



SUMMER CONFERENCE REPORT

11th July 2009

The conference was held on Saturday 11th July 2009 at Powys County Hall, Llandrindod Wells.

Participants

Local Governor Associations and groups from the whole of Wales were invited to send up to three representatives to the conference. In addition, LEA Directors of Education and Councilors with an Education portfolio (or their representatives) were invited to attend. Along with other guests a total of delegates attended the event.

Theme

The theme of the conference was “The Independent Safeguarding Authority and Safeguarding Children in Education”.

Presentations were given by Tom Davies Welsh Member of the UK Independent Safeguarding Authority Board and Jane Hutt AM, Minister for Children, Education, Lifelong Learning and Skills.

The Vetting and Barring scheme (VBS)

The conference commenced with Tom Davies’ presentation entitled ‘The Vetting and Barring Scheme’.

Mr Davies outlined the background to the scheme explaining that the Bichard Report followed the Soham murders in 2002. It set out a total 31 recommendations, mostly about record keeping and information sharing.

The Safeguarding Vulnerable Groups Act 2006 is a major element of a wide-ranging and ambitious programme of work established across government to address the systemic failures identified by the Bichard inquiry.

In essence the act and subsequent creation of the Independent Safeguarding Authority (ISA) stemmed from recommendation 19 ‘***new arrangements should be introduced requiring those who work with children, or vulnerable adults, to be registered. The register would confirm that there is no known reason why an individual should not work with these client groups***’.

He explained that the ISA consisted of ten publicly appointed board members with experience in safeguarding who were supported by several hundred caseworkers. The purpose of the ISA was to help prevent unsuitable people from working with children and vulnerable adults.

The Vetting and Barring Scheme (VBS) was a new, improved on-line checking and monitoring scheme aiming to prevent unsuitable people from working or volunteering with children and/or vulnerable adults. Scheme will require employees and volunteers engaged in **regulated** activity to register with the ISA. People deemed unsuitable will be placed on one of two barred lists.

It will be illegal to engage a barred person in regulated activity for any period of time. Details of how employers will be notified are currently under discussion and will be made available soon.

Certain sectors will be required by law to provide the ISA with relevant information. Only through comprehensive information sharing can the ISA scheme be fully successful in achieving its aim of safeguarding the vulnerable in our society.

The Safeguarding Vulnerable Groups Act does not make a distinction between **paid and unpaid work because** both have the same potential for access to children and/or vulnerable adults.

The ISA, in collaboration with other government departments, are currently in the process of signing a memorandum of understanding with international partners such as Australia, Canada and New Zealand who share similar values and culture to us in the UK. The aim is to establish a more effective data sharing system.

As school governors the school as the specified place will be of most interest. Any activity that takes place in a school and allows the opportunity for contact with the children (whether or not contact actually happens or is likely) is regulated activity and so must be registered. This includes teachers as you would expect but also office staff, contractors and caretakers for example.

Regulated activity includes work that involves;

- **contact** with children and/or vulnerable adults by virtue of the **type of activity** employees carry out frequently/intensively/overnight;
- **the setting** in which they work if they have other forms of contact with children and vulnerable adults which takes place frequently/intensively;
- Fostering and childcare; or
- the **status and authority conferred** by a particular position. These positions are listed in the SVG Act Schedule 4 Part 1 section 4(1)
 - Expected to apply to around 11 million workers and volunteers

In summary Governors will not only be required to be registered but as employers engaged in a regulated activity will be required to:-

- **refer** to the ISA any employer or volunteer who is dismissed or moved from regulated activity because they engaged in ***relevant conduct** towards a child or vulnerable adult, this equally applies to an individual who is under investigation for relevant conduct and resigns before the end of a disciplinary investigation
- **Check** the ISA status of all new employees/volunteers and those moving jobs and once the scheme is fully rolled out ensure that all those in regulated activity are registered

***relevant conduct**

- Endangers or is likely to endanger a child or vulnerable adult
- If repeated against or in relation to a child or vulnerable adult would endanger them or be likely to endanger them
- Involving sexual material relating to children (including possession of such material)
- Involving sexually explicit images depicting violence against human beings (including

- possession of such images), if it appears to ISA that the conduct is inappropriate
- Conduct of a sexual nature involving a child or vulnerable adult, if it appears to ISA that the conduct is inappropriate.)

