

# THE PROVIDER INSIDER

INSIGHTS INTO FURTHER EDUCATION

## SAFEGUARDING IN FE – WHAT MORE NEEDS TO BE DONE?

This blog has been developed in partnership between Alex Miles (MD at Yorkshire Learning Providers Network) and Paul White (Head of Provider Development at NCFE) to provide the sector with an insight into how safeguarding is developing across the FE landscape. Read on for helpful hints, tips, advice and guidance on understanding and implementing safeguarding arrangements so learners can be supported in the best way that meets their individual needs.

### THE IMPORTANCE OF SAFEGUARDING IN FE – AND THE CHALLENGES THAT SURROUND THIS

Understanding the importance of safeguarding is a duty that all funded organisations must adhere to. However, due to the complex landscape within FE, the response to safeguarding is vastly different between organisations. For ITPs (Independent Training Providers) the response notably differs dependent on the type of provision and age of learners, particularly in situations where ITPs deliver apprenticeships and adult education.

The guidance supporting the FE sector is not clear or consistent and the terminology used can be very much open to interpretation, which means that some learners may not always be supported in the most appropriate way for their needs or situation.

### SAFEGUARDING FOR ALL – IT IS EVERYONE'S RESPONSIBILITY

Ofsted was asked by Government to carry out a review of sexual abuse in provider settings and in June of this year, they published their report alongside a series of recommendations which have hugely influenced policy and guidelines in the safeguarding arena.

Ofsted has been very clear in a recent communication to the sector that the rules apply to ALL organisations – stating “The Education and Training (Welfare of Children) Act 2021, which came into effect from 29 June 2021, means that that the latest version of DfE’s statutory guidance ‘Keeping children safe in education’, in force from September 2021 will apply to independent learning providers, special post 16 institutions/ independent special colleges and 16 to 19 academies to the extent that they have students or apprentices who are under the age of 18. It is appropriate that we have the same expectations of those additional types of providers now that the statutory guidance equally applies to them.”

Across ITPs, however, there remains misunderstanding and inconsistency on some aspects of safeguarding and if it applies to their work with adult learners and/or employed status learners. For clarity, and in line with the statement from Ofqual, the duty of care is in place for ALL organisations and ALL learners - from the start of their programme, right through to completion.

We see some organisations within the FE and skills sector taking a somewhat tokenistic response to safeguarding by just having a policy or designated officer (DSO) in place to tick a box. However, it is crucial we move past this into adopting a full culture of safeguarding that supports a whole organisation response – in terms of understanding, implementing and addressing issues, themes, behaviors and knowledge.

This goes far wider than just acknowledging responsibility and resting it with the DSO. This means all practitioners, boards, governors, learners and employers should be able to confidently articulate how to stay safe, what to look out for, how this manifests in their work or personal life, how to put that practice, and how to effectively look after themselves and others.

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## KEY REQUIREMENTS AND WHERE TO START

- **Read the guidance.** A key starting point for providers emanating from KCIE (2021) is the requirement for all staff in a provider setting who work with children to read at least part one of the guidance, and those who don't work with children, to at least read Annex A (governors and proprietors have the discretion on the advice for those not working with children).
- **Peer-on-peer abuse** – make a change. Another key requirement set out in the KCIE 2021 is around peer-on-peer abuse. The statutory guidance makes it clear that all staff should understand the importance of challenging inappropriate behaviour between peers. The acceptance of behaviour which may have previously been passed off as 'just banter' or 'boys being boys' can lead to a culture that normalizes abuse and prevents children coming forward and reporting unacceptable behaviour.
- **Familiarise yourself with Ofsted recommendations.** Having effective safeguarding processes in place is crucial for the safety of learners and this is reflected in the updated Ofsted handbook (para. 275) where it clearly states that inadequate policies are likely to lead to an ineffective judgement not only under safeguarding, but also in relation to leadership and management.
- **Male violence epidemic** – be part of the solution. Sadiq Khan recently stated that we are in an epidemic of violence against women and girls, and this is not about women's safety but about male violence. Khan went on to share that since last year's International Women's Day, 180 women have been killed by men and that all females deserve to feel safe at all times. Within FE and Skills, we have a huge responsibility to support this important agenda across our learners of all ages and act fast if sexual abuse and harassment is happening in the classroom, in the workplace and online. The culture we implement across our curriculum and institutions must address and respond to this.
- **Providing youth mental health support.** It has been reported that there has recently been a distinct increase in referrals to child and adolescent mental health services with over 190,000 between April and June 2021 - more than double last year during the same time period. As training organisations, it is not just our young learners we need to protect as part of this agenda, but we also need to educate our adult learners in understanding how they can play their part in supporting their children, nieces, nephews or younger members of the workforce.
- **For apprenticeship providers, safeguarding duties do not just rest with the employer.** It is not suitable to say that is a HR issue - whilst apprentices are funded via the levy or non-levy, they are a government learner and a commitment to their safeguarding must be in place. This means embedding safeguarding into the skills, knowledge and behaviors within the specific standards; discussing during reviews; and blending themes into apprentices' personal development and pastoral response. Too many apprenticeship providers rely on safeguarding solely at induction stage or shoehorn themes into a review which provides no basis of knowledge development. The safeguarding element can also sometimes be rushed, meaning learners aren't able to ask questions or retain the learning to reuse at a later date or when needed.

