Estyn

Arolygiaeth Ei Mawrhydi dros Addysg a Hyfforddiant yng Nghymru
Her Majesty's Inspectorate for Education and Training in Wales

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Ymateb i Ymgynghoriad / Consultation Response

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Pwnc / Subject:	**National safeguarding training standards consultation**

Background information about Estyn

Estyn is the Office of Her Majesty's Inspectorate for Education and Training in Wales. As a Crown body, we are independent of the Welsh Government.

Our principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000 and the Education Act 2005. In exercising its functions, we must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by education and training providers in Wales;
- Quality of leadership and management of those education and training providers;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Our remit includes (but is not exclusive to) nurseries and non-maintained settings, primary schools, secondary schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and teacher education and training.

We may give advice to the Welsh Parliament on any matter connected to education and training in Wales. To achieve excellence for learners, we has set three strategic objectives:

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

This response is not confidential.

Response

We support the introduction of the National Safeguarding Training Standards and welcomes the focus on improving the consistency and quality of safeguarding training across Wales.

Through our work we have seen a need for high quality safeguarding training across the education and training sector. Earlier this year we published a thematic review on peer-on-peer sexual harassment[1] where we heard a "clear and consistent message from all schools about the need for more improved safeguarding training and support".

We have also recently reported on the positive impact that more individualised safeguarding training can have. In February 2020, we promoted an effective practice case study of Monmouthshire County Council[2] who, through an evaluation of the training needs of individuals, have improved safeguarding arrangements and "embedded a common understanding of safeguarding processes and standards".

The National Safeguarding Training Standards aim to draw these strands together. They aim to address the need for consistent, high-quality training, but also for the training to become more targeted and appropriate to practitioners' roles. In their proposed format the standards also make safeguarding training a requirement, rather than good practice. We hope the introduction of these standards will result in stronger, more proactive safeguarding arrangements in education providers and other sectors.

However, within the current draft of the standards there remain small ambiguitites which would place the responsibility for determining the level or depth of training upon an individual organisation. There is a risk, therefore, that some of the inconsistencies the standards aim to remove will persist.

We are currently piloting a new approach to inspection which focuses on how well staff and governors promote a strong safeguarding culture within their community and how well they understand and promote the school's safeguarding approaches. Our future work may be able to assess the impact of the National Safeguarding Training Standards across relevant providers as we evaluate each providers' safeguarding culture and arrangements.

Consultation questions

We welcome your views about the National Safeguarding Training Standards and would be grateful if you could take the time to answer the following questions:

1. Do you agree that these training standards align with the current safeguarding arrangements? (Social Services and Well-being (Wales) Act 2014 and the Wales Safeguarding Procedures)			
Yes	☒	No ☐	
We support the introduction of these training standards, which align well with both the Social Service and Well-being (Wales) Act 2014 and the Wales Safeguarding Procedures.			

Furthermore, we believe the introduction of these standards will strengthen implementation of these acts in a number of ways:

1) Safeguarding training will become a *requirement*

Currently the Social Services and Well-being (Wales) Act 2014 states that:

> "it is good practice for everyone involved in the provision or service to undertake basic safeguarding training".

Within the proposed training standards, we agree that everyone within an organisation must receive at least group A training. This will ensure that organisations are required to provide a basic level of safeguarding training to all employees and volunteers, rather than this just being "good practice".

We support the shift towards safeguarding training being a requirement as this will increase the overall understanding of safeguarding within an organisation. This will lead to earlier identification, intervention and better outcomes for anyone at risk.

2) Consistency and portability of training

There are many different sources of safeguarding training within Wales. The Social Services and Well-being (Wales) Act 2014 directs organisations to either their regional safeguarding board or other organisations to identify training courses. Consequently, the consistency and quality of training is not guaranteed, nor is it certain that the training will be relevant to comparative roles in all areas of Wales. The training standards should help these different sources of training to more closely align their courses, particularly with the level of detail provided within each group. Furthermore, the training standards will help ensure that organisations can more easily verify that training, either internally delivered or outsourced, is both relevant and up to date and that, once trained, individuals can feel secure that their training remains applicable to different organisations and different regions of Wales.

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2. Do the six groups (A to F) set out in the standards represent the main roles in the safeguarding process? If anything's missing or unnecessary, let us know in the box below.

Yes	☐	No	☒

Specifically for the education sector, we feel that the 'practioner group' descriptions on p11, the placement of roles in the safeguarding process beginning on p12, and the groups summary on p15 are not clear enough. The proposal would be strengthened if the descriptions were clearer.

For example within education providers, the Designated Safeguarding Person (DSP) has specific child safeguarding responsibilities, but often in practice, this person is also the strategic leader and decision maker on safeguarding issues. The practioner descriptions hierarchy on p11 would place the role of DSP in either group D or group E, the groups summary on p15 would place it in group D, however, in the safeguarding process table beginning on p12 the role of DSP falls in group C.

We believe that Group C is the most appropriate grouping for the DSP/ head of an educational provider. In relation to safeguarding their roles are operational as they

implement strategies or provide information to the lead agency, but, they are also the decision makers within their respective organisations.