Keynote Address by Jane Hutt AM, Minister for Children, Education, Lifelong Learning and Skills.

The Minister commenced by acknowledging that theme of the conference 'ensuring that children are safe in education settings' touches on one of the most important issues facing society and that nothing outranks the importance of making sure that children are safe. She noted that everyday, parents trust schools not only to educate their children but to make sure that they are safe too.

As Minister for Children, Education, Lifelong Learning & Skills - she placed great emphasis on that part of her title - and was conscious and determined to make sure that all that can be done, is done, to safeguard children.

She drew attention to the Independent Safeguarding Authority and the extremely important job it had to do and hope that the earlier presentation on its work had provided a solid understanding of the Authority's work and an appreciate that the necessary changes were for the common good.

She continued by indicating that she intended to concentrate on the school governor's role in relation to safeguarding and also touch on the role of the school in the wider community.

The Minister stressed the role governors play with respect to safeguarding all arises from the fact that governors make employment decisions about school staff. Schools depend on people; having the right staff is critical for success. There was a clear need to choose good teachers and support staff but also to be sure that they were suitable people to work with children. In short, appropriate checks must be carried out on new staff and volunteers who will work with children.

In addition, however, responsibilities went further than recruiting good staff. With employment functions comes responsibility for staff discipline as well. Sadly, from time to time, there will be incidents where conduct is inappropriate or allegations are made that need investigation. Fortunately these are rare events but, when they happen, prompt and appropriate action must be taken. The natural first reaction in such situations is surprise and disbelief. It is no time to invent procedures on the hoof. So the first responsibility for governors is to make sure that your school had a procedure in place for staff discipline, that governors who sit on staff discipline committees understand that procedure and are trained, and that the procedure complies with the law. The Welsh Assembly Government also recommended that a member of the school leadership team leads on safeguarding matters is trained and keeps up to date with developments, and should be available to work with the local authority and other agencies in child protection cases. It is also recommend that you designate a governor for child protection who will oversee the school's child protection policy and practice.

She reminded delegates that it was also important to remember that in allegations of inappropriate staff conduct the full facts will not always be known. The Welsh Assembly Government recognised that establishing the facts in any case can be difficult and have

therefore contracted an Independent Investigation Service that governors can call in, free of charge, for any staff disciplinary cases where child safeguarding matters are an element.

Whilst all wanted children to be safe in school this had to be balanced with an understanding that allegations against staff can sometimes be malicious or, even if made in good faith, just unfounded. School staff also needed to be conscious that speaking up might have repercussions for them. Staff must be confident that they can do so without running the risk of being punished or shamed. Every school must, therefore, have a whistle-blowing procedure and also take advantage of training offered by local authorities and advice from them or from Governors Wales helpline for governors.

In the wider context she explained that Local Safeguarding Children Boards, together with the Care and Social Services Inspectorate for Wales were responsible for making sure that there were effective arrangements in place. The Welsh Assembly Government also required all local authorities to audit their safeguarding arrangements to test their strength and to put any weaknesses right and had also secured legal powers for the National Assembly to legislate for vulnerable children.

In conclusion she stressed the education and safe-being of all children was paramount, and she had spoken about serious matters. Matters she hoped few would face, but for those who did she also hoped that their sense of good will and public duty which motivated them to become a governor would remain with them if faced with difficult times. She assured delegates that the Welsh Assembly Government placed the highest importance on safeguarding children, their well-being was at the heart of the commitment to the United Nations Convention on the Rights of the Child and the Assembly Government's Rights to Action agenda.

