

## **Consultation on changes to statutory guidance: Working Together to Safeguard Children**

### **Response of the Association of School and College Leaders**

#### **A. Introduction**

1. The Association of School and College Leaders (ASCL) is a trade union and professional association representing over 24,000 education system leaders, heads, principals, deputies, vice-principals, assistant heads, business leaders and other senior staff of state-funded and independent schools and colleges throughout the UK. ASCL members are responsible for the education of more than four million children and young people across primary, secondary, post-16 and specialist education. This places the association in a strong position to consider this issue from the viewpoint of the leaders of schools and colleges of all types.
2. ASCL welcomes the opportunity to contribute to this consultation. Our response is based on the views of our members, obtained through discussions at ASCL Council, with relevant advisory groups, and prompted and unprompted emails and messages.
3. When considering the impact of any proposals on different groups, it is ASCL's policy to consider not only the nine protected characteristics included in the Equality Act 2010, but also other groups which might be disproportionately affected, particularly those who are socio-economically disadvantaged. We have answered any equality impact questions on this basis. The nature of this consultation warrants consideration of the most vulnerable children and young people within our education system.

#### **B. Key points**

4. Designated Safeguarding Leads (DSLs) already hold significant responsibility within schools. Any changes to the existing expectations outlined in Working Together must not overburden DSLs.
5. Clear communication is important, but regular changes of labels and language used in relation to safeguarding make the work of busy school leaders more difficult and can be a distraction rather than an aid to focusing on good collaborative working.
6. Strengthening the function and effectiveness of the safeguarding system is our priority. ASCL does not believe that education needs to become a fourth statutory safeguarding partner to achieve further improvement.
7. Given the shortages of resources and current recruitment and retention challenges in schools and colleges, ASCL believes that now would be the wrong time to propose that education becomes a statutory safeguarding partner.
8. We would like to see a separate process of assessment for disabled children and their families. The current system can mean they experience the same 'one size fits all'

assessment process as children who are considered to be at risk of neglect. This is not appropriate.

### **C. Answers to specific questions**

**Question 7: Do you agree that we should change the title of Working Together to reflect help and protection for children and families?**

9. No (see paragraph 12 below).

**Question 8: To what extent do you agree that the four principles are the right ones to drive better practice and engagement with parents?**

10. Agree.

**Question 9: Do you agree the new practice principles for multi agency working will support leaders and practitioners to work together more effectively and improve outcomes for children and their families.**

11. Likely.

**Question 10: Is there anything else you want to comment on in A Shared Endeavour?**

12. The current title and reference to 'Working Together' is well understood by school communities and does reflect the intention to protect children and families. Any change to language risks causing confusion. We would also suggest that the focus on a 'shared endeavour' may make good sense to those updating the document but is not accessible language and 'working together' is much clearer. This is a distraction to impactful change.

**Question 11: To what extent do you agree that these proposed changes provide greater clarity on what the expectations are for safeguarding partners?**

13. Agree. They are child-centric and assets-based.

**Question 12: To what extent do you agree with the list of joint functions of lead safeguarding partners and Delegate Safeguarding Partners.**

14. Agree.

**Question 13: In your local area, how would delegation from the lead safeguarding partner to delegated safeguarding partner be interpreted and delivered in practice?**

15. N/A

**Question 14: To what extent do you agree that having a mutually agreed representative from a safeguarding partner agency will increase ownership and accountability of partners?**

16. Neither agree nor disagree. See response to question 19.

**Question 15: To what extent do you agree that these proposed changes will strengthen the role of education in multi-agency safeguarding arrangements?**

17. Agree.

**Question 16: To what extent do you agree that making education a statutory safeguarding partner is the only way to secure the right level of collaboration in multi-agency arrangements?**

18. Disagree. See response to question 19.

**Question 17: Do you agree the proposed changes will encourage more engagement with VCSE and sports clubs as part of the multi-agency safeguarding arrangements?**

19. Yes

**Question 18: To what extent do you agree that these proposed changes will make multi agency arrangements more accountable and transparent?**

20. Neither agree nor disagree.

**Question 19: Is there anything else you want to comment on in Multi-agency safeguarding arrangements?**

21. Effective multi agency working requires adequate recruitment, retention, resourcing and staff training. These arrangements help with clarifying roles but they stipulate expectations of education professionals that can only be met with additional resource.

22. Education professionals offer effective safeguarding support; there is no evidence that being a statutory partner will strengthen current provision.

23. Designated Safeguarding Leads and school leaders play an important role in local safeguarding arrangements. There is no capacity in the current system for these professionals to take on additional responsibilities as a statutory safeguarding partner.