Furthermore, in practice many educational providers use a pastoral hierarchy within their safeguarding arrangements which sits between teachers and headteachers, for example Heads of Year. Practitioners in these specialist roles would benefit from a greater level of training than teachers and teaching assistants, currently group B. We believe that the proposal would be strengthened by placing these practitioners in group C.

We acknowledge that educational providers are not the lead agency for safeguarding, however from the safeguarding process table which begins on p12, it is not clear how safeguarding issues within education will be escalated to practitioners with group E training. The table on p12/13 could be interpreted as indicating there is a ceiling on safeguarding training within the educational sector.

The proposal would be strengthened by redesigning the safeguarding process table to reflect how safeguarding situations are usually escalated through the different agencies. Those sectors which feed into agencies more likely to take the lead could be placed to the left, social services as the most likely lead agency to the far right, and arrows could indicate the level at which safeguarding situations are ordinarily escalated upwards.

Finally, not all educational providers, for example independent schools, privately funded post-16 providers and home tuition providers, have clearly defined pathways to access training from practitioners and organisations within groups D, E and F. These organisations have to consider for themselves, via a risk assessment, whether or not they should offer group D training to either their head or Designated Safeguarding Person (DSP).

Please note, you are not expected to be able to answer on all groups (Q3 to 8) but please do try and answer those that are relevant to you and/or your workforce.

3. Is Group A clear and does it give enough information? If anything is missing or unnecessary, let us know in the box below.			
Yes	☐	No	☒

Roles and responsibilities

Within this section the document states that practitioners in group A "are required to be aware of safeguarding matters". As awareness is not measurable, the proposals would be strengthened by ensuring that practitioners in group A are "required to have a basic understanding of safeguarding matters" so that they can apply this knowledge if the need arises. This statement would then sit more closely with the three memorable principles: 'I know what the term safeguarding means', 'I know what to look out for', and 'I know who to report to'.

1(a)(2) The main categories of abuse and neglect

1(a)(4) Other situational risk areas that may lead to abuse, harm and neglect

To ensure consistency, the standards 1(a)(2) and 1(a)(4) should precisely state what are considered to be the main categories of abuse and situational risk. For example, physical,

sexual, emotional, domestic, peer-on-peer etc. Without being prescriptive there is a risk that important types of abuse or situational risks may not be adequately covered in the training.

The proposals would be strengthened by including a statement which makes it clear that settings are responsible for risk assessing all types of abuse and situational risk and they should generate a list of the main categories of abuse and situational risks in the context of their setting. This risk assessment and the refined list of categories of abuse and situational risks could then be added to the setting's safeguarding policy.

1(a)(7) The roles of different agencies and others involved in safeguarding people's welfare, in the context of the setting

It is important that this standard is applied in context to ensure that the training for people in group A is sharply focussed on the appropriate agencies for their setting.

1(a)(8) The role and responsibilities of practitioners in safeguarding

We would recommend amending this standard to read:

> "*The role and responsibilities of practitioners in safeguarding, in the context of the setting*"

to ensure that the training for people in group A is sharply focussed on understanding the roles and responsibilities of senior leaders within their own setting.

4. Is Group B clear and does it give enough information? If anything is missing or unnecessary, let us know in the box below.
Yes ☐   No ☒

Several of the standards within group B are duplicated precisely, for example:
 	
    2(a)(5) and 2(a)(8)
 	
    And
 	
    2(a)(6) and 2(b)(1).
 	
One or other should be removed as appropriate.
 	
Standard 2(b)(5) and 2(b)(8) are written differently, but have similar meaning and could be joined together. By 'upholding your duty of care' you would be 'following safeguarding principles', and, 'by upholding the rights of people' you would also be 'supporting people to balance their rights and responsibilities'.
 	
Standards 2(b)(6), 2(b)(10) and 2(b)(11), which fall in the category titled 'How to work in ways that safeguard people from abuse, harm and neglect' are not focused on how practitioners should work. Instead their focus is on what practitioners should say, do, or teach people about safeguarding and staying safe. This appears to be in contradiction to the overview of group B (p21) where it states that "practitioners…wouldn't be expected to give advice about safeguarding to others". We suggest moving these standards into group C.

5. Is Group C clear and does it give enough information? If anything is missing or unnecessary, let us know in the box below.			
Yes	☐	No	☒

Standards 3(f)(1) and 3(f)(2) are focused on working with other practitioners and agencies and would sit within the group of standards 3(h) Work with others to safeguard people more appropriately. For example, 3(f)(1) refers to taking part in meetings and reviews, whereas 3(h)(7) refers to chairing such reviews/meetings.

Furthermore, standards 3(f)(3), 3(f)(4), 3(f)(5) and 3(f)(6) are focused on practitioners understanding of processes and evaluating their own organisation's effectiveness, and therefore, these would sit more comfortably within 3(i) Maintain professional accountability.

6. Is Group D clear and does it give enough information? If anything is missing or unnecessary, let us know in the box below.			
Yes	☒	No	☐

Although standard 4(d)(6) sits alongside standard 4(d)(1) and could be promoted to the top of the list within the section 4(d) Support others to safeguard people.