## DEEPER QUESTIONING IN REVIEWS = EMPOWERED LEARNERS

Across the sector, there remains too much reliance on asking the same set of questions during learning reviews such as: "What is safeguarding?" "Do you feel safe?" and "Do you know who to speak to if you have any concerns?". Although these questions are valid, they don't add significant value to the safeguarding agenda. Provider questioning needs to be far deeper, evolving over time as a golden thread that runs throughout the programme. By contextualising safeguarding themes based on the curriculum and/or employer workplace or industry, this allows learners to make more informed, educated choices about their work and personal life, behaviour and safety.

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## ASK YOURSELF THE FOLLOWING QUESTIONS TO TEST YOUR CULTURE AND RESPONSE:

- Do your female learners / apprentices feel safe in the workplace?
- Do your female learners / apprentices feel safe when off the job or in the classroom?
- Do your female learners / apprentices know how to protect themselves from abuse online?
- Do your male learners / apprentices understand the difference between appropriate and inappropriate phrases, terms or banter?
- How have you addressed consent with male learners?
- How do you measure vulnerability? Is this reviewed ongoing or a status that remains in place throughout?
- Do your female staff members feel safe from abuse or banter when entering different workplaces?
- Do your staff know how to respond when they witness inappropriate language in the workplace or classroom?
- How often do you review the curriculum to make improvements to contextualizing safeguarding and prevent themes?
- How do you test your learners' understanding in safeguarding and prevent themes? What do you do to ensure this is embedded into their long-term memory?
- How do you recognize and support the mental health of your learners and staff? What arrangements do you have internally to support wellbeing?
- How do you support learners who may be self-harming or at risk of suicide – how do you know that this is the case?
- Do your learners know of the "hidden harms" associated with online or F2F interactions?
- How do you identify and support your learners' family pressures that may affect their learning programme?

By developing a culture of safeguarding, it means we take into account all the themes in as many contexts and through as many lenses as possible, ensuring they run through the organisation's ethos and are understood by all staff. It is only then that a truly safe, inclusive and supportive learning environment can be created – whether that is face to face, work-based or online.

## IMPORTANCE OF STAFF TRAINING AND DEVELOPMENT

In its June 2021 report, Ofsted acknowledged the importance of high quality, effective training and development. One of their key findings was that training around sexual abuse and harmful sexual behaviour was a footnote as part of wider safeguarding training or piecemeal across the provider. They also identified that leaders understood the continuum of harmful sexual behaviours, but this was not often shared with their staff. Safeguarding training should not be a bolt-on or a 'have to do' in order to meet externally imposed directives from regulators such as Ofsted. It needs to be something that providers are fully committed to doing as part of their continuous professional development and safeguarding culture.

## WHAT TRAINING AND GUIDANCE IS THERE OUT THERE?

Schools and colleges have faced and worked with safeguarding issues for a long time, underpinned by a CPD and training offer from a range of different organisations, and although this is not always perfect, it has served as a reference point for more information and support. The private and independent training sector has not been as well served in this area. Traditionally, learners tend to be mature / adult learners studying remotely or on the job, rarely coming into contact with other members of their 'cohort'. There is a lot of variety in the support provided by Local Authority Designated Officer (LADO) representatives to ITPs, with some councils being fully committed and others only responding to school / college requests for training and support.

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However, recent changes in legislation with the passage of The Education and Training (Welfare of Children) Act 2021 and the application of 'Keeping Children Safe in Education' being extended beyond schools and colleges to ITPs, means the response needs to be more robust, and the support inclusive. This is something both Yorkshire Learning Providers and NCFE are committed to and passionate about – ensuring access to high quality safeguarding training is open and available to all.

For members of Yorkshire Learning Providers network, there is a suite of CPD and other resources available covering all the required themes in relation to the safeguarding and prevent agendas. What's more, a network of safeguarding champions / designated officers is in development to support all those at the forefront of developing a rich safeguarding culture / CPD provision so that no learner, of any age or level, is left unsupported or feeling unsafe.

NCFE is an educational charity and leader in vocational and technical learning, who works with thousands of learners through schools, colleges and providers across the country. NCFE combines over 170 years of education experience with deep insight, working with a network of expert collaborators to galvanise the sector around the greatest learning needs and to shape smarter solutions. In doing this, NCFE is working for a fairer education system for all learners to power inclusivity and choice - ensuring every individual can fulfil their potential, with no learner left behind. In practice, this has seen NCFE driving forward the mental health agenda, developing insights on neurodiversity, supporting wellbeing through our collaboration with mental fitness platform Fika, supporting learners to develop meta skills to enhance their employability, and more.

NCFE also provides a suite of RSHE qualifications, designed to meet the statutory requirement to deliver Relationships and Sex Education (RSE) and Health Education (HE). This comes alongside a toolkit and CPD offer that we are developing specifically for independent training providers, and will support them in both meeting their obligations but more importantly, creating an environment where learner safety is placed firmly front and centre.

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The NCFE logo consists of the lowercase letters 'ncfe.' in a bold, black, sans-serif font.