

Keeping children safe in education – updates from 2022, 2023 and 2024

CASPAR briefing on key updates to statutory guidance for schools in England for 2022, 2023 and 2024

June 2024

Background to the statutory guidance

The Department for Education (DfE) published an updated draft version of the statutory safeguarding and child protection guidance for schools in England, Keeping children safe in education (KCSIE) in May 2024 (DfE, 2024a). Keeping children safe in education 2024 is currently for information only, pending publication of the final version, which is expected to come into force in September 2024.

The guidance sets out what schools and colleges in England must do to safeguard and promote the welfare of children and young people under the age of 18. It is directed at:

- governing bodies of maintained schools, nursery schools and colleges
- proprietors of independent schools and non-maintained special schools
- management of committees of pupil referral units (PRUs)

- senior leadership teams.

This briefing sets out proposed updates to the guidance in Keeping children safe in education 2024 as well as updates introduced in Keeping children safe in education 2022 and 2023.

For information about previous updates to this guidance, see our CASPAR briefings:

- [Keeping children safe in education 2021: CASPAR briefing \(PDF\)](#)
- [KCSIE updates from 2019 to January 2021: CASPAR briefing \(PDF\)](#)

Proposed changes in the draft 2024 guidance

Keeping children safe in education 2024 sets out proposed changes to the current guidance. Changes will come into force following the publication of the final version, expected in September 2024.

Definition of safeguarding

The definition of 'safeguarding and promoting the welfare of children' has been updated to reflect the changes made in [Working together to safeguard children](#) (DfE, 2023a). The definition now includes the additional points of:

- **providing help and support to meet the needs of children as soon as problems emerge**
- protecting children from maltreatment, **inside or outside the home, including online.**

Early help

The guidance on 'Early help' has also been amended in line with Working together. The update adds that professionals should be alert to the need for early help for a child who:

- is frequently missing/goes missing **from education, home or care**
- **has experienced multiple suspensions, is at risk of being permanently excluded from schools, colleges and in alternative provision or a pupil referral unit**
- **has a parent or carer in custody** or is affected by parental offending.

Abuse, neglect and exploitation

Where applicable, 'abuse and neglect' has been changed throughout the document to 'abuse, neglect and exploitation.'

The definition of 'abuse' has also been changed to clarify that harm can include children witnessing the ill-treatment of others and that this is particularly relevant when children **see, hear or experience** domestic abuse and its effects.

Children absent from education

In outlining the signs that children may be at risk of harm, the guidance updates 'deliberately missing education' to read 'unexplainable and/or persistent absences from education.'

Data protection

The updated guidance recommends that education professionals read the [DfE Data Protection guidance for schools](#) (DfE, 2024b). This guidance is aimed at school

staff, governors and trustees and sets out how to: comply with data protection law; develop data policies; understand what staff and pupil data to keep; and prevent personal data breaches.

Alternative provision

The updated guidance clarifies that when a school places a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil.

Children who are lesbian, gay, bisexual or gender questioning

The 'Children who are lesbian, gay, bisexual, or gender questioning' section is currently under review pending the outcome of the [gender questioning children guidance consultation](#) (DfE, 2023b).

Children and the court system

The updated guidance now directs schools to two guides that support children in the court system, one for [5 to 11 year olds](#) (HM Courts and Tribunals Service, 2017a) and the other for [12 to 17 year olds](#) (HM Courts and Tribunals Service, 2017b).

Holding and sharing information

The updated guidance highlights that, as well as keeping records of concerns, discussions and decisions, designated safeguarding leads should keep record of the rationale for any decisions made.

A full list of changes can be found in Annex F of Keeping children safe in education 2024 (DfE, 2024b).

Changes made in the 2023 guidance

The 2023 guidance introduced changes to Keeping children safe in education (DfE, 2023c) as set out below.

Filtering and monitoring

The updated guidance makes it clear that all staff should receive training on the expectations, applicable roles and responsibilities in relation to filtering and monitoring. The designated safeguarding lead should take lead responsibility for understanding the filtering and monitoring systems and processes in place. Information on school child protection policies should include information on appropriate filtering and monitoring on school devices and school networks. The guidance signposts the Department for Education's new **filtering and monitoring standards** (DfE, 2023d), which support schools to have effective systems in place. Schools and colleges should consider meeting the DfE's **Cyber security standards for schools and colleges** (DfE, 2023e).

