

Keeping children safe in education – updates from 2022 and 2023

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

June 2023

Background to the statutory guidance

The Department for Education (DfE) published an updated version of the statutory safeguarding and child protection guidance for schools in England, Keeping children safe in education (KCSIE) in 2023 (DfE, 2023a). This will replace KCSIE 2022 when it comes into force on 1 September 2023.

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 updates to the guidance made in both Keeping Children Safe in Education 2022 and Keeping Children Safe in Education 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 \(PDF\)](#)

Changes made in the 2023 guidance

The 2023 guidance introduces changes to Keeping children safe in education from 1 September 2023 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, 2023b), 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, 2023c).

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, 2023a).

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

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Department for Education (DfE) (2023b) **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>>

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

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