Workshop Sessions

Delegates were offered a choice of two (one morning and one afternoon) of the following workshop sessions:

'Handling Complaints' - Steve Gullick (All Wales Centre for Governor Training and Research).

'How does the General Teaching Council for Wales safeguard the public?' - Hayden Llewellyn (Deputy Chief Executive General Teaching Council).

'Safeguarding Children In Education/Governors responsibilities for Child Protection and Safeguarding' - Margaret Davies (Head of Ethnic Minority and Child Protection Branch, Department for Children, Education and Lifelong Learning and Skills) and Pat Davies (Manager, Planning and Information, Swansea LEA)

The groups were asked to identify priority issues in relation to the workshop sessions:

Workshop 1 **'Handling Complaints'**

Morning session

1. All schools to have complaints policy either governors own or LEA but need ownership.
2. Not every complaint covered in complaints policy (Handout 1).
3. Handling complaints after resolved informally if not essential correct procedures are followed.
4. Importance of good preparation – hearing should be non-threatening and focused. Should headteacher be there?

5. Treat all complaints seriously before making decision which is final.

Afternoon session

- 1 Complaints against whole governing body - to be dealt with by a complaints committee made up of members of the governing body. This Welsh Assembly Government ruling created a lot of dissension from the group as to the correctness of the ruling.
- 2 Only written complaints should be responded to. Emails should be treated as a written complaint. Some discussion around if verbal complaints should not be treated as a valid complaint.
- 3 Are all complaints valid complaints? Some things asked about may not be complaints for the complaints committee, but may be the subject matter of a different policy.
- 4 Formal complaints To be handled according to policy and procedure.
- 5 Complaints Committee Must consist of at least three governors
- 6 Invited governors can take part but not influence the decision. (advisory)
- 7 Two variations of procedures available to be used. Some discussion took place to determine which one should be used. Each has its merits and therefore, must be a definite matter of choice by the Complaints Committee.

Workshop 2 *'How does the General Teaching Council for Wales safeguard the public?'*

Morning session

1. We, as governors, must check ALL our teaching staff are on the Register List.
2. Staff training needed to understand completely responsibilities
3. Governors must be aware of this information, we need to cascade to our members.
4. Very interesting session.

Afternoon session

1. Running register 'licence to teach': - suitability for registration
- considering de-registration for misconduct.
2. Schools have legal duty to refer cases of dismissal to GTCW.
3. Right of access to information on register (for school).

Workshop 3 *'Safeguarding Children In Education/Governors responsibilities for Child Protection and Safeguarding'* _

Morning session

1. Child protection training at least once with updates.
2. Do you let out school facilities and do they have appropriate documentation and cover?
3. If a serious case review was undertaken, would you have kept documentation?
4. Issues involved in recruitment.
5. Difficulty in obtaining information on overseas employees.

Afternoon session

All agreed with the statement 'The well-being of the child is paramount' and that happy, healthy and safe should be the 'Governors Creed'.

1. Governor's responsibility with regard to the Safeguarding Vulnerable Groups Act made for a lively debate. Whilst fully agreeing with the principle, several practical problems were highlighted. Most felt that there would be confusion with regard to the CRB Check running

- simultaneously, the appointment of temporary staff – supply Teachers for example- and it would be a constant concern as to the reliability of the Vetting and Barring Scheme
2. All agreed that every Governor should undertake a Child Protection Course, but that it was essential that those with special responsibilities (eg CP and Link Governors) should be more fully trained.
 3. The Chair must ensure that the relevant policies are in place and regularly reviewed by the Governors. All new information and changes must be considered by the Board as soon as possible and action taken if necessary.
 4. When problems arise, consultation with others (multi-agency) is essential. We agreed that no system of safeguarding could ever be perfect, but all those present expressed confidence in their own School Staff's ability to show sympathy and understanding for the children in their care.
 5. Those present took note of the 'Serious Cases Review' procedures – particularly with regard to record keeping.

