



## KCSIE 2022/23 Key Changes

Please see below the key changes to this year's safeguarding guidance for schools and my advice as to what it means for you:

### 1. Data file transfer times (page 32, paragraph 121)

There are new time boundaries on transferring safeguarding data after a school move. Within **5 days** for an **in-year transfer**, and within the **first 5 days** of the start of term for those transferring to a new school at the start of an academic year.

Please be mindful that this will apply to current year 11s awaiting their GCSE results so ensure you are prepared to make those transfers to post 16 at the start of September.

### 2. Online checks for new staff (page 53, paragraph 220)

The wording here is as follows:

*"As part of the shortlisting process, schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview."*

It is important to note that any online checks of social media or other sites should be carried out at the shortlisting stage and should only include checks that determine a person's suitability to work with children. Any information discovered relating to a protected characteristic (race, religion, sexuality, gender, pregnancy etc) should be disregarded and should not be used to determine someone's suitability to work. I advise that schools create a protocol outlining the parameters of the checks, as well as updating job adverts and application forms to inform applicants of these checks.

NB. This is not statutory, but the wording suggests strongly that this should form part of pre-employment checks for those applying to work in schools.

### 3. Safeguarding training for governors (part 2, page 23)

There is a new emphasis on **all** governors receiving appropriate safeguarding training in order to provide effective safeguarding challenge to settings. There is no guidance as to the level and type of training, but I advise education settings to ensure that whatever training they receive, it's tailored to ensure

that governors fully understand their strategic role in ensuring that settings are safeguarding and promoting the welfare of children.

Please contact governor services for information on current safeguarding training for governors.

#### **4. Governors' obligations under the Equality Act 2010 and Human Rights Act 1998 (paragraph 82, page 24)**

In line with increasing responsibility for governors, the document now includes several new paragraphs detailing the responsibility of governors and proprietors to not only be aware of these acts, but to ensure that school policies and procedures operate in line with the rights of children and families within them.

#### **5. The role of the appropriate adult during police investigations (annex, page 162)**

This is an important piece of information that could easily be missed in the annex section. More than likely this has come up as a result of the Child Q Safeguarding Practice Review and refers to the [PACE Code C 2019](#), which details that children under investigation by the police should have access to an appropriate adult to "*support, advise and assist*" the young person, and also "*observe whether the police are acting properly and fairly to respect [the young person's] rights and entitlements, and inform an officer of the rank of inspector or above if they consider that they are not*".

The appropriate adult would usually be the child's parents/carers, social worker or other agency worker. Schools/settings should ensure that the appropriate adult is present for any police investigation at school, and that they are in no doubt as to their role.

#### **6. Further detail regarding the effect of domestic abuse on children (page 10, page 14)**

Domestic abuse has been added to the indicators of abuse and neglect, with further emphasis on all forms of domestic abuse. There is also further detail on the impact of domestic abuse on victims (NB children are now legally viewed as victims of DA even if they are not directly abused), and the potential long-term effects of domestic abuse on children.

The increase in emphasis on domestic abuse and the impact on children has undoubtedly come as a result of the current spotlight in the increase in domestic abuse reports since the start of the pandemic, as well as the changes in the Domestic Abuse Act 2021, which now legally views children as victims of

domestic abuse if they see or hear domestic abuse and are related to any of the adults involved.

For free domestic abuse and sexual violence training for staff, please contact: [healthyrelationships Cornwall@barnados.org.uk](mailto:healthyrelationships Cornwall@barnados.org.uk)

## **7. Peer on peer abuse is now being referred to as child on child abuse throughout the document**

This ensures consistency in all guidance, and clarity that the term refers to children. Please make sure that all documentation, policies and procedures are updated to use the term “child on child”.

## **8. Low level concerns (paragraph 422, page 99)**

There is further emphasis on schools needing to have policies and processes in place for reporting, recording and responding to low level concerns.

I advise all schools and settings to put in place a low level concerns policy, and ensure that all staff are aware of the policy and processes for reporting.

## **9. Preventative Education (page 33)**

New emphasis is placed here on the importance of the RSHE curriculum for teaching safeguarding. This includes preparing students for life in modern Britain by educating them on a zero tolerance approach to racism, sexism, homophobia, misogyny and sexual violence/sexual harassment. There is also emphasis on preventative education running as a thread through the **whole** curriculum.

## **10. Links to new resources**

Links have been added to the following resources, on top of the existing links in the document:

- A **video on supporting children** who are victims of sexual abuse.
- A link to **South West Grid for Learning**, a charity that provides support regarding abuse and technology, and **The Marie Collins Foundation**, a harmful-sexual-behaviour support service.
- A **county lines toolkit for professionals**.
- Government guidance on **forced marriage**.
- LGFL "**Undressed**" - a website that features a video and song that schools can use to teach young children about the risk of being tricked into getting undressed online

If you would like this information  
in another format please contact:

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