO following discussion with the Board safeguarding lead.

55. **Internal arrangements** - The CEO will 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;

56. **Inspection** - The Chief Inspector will report annually to the Board on the efficacy of inspection of safeguarding, including matters such as:

⁷ See ISI website: [Safeguarding concerns raised during inspection](#).

- **Compliance** - 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		
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Christine Swabey	Chair of the Board (non-executive)	020 7600 0100 Alison.Buckley@isi.net
Paul Cook	Board level lead for safeguarding (non-executive)	020 7600 0100 Alison.Buckley@isi.net
Daisy Madder	Safeguarding Officer (Support for parents)	020 7600 0100 concerns@isi.net safeguarding@isi.net
Duty team	(Support for inspectors)	020 7600 0100
Rhiannon Williams	Deputy Chief Inspector (DCI safeguarding lead)	020 7600 0100
Richard Johnson	Deputy Chief Inspector (Support for ISI Duty Team)	020 7600 0100