**Question 20: To what extent do you agree that these arrangements strengthen the whole family working and tailored support for children and families ahead of wider system reform?**

24. ASCL believes there is room for greater joined-up policy here. Family Hubs are only mentioned three times and Start for Life (which includes pre-school age children) is not mentioned at all. These are both flagship policies to support families that form part of an early help approach.

25. ASCL would like to see reference to the expectation that information on what is available locally is easily accessible to schools and families, i.e. those working with families have a responsibility to be aware of wider networks and services or how to access that information. The increase in digital apps and available services is important here.

26. ASCL is pleased to see the reference to the intersecting needs of families. It would be helpful to go further and explain how multi-agency collaborations will address this.

**Question 21: Do you agree that the features we have outlined for Family Group Conferences will improve family network engagement in decision-making and supporting children?**

27. Yes

28. ASCL members tell us that Family Group Conferences can work well but they need to be properly facilitated by skilled professionals and this is costly. Further clarity is needed as to how this will be funded.

29. Conferencing also requires a neutral space that is large enough for family groups to meet comfortably (often there is a conflictual relationship) and more than one space is useful. Where schools are supporting this activity, they should be resourced for use of space.

**Question 22: Do you agree the proposed changes will help improve outcomes of children and their families who receive support under section 17 of the Children Act 1989?**

30. Don't know.

**Question 23: Do the proposed provisions for the role of the social worker qualified practice supervisor or manager ensure appropriate social work oversight?**

31. It appears the use of the 'lead practitioner' is primarily required as a result of the lack of resources, i.e. social workers. To predict how lead practitioners who are not social workers will be effective it is important to understand how the lead practitioners will be supported in this role and what the implications are for them if something goes awry.

**Question 24: In your opinion, are there practitioners who should not be leader practitioners?**

32. See answer to Question 23. This is dependent upon the support provided. For DSLs or SENCOs to be lead practitioners would add to already burdensome responsibilities. Additional expectations could have an impact on recruitment and retention.

33. ASCL would caution against such additional responsibilities and ask that more detail of support, funding, training and clarification of liabilities are addressed specifically with relevant stakeholders.

**Question 25: Do you agree with the proposed changes to strengthen assessment and support for disabled children?**

34. No. See response to question 28

**Question 26: Does the new information clarify the role of children's social care in the assessment of suitability and social work input for a mother and baby unit placement?**

35. Yes.

**Question 27: To what extent do you agree these changes will give practitioners across all agencies and organisations a clear understanding of the work HMPPS do and the contributions HMPPS makes to keeping children safe?**

36. Neither agree nor disagree. See response to question 28

**Question 28: Is there anything else you want to comment on in *Help and support for children and families*?**

37. ASCL believes that current proposals for the assessment and support of disabled children and their families do not go far enough to improve current provision.

38. ASCL would like to see assessment tailored to the needs of these children and their families. At the moment the assessment and support process for disabled children and families is the same as for children considered 'at risk' of neglect. This process can lead to assumption and even accusation when disabled families request help.

**Question 29: To what extent do you agree that the proposed changes make clear that the multi-agency safeguarding response set out in Working Together applies when harm, or risk of harm, comes from outside the home. Including online?**

37. Agree.

**Question 30: To what extent do you agree the updated section 'supporting children at risk of or experiencing harm outside the home' makes clear what practitioners need to consider in supporting this group of children?**

38. Agree.

**Question 31: Is there anything else you want to comment on in Decisive multi-agency child protection?**

39. No.

**Question 32: To what extent do you agree that making education a statutory safeguarding partner is the only way to secure the right level of collaboration in multi-agency arrangements?**

40. Disagree.

**Question 33: Will it be feasible for your local authority to submit notifications for the deaths of care leavers aged 18-25?**

41. N/A

**Question 34: Is there anything else you want to comment on in *Learning from serious safeguarding incidents*?**

42. Additional time and resource for the ongoing training and support (supervision) of DSLs to respond and learn from findings of serious safeguarding incidents is imperative.

#### **D. Conclusion**

43. ASCL welcomes the additional clarity this update provides.

44. We emphasise the strain on staff capacity and school budgets that mean it is not appropriate for school staff, including DSLs or SENCOs, to take on delegated duties of a social worker for delivering statutory duties.

45. ASCL would like to see further policy alignment in this key document. For example, Family Hubs are referenced but not embedded.

46. In our response we have highlighted that, while we are positive about the clarification of roles and responsibilities, we are concerned that the system is increasingly relying on practitioners who are not qualified as social workers, in response to shortages of skilled professionals.
47. ASCL would like to see separate guidance for the assessment of disabled children and their families.
48. ASCL believes that additional resource for the training and support of DSLs is essential for effective implementation of safeguarding changes and updates.
49. I hope that this response is of value to your consultation. ASCL is willing to be further consulted and to assist in any way that it can.

Margaret Mulholland  
SEND & Inclusion Specialist  
Association of School and College Leaders  
September 2023