Children absent from education

The updated guidance highlights that being absent, as well as missing, from education can be warning sign of a range of safeguarding concerns, including sexual abuse, sexual exploitation or child criminal exploitation.

Recruitment

Updated guidance states that schools and colleges should inform shortlisted candidates that online searches may be done as part of pre-recruitment checks.

Organisations or Individuals using school premises

Updated guidance includes information on responding to allegations relating to incidents occurring when an individual or organisation uses a school's premises. As with all safeguarding allegations, schools should follow their safeguarding policies and procedures, including informing the Local Authority Designated Officer (LADO).

A full list of changes can be found in Annex F of the Keeping children safe in education 2023 (DfE, 2023c).

Changes made in the 2022 guidance

The 2022 guidance introduced changes to Keeping children safe in education as set out below.

Advice on sexual violence and sexual harassment

The DfE's advice on Sexual violence and sexual harassment between children in schools and colleges (DfE, 2021) has been merged into Keeping children safe in education 2022. As part of this merger, the term "child-on-child abuse" rather than "peer-on-peer abuse" is used throughout the updated guidance.

Part one: safeguarding information for all staff

Disclosure

The updated guidance includes a new paragraph setting out that children may not feel ready or know how to tell someone they are being abused.

Domestic abuse

Domestic abuse has been added to the list of safeguarding issues that all staff should be aware of. The guidance makes it clear that domestic abuse:

- can be psychological, physical, sexual, financial, or emotional
- can impact on children through seeing, hearing or experiencing the effects of domestic abuse and/or experiencing it through their own intimate relationships.

Part two: the management of safeguarding

Training for governors and trustees

New content emphasises that governors and trustees should receive appropriate safeguarding and child protection training at induction, and then at regular intervals. Training should provide them with the knowledge to ensure their school's safeguarding policies and procedures are effective.

Human rights legislation

The updated guidance makes it clear that being subjected to harassment, violence and or abuse, may breach children's rights, as set out in the Human Rights Act.

Equality legislation

The guidance sets out the significance of the Equality Act 2010 to school safeguarding, including that schools and colleges:

- must not unlawfully discriminate against pupils because of their protected characteristics

- must consider how they are supporting pupils with protected characteristics
- must take positive action, where proportionate, to deal with the disadvantages these pupils face. For example, by making reasonable adjustments for disabled children and supporting girls if there is evidence they are being disproportionately subjected to sexual violence or harassment.

Online safety

Additions to the guidance state that governing bodies and proprietors should regularly review the effectiveness of school filters and monitoring systems. They should ensure that the leadership team and relevant staff are:

- aware of and understand the systems in place
- manage them effectively
- know how to escalate concerns when identified.

Schools and colleges should use communications with parents and carers to reinforce the importance of children being safe online. Schools should share information with parents/carers about:

- what systems they have in place to filter and monitor online use
- what they are asking children to do online, including the sites they will be asked to access
- who from the school or college (if anyone) their child is going to be interacting with online.

Virtual school head

Guidance has been updated to reflect the extension of the role of virtual school head to include a non-statutory responsibility for oversight of the attendance, attainment, and progress of children with a social worker. Virtual school heads should identify and

engage with key professionals to help them understand the role they have in improving outcomes for children.

LGBTQ pupils

Guidance now emphasises the importance of providing LGBTQ+ children with a safe space for them to speak out or share their concerns with members of staff.

Part three: safer recruitment

Applications

Updated guidance clarifies that a curriculum vitae (CV) should only be accepted alongside a full application form and is not sufficient on its own to support safer recruitment.

Checks

Information has been added to highlight that schools should consider online searches as part of their due diligence checks on shortlisted candidates.

Part four: allegations made against/concerns raised in relation to teachers

Learning lessons

Updates make it clear that learning lessons applies to all cases, not just those which are concluded and found to be substantiated.