Evaluation

1. Organisation of the day:

Excellent	Very Good	Satisfactory	Unsatisfactory
10	15	3	0

- Ø An excellent venue.
- Ø A lot to pack in the time available
- Ø Good location.
- Ø Well time-tabled even though under pressure
- Ø Lovely venue, easy to find, with plenty of parking spaces
- Ø All meetings were great
- Ø It is a lot to do in one day but the organisers deserve praise
- Ø Well run and interesting
- Ø Over running of all sessions which made limited time for lunch and no time for feedback
- Ø Smooth and friendly. Even clearer map needed to guide us to the centre, e.g. access to it from the north.
- Ø Very good venue,
- Ø Very informative.

2. Speakers:

Excellent	Very Good	Satisfactory	Unsatisfactory
8	19	3	0

- Ø ISA- Very good but many important questions unanswered
- Ø They gave a very interesting and informative talk on their subjects
- Ø Presentation not geared for the time slot available which was a pity. Many questions wanted to be asked
- Ø Quite helpful responses to questions
- Ø Enjoyed complaints presentation

- Ø Not enough time to deal with the matter being discussed
- Ø All good
- Ø Not enough timing to ask questions
- Ø Speakers should try to keep their talk to allocated time
- Ø No presentation in Welsh

3. Workshops:

- Ø Handling complaints: very good
- Ø Safeguarding Children in Education: Distracted into something more about ISA which was less important
- Ø Very interesting- but could have spent more time on subjects as lots of questions asked
- Ø Governors Responsibilities: Did not pursue question on duplication and confusion of retaining ISA, CRB etc as distinct activities rather than having one point of reference
- Ø More time would have been helpful
- Ø Safeguarding Children in Education: Helpful, gave an understanding of role of ISA
- Ø How does the General Teaching Council for Wales safeguard the public?
- Ø Continuous disagreement with W.A.G Guidelines over membership of complaints committee
- Ø Handling Complaints: Greater need for clarity where whole Governing body is the subject
- Ø ISA representative was good, but more time needed
- Ø Many unanswered questions- ISA role
- Ø All very good, very good interacting, comments all valued
- Ø No workshops in Welsh
- Ø Went over time- Workshop 1- but it was late starting since the first speakers was late finishing

4. General Arrangements:

Information received prior to the conference

Excellent	Very Good	Satisfactory	Unsatisfactory
13	11	3	0

Information received on day of conference

Excellent	Very Good	Satisfactory	Unsatisfactory
13	11	2	0

5. Any other comments you would like to make:

- Ø It would have been good to have gone to the other workshops, all were excellent topics
- Ø Great meeting everyone
- Ø Very well done to organisers
- Ø Possible alternative venues- North and South
- Ø All workshops were cut short as sessions over-ran. Perhaps schedule key speeches in the AM, and workshops in the PM
- Ø Notes were not handed out until the end of the presentations. I would like to have had them during so that I could add my own notes on the correct pages
- Ø It was a pity that there was no presentation in Welsh. The majority of papers distributed were in English only. Slides can be bilingual.

6. Any suggestions you might have for future conferences?

- Ø Governors Recognition, Legal advice, guidance and representation
- Ø New Inspection Framework for 2010
- Ø Dealing with Unions
- Ø More working time for the workshops would have made it much more interesting day
- Ø Capability Procedures for teaching staff
- Ø Curriculum Complaint Procedure
- Ø Better timing for speaker and questioning
- Ø What about holding the conference on a weekday

Conclusion

The conference achieved its aim to enable conference participants to explore a number of issues relating to the Independent Safeguarding Authority and Safeguarding Children in Education.

We intend to build on this successful conference and in addition intend to organise a number of regional events during 2009/2010.