



# **Independent Schools Inspectorate**

## **Safeguarding Policy**

**June 2021**

**DATE OF POLICY: 9 June 2021**

**APPROVED BY: Board, Vanessa Ward (Chief Executive Officer-Chief Inspector)**

**DATE TO BE REVIEWED: June 2022**

## Aims and objectives

1. ISI is committed to ensuring that its inspection practice influences schools to provide welcoming and secure environments in which children can learn and thrive. 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's values are putting children first, integrity, diversity and transparency. ISI has a culture of continuous reflection and self-improvement and keeps its policies and practices under regular review to ensure their continued effectiveness. This policy is reviewed annually.
3. This document sets out the arrangements ISI makes to ensure:
  - that ISI inspections prioritise the safety and welfare of children
  - the suitability of staff, inspectors and other contractors and directors to perform their respective roles
  - that 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 in the introduction to *Working Together to Safeguard Children 2018* (last updated December 2020). This defines safeguarding and promoting children and young people's welfare as:
  - protecting children from maltreatment
  - preventing impairment of children's mental and physical health or development
  - ensuring that children grow 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). ISI Inspects schools' compliance with statutory safeguarding requirements on every inspection and reports its findings to the DfE. ISI publishes on its website [detailed information on how it inspects safeguarding in schools](#).

7. ISI prioritises the safety and welfare of children throughout its inspection practice. On inspection, ISI checks that schools and colleges have appropriate measures in place to safeguard and promote the welfare of children, having regard to statutory guidance. It also checks that they refer concerns to the appropriate authorities in the relevant jurisdiction, whether in the U.K in the case of English schools, or overseas in the case of British Schools Overseas.

The detail of inspection activity concerning safeguarding is to be found in the ISI Inspection Framework Handbook. Detailed guidance and training is provided to inspectors. ISI's inspection responsibilities around safeguarding include the identification of specific safeguarding concerns. Such concerns may include:

- Insufficient understanding by staff of the complexities of safeguarding or of the fact that 'it could happen here'
- Insufficient action by staff in response to safeguarding concerns
- Lack of or unsuitable designated safeguarding lead for safeguarding and child protection within a school
- Inadequate training for staff, pupils or governors
- Incomplete or inadequate records or reviews of serious incidents
- Inadequate response to all forms of abuse, concern and bullying defined in statutory guidance, by whatever medium, including online
- Inadequate safer recruitment and vetting understanding and/or processes
- Incomplete records of recruitment checks
- Failure to share information appropriately or in a timely way 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.

ISI's inspection responsibilities for safeguarding also include:

- 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
- through regular meetings with the Independent Schools Council (ISC) and the DfE raising awareness in the independent sector of developments in safeguarding practice and statutory policies, including, where appropriate, how practice might be strengthened, through regular meetings with the Independent Schools Council (ISC) and the DfE

- disseminating good practice and regulatory information to schools we inspect 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.

8. 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.

9. Records are kept of all concerns received by ISI, logged against the relevant school. They are brought to the attention of the reporting inspector who leads the next inspection concerning that school. Those that involve safeguarding are referred to the Deputy Chief Inspector with responsibility for safeguarding. The existence of safeguarding concerns about a school will lead to an inspection being flagged internally as 'sensitive', prompting a risk-assessed approach to particular aspects of the inspection.

10. All concerns which pertain to the Independent School Standards are referred to the DfE as a matter of course. This is currently under review and it is anticipated that all concerns of whatever nature will be referred to the DfE from September 2021.

11. 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.

12. 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. 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.

13. Where information indicates 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 responsibility of the DfE<sup>1</sup>. Non-routine inspections are individually commissioned by the DfE; ISI cannot undertake such inspections unless directed to do so by the DfE.

## Safeguarding responsibilities within the ISI group

### Board

15. **ISI's Board** is responsible for ensuring ISI complies with its legal responsibilities and meets its objectives, including to promote and safeguard the welfare, health and safety of children and young people through the provision, promotion and support of independent inspection services.

16. 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 Board 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. The role of the Board is strategic It is fully independent from the schools it inspects and Directors 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, while 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-CI to carry out formal vetting checks as required, as described below

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<sup>1</sup> See DfE publication: [Independent Schools: Regulatory and Enforcement Action Policy Statement April 2019](#)

- 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.

## **CEO-CI**

21. **ISI's CEO-CI** 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 prior to the appointment of Inspectors,
- that ISI is properly resourced to fulfil those duties.

22. **ISI's CEO-CI** has overall responsibility 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. The day-to-day responsibility is currently delegated to the two Deputy Chief Inspectors (DCIs), one of whom leads on safeguarding. It is anticipated that a new post of Director of Safeguarding will be appointed during the term of this policy (before its next review). The appointee to this newly created post will assume the delegated day-to-day responsibility of safeguarding from the DCIs, and this policy will be amended to reflect that appointment.