Low level concerns

Information has been updated to make it clear that a low level concerns policy should contain a clear procedure for confidentially sharing concerns. The school can decide whether concerns are initially shared with the Designated Safeguarding Lead (DSL)/nominated person or directly with the headteacher/principal. The headteacher should ultimately be informed of all low level concerns and make the final decision on how to respond. Where appropriate this can be done in consultation with the DSL.

Guidance also clarifies that low level concerns which are shared about supply staff and contractors should be notified to their employers; and schools and colleges should consult with their LADO if unsure whether low-level concerns shared about a member of staff meet the harm threshold.

Part five: child-on-child sexual violence and sexual harassment

This section has been expanded to incorporate guidance previously covered in the DfE's Sexual violence and sexual harassment between children in schools and colleges advice. It also provides new information, emphasising:

- the importance of explaining to children that the law is in place to protect rather than criminalise them
- the importance of understanding intra-familial harms, and any necessary support for siblings following incidents
- the need for schools and colleges to be part of discussions with statutory safeguarding partners.

Annexes

Annex B, which provides additional information about specific forms of abuse and safeguarding issues, has been updated to move most of the content on peer-on-peer/child-on-child abuse and sexual violence and harassment into the main body of the guidance.

Annex C, which looks at the role of the Designated Safeguarding Lead (DSL), now includes much of the detail previously including in Part two.

A full list of changes can be found in Annex F of the Keeping children safe in education 2022 (DfE, 2022).

References

Department for Education (DfE) (2024a) **Keeping children safe in education 2024: statutory guidance for schools and colleges (PDF)**. London: Department for Education

<https://assets.publishing.service.gov.uk/media/6650a1967b792fff71a83e8/Keeping_children_safe_in_education_2024.pdf>

Department for Education (DfE) (2024b) **Data protection in schools**. [Accessed 04/06/2024].

<<https://www.gov.uk/guidance/data-protection-in-schools>>

Department for Education (DfE) (2023a) **Working together to safeguard children: a guide to multi-agency working to help, protect and promote the welfare of children**. [Accessed 04/06/2024]

<<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>>

Department for Education (DfE) (2023b) **Guidance for schools and colleges: gender questioning children.** [Accessed 04/06/2024].

<<https://consult.education.gov.uk/equalities-political-impartiality-anti-bullying-team/gender-questioning-children-proposed-guidance/>>

Department for Education (DfE) (2023c) **Keeping children safe in education 2023: statutory guidance for schools and colleges (PDF).** London: Department for Education

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1161273/Keeping_children_safe_in_education_2023_-_statutory_guidance_for_schools_and_colleges.pdf>

Department for Education (DfE) (2023d) **Filtering and monitoring standards for schools and colleges.** [Accessed 08/06/2023]

<<https://www.gov.uk/guidance/meeting-digital-and-technology-standards-in-schools-and-colleges/filtering-and-monitoring-standards-for-schools-and-colleges>>

Department for Education (DfE) (2023e) **Cyber security standards for schools and colleges.** [Accessed 08/06/2023]

<<https://www.gov.uk/guidance/meeting-digital-and-technology-standards-in-schools-and-colleges/cyber-security-standards-for-schools-and-colleges>>

Department for Education (DfE) (2022) **Keeping children safe in education 2022: statutory guidance for schools and colleges (PDF).** London: Department for Education

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf>

Department for Education (DfE) (2021) **Sexual violence and sexual harassment between children in schools and colleges: advice for governing bodies, proprietors, headteachers, principals, senior leadership teams and designated safeguarding leads.** [Accessed 08/06/2023]

<<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>>

HM Courts and Tribunals Service, (2017a) **Young witness booklet for 5 to 11 year olds**. [Accessed 04/06/2024].

<<https://www.gov.uk/government/publications/young-witness-booklet-for-5-to-11-year-olds>>

HM Courts and Tribunals Service, (2017b) **Young witness booklet for 12 to 17 year olds**. [Accessed 04/06/2024].

<<https://www.gov.uk/government/publications/young-witness-booklet-for-12-to-17-year-olds>>

- **More ways to help you protect children**



Take our online child protection in schools course

nspcc.org.uk/cpschools



Sign up to our weekly CASPAR newsletter

nspcc.org.uk/caspar



Visit **NSPCC Learning** for more information about safeguarding in schools

nspcc.org.uk/schools