7. Is Group E clear and does it give enough information? If anything is missing or unnecessary, let us know in the box below.			
Yes	☒	No	☐

None

8. Is Group F clear and does it give enough information? If anything is missing or unnecessary, let us know in the box below.			
Yes	☐	No	☒

Child/person-centred practice does not appear within the proposed training for practitioners in group F.

It is particularly important, within an educational context, that practitioners in group F receive training on promoting child/person-centred practice. These practitioners comprise the governing bodies that provide crucial oversight of safeguarding arrangements within educational providers and act as critical friends. If the practitioners that comprise governing bodies do not have adequate understanding of the principles of child/person-centred practice, they will be less likely to be effective in promoting this approach, or, identifying where this practice needs to be improved.

The memorable principles on p46 states that group F practitioners will be "guided and provided with assurance by group E practitioners on areas of concern". It is not clear how

this will be established, as within the education sector the standards do not identify any roles with the group E level of training.

9. Do you recognise your own workforce or role in the group descriptions? If not, how can we make them clearer?

Yes ☐   No ☒

The group descriptions for the education sector do not include our workforce, either its inspectors or safeguarding leads. It would be helpful for the sector to be aware of the level of training of Her Majesty's Inspectors, which we would suggest is a combination of group C and group F level.

10. What opportunities do organisations need to think about when embedding the standards?

Greater understanding of safeguarding across an organisation may lead to earlier identification and better communication of safeguarding concerns. Children/adults at risk may then receive intervention earlier, and organisations may experience lower rates of more complex cases.

Training may become more portable and organisations may not have to repeat all aspects of safeguarding training within their staff induction process.

11. What challenges do organisations need to think about when embedding the standards?

There will be both time and cost implications when embedding the standards.

For educational providers this may not be prohibitive as they already allocate time and financial resources to safeguarding training. However, if the standards are adopted, all staff would have to undertake the new training which may have unplanned time and cost implications.

Consideration must also be given to the expected high level of demand that will fall upon organisations providing the training for the new standards, particularly in the early stages of their implementation. It is important that organisations can access new training courses and materials, and that due to demand, their costs does not unduly escalate.

12. Is there anything else we should include in the standards? If so, what should it be?

1) Timeframes for the completion and refreshing of training

The training standards do not make it clear at what point during the recruitment process the core safeguarding and refresher training should be completed. They say on p6:

> "most practitioners will complete group A e-learning at some point in their career. Organisations and managers may set requirements within their organisation for the completion of this module."

> and:

> "they will continue their safeguarding refresher training in line with their role and responsibility for that group."

The standards leave it to organisations to determine when to offer safeguarding training to their practitioners, which in the case of the education sector, would conflict with statutory guidance.

Keeping Learners Safe (283/2022) states that:

> "induction training for all new staff working in an education setting…includes safeguarding training". (p14)

> and:

> "All staff should attend refresher training preferably within two years, but should not exceed three years between training". (p21)

If the standards are adopted, practitioners working within the education sector would be required to undertake at least group A training before commencement of their duties and a refresher course in their next two to three years.

If the standards are to deliver consistency of training both within and across different sectors, then there also needs to be alignment with respect to the timeframes for the completion and refreshing of training.

The standards would therefore be strengthened by including the regulatory timeframes for the completion of the appropriate level of safeguarding training in each sector.

2) Minimum level of training

The standards do not specify whether the training for each group is the minimum or maximum level required.

The standards should direct organisations to risk assess the level of training for categories of staff within their organisation and assign them to groups A-E accordingly.

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13. Is child-/person-centred practice addressed sufficiently in the standards? If anything's missing or unnecessary, let us know in the box below.

Yes ☐	No ☒

Child/person-centred practice does not appear within the proposed training for practitioners in groups A and F.

It is particularly important, within an educational context, that practitioners in group F receive training on promoting child/person-centred practice. These practitioners comprise the governing bodies that provide crucial oversight of safeguarding arrangements within educational providers and act as critical friends. If the practitioners that comprise governing bodies do not have adequate understanding of the principles of child/person-centred practice, they will be less likely to be effective in promoting this approach, or, identifying where this practice needs to be improved.

We would recommend that all practitioners receive training on child/person-centred practice, and think that it should be added to the training requirement for all groups.

14. What effects will our proposals have on the Welsh language, specifically on:
i) opportunities for people to use Welsh
ii) treating the Welsh language no less favourably than the English language.
How could we increase the positive effects or reduce the negative ones?

Many third-party or commercially available safeguarding training courses are not specific to Wales, however, the introduction of the training standards will require this to change.

When developing new training materials, they should be written in both Welsh and English and published at the same time either as a bi-lingual document or separately in each language.

When new training courses are delivered, either virtually or in-person, they should be offered in both Welsh and English formats, thus offering greater opportunities for people to use Welsh.

15. Do the standards have an impact on those with protected characteristics?

The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Yes	☒	No	☐

The training standards have been developed to improve the consistency in the design, content and provision of safeguarding training in Wales. If successful, the standards will increase awareness and knowledge of safeguarding within settings, which we hope will translate into better outcomes for all children and adults, including any with protected characteristics.