## **ISI Inspectors**

23. **ISI Inspectors** are responsible for carrying out inspections, including the inspection of safeguarding, in line with the guidance in the ISI Handbook for the Inspection of Schools and the detailed guidance provided to inspectors on the regulatory requirements 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 Deputy Chief Inspector for Safeguarding must be informed of such instances for onwards transmission to external agencies where appropriate.<sup>2</sup>

## **Safeguarding Officer**

25. **Safeguarding officer** – ISI's dedicated safeguarding officer has primary responsibility within ISI for keeping records of all safeguarding concerns brought to

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<sup>2</sup> For more detail see ISI website: [Safeguarding concerns raised during inspection](#)

the attention of ISI. The safeguarding officer will escalate serious concerns within ISI or to the DfE as a priority.

The safeguarding officer is responsible for liaising with local authority designated officers prior to inspections in respect of any safeguarding concerns in the relevant school. This is done in order to cross reference with declarations schools are expected to make about safeguarding concerns, including those relating to peer-on-peer abuse.

## **Pre-recruitment and other checks**

26. Inspection of schools is regulated activity which gives a person opportunity to have contact with children<sup>3</sup>. 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.

27. **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 Executive-Chief Inspector.

28. From September 2017, all new inspectors must join the DBS update service if they have not already done so. All Reporting Inspectors have now joined the DBS Update Service, all team inspectors are being 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.

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

30. **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 permissible<sup>4</sup>.

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

<sup>4</sup> Barring information is only available where people work in regulated activity.

31. More information about recruitment processes for inspectors is available in the ISI policies on 'Recruitment and Deployment'<sup>5</sup>.

## Codes of Conduct

32. 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 may call into question their suitability to work with children.

33. 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 an on-going duty to report any such circumstances to their line manager.

34. All ISI directors must abide by the Code of Conduct for directors.

## Training

35. **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.

36. **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

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<https://www.isi.net/site/downloads/Reporting%20Inspector%20Recruitment%20and%20Deployment%20Procedure.pdf>



- 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.
37. 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.
38. ISI's safeguarding officer is trained to the level of a designated safeguarding lead.
39. **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 2020 (as amended in post EU exit)
  - Working Together to Safeguard Children 2018 (as updated in December 2020)
  - Prevent 2015.
40. 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 November 2019](#)
41. On-going training to the Board, in the form of regular briefings concerning developments in safeguarding, is 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).

## **Sharing Information/Confidentiality**

42. As stated in KCSIE 2020, information sharing is vital in identifying and tackling all forms of abuse and neglect and **the Data Protection Act 2018 and GDPR do not prevent the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to safeguard and promote the welfare and protect the safety of children.** All

information coming in to ISI from whatever source (including from a parent, child, member of staff, other concerned person,, the DfE, statutory agencies, and arising out of inspection) is 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. Further information may be found in ISI's [Privacy Notice](#).

## Whistleblowing

43. 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 Executive - 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 improvements can be made where appropriate.

## Handling allegations within the ISI group

44. 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.

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

- Staff members, inspectors and all other consultants and contractors of ISI and ISIC must be reported to the CEO-CI
- directors must be reported to the Chair, who must keep the CEO-CI informed
- the CEO-CI must be reported to the Chair
- the Chair must be reported to the CEO-CI who must speak to two directors in confidence who will take the matter forward, keeping others who may need to know appropriately informed.

46. **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.

47. 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 or,
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

48. **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-CI. In the case of

- Staff – internal employment processes will be applied where relevant at the discretion of the CEO-CI (e.g. disciplinary)
- Inspectors – deployment may be suspended at the discretion of the CEO-CI and performance review processes deployed, as appropriate
- The CEO-CI or Chair – the DfE will be informed and internal disciplinary/removal processes commenced.

49. 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**

50. 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:

51. The ISI safeguarding officer manages all external contact regarding concerns (contact details below and on the ISI website). . See paragraphs 24 and 25 above for more information.

52. Any inspector, member of staff etc. who 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.<sup>6</sup>

## **Review and reporting**

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

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<sup>6</sup> See ISI website: [Safeguarding concerns raised during inspection](#).

54. **Internal arrangements** - The CEO-CI 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;

55. **Inspection** - The CEO-CI will report annually to the Board on the efficacy of inspection of safeguarding, including matters such as:

- **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		
Vanessa Ward	Chief Executive Officer-Chief Inspector – ISI (Inspection)	020 7600 0100 <a href="mailto:Alison.Buckley@isi.net">Alison.Buckley@isi.net</a>
Rhiannon Williams	Deputy Chief Inspector (Safeguarding Lead)	020 7600 0100 <a href="mailto:Alison.Buckley@isi.net">Alison.Buckley@isi.net</a>
Richard Johnson	Deputy Chief Inspector (Support for ISI Duty Team)	020 7600 0100 <a href="mailto:Alison.Buckley@isi.net">Alison.Buckley@isi.net</a>
Christine Swabey	Chair of the Board (non-executive)	020 7600 0100 <a href="mailto:Alison.Buckley@isi.net">Alison.Buckley@isi.net</a>
Carol Iddon	Board level lead for safeguarding (non-executive)	020 7600 0100

		<a href="mailto:Alison.Buckley@isi.net">Alison.Buckley@isi.net</a>
Daisy Madder	Safeguarding Officer  (Support for parents)	020 7600 0100  <a href="mailto:concerns@isi.net">concerns@isi.net</a> <a href="mailto:safeguarding@isi.net">safeguarding@isi.net</a>
Duty team	(Support for inspectors)	020 7600 0100