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September 2018

Online Safety within "Inspecting safeguarding in early years, education and skills settings" September 2018

On the 6th September 2018, Ofsted updated the "Inspecting safeguarding in early years, education and skills settings" handbook. This document reflects the new 'Keeping children safe in education' 2018 (KCSIE) guidance as well as 'Working Together to Safeguard Children' 2018. It needs to be read alongside the 'Common inspection framework: education, skills and early years' and the individual inspection remit handbooks.

This document focuses on elements of **online safety** within the updated handbook. It is recommended that DSLs and leaders read the entire document when considering their current safeguarding practice. This document has been written for educational setting leadership and management teams in early years, schools and colleges by Rebecca Avery, Education Safeguarding Adviser (Online Protection) within the Education People Education Safeguarding Team.

Additional guidance and resources relating to online safety can be found at: www.kelsi.org.uk/child-protection-and-safeguarding/e-safety

Summary points related to online safety:

- Managers and leaders should have a strategic oversight regarding the use of technology within the setting
- Clear policies and procedures for responding to, reporting and recording to online safety concerns should be in place. Policies should explicitly cover:
    - Peer on peer abuse issues, such as online bullying and sexting
    - Use of mobile phones and personal devices
    - Use of social media
- The DSL should be recognised as the lead for online safety and they should be appropriately supported to enable them to identify and responding to online safety concerns
- All members of staff should be provided with appropriate online safety training, which should include safeguarding learners as well as ensuring staff understand and manage their own reputation online
- Settings should ensure appropriate filtering and monitoring is in place to reduce the risks of learners accessing unsuitable content online
- There should be a proactive, robust age/ability appropriate and embedded curriculum which enables learners to identify, understand and respond to online safety risks
- Leaders and managers should be mindful of the settings online reputation and the impact this could have on inspections

Useful links
- Kent Online Safety policy documents and guidance
- UKCCIS
- CEOP: Think U Know
- The UK Safer Internet Centre
    - South West Grid for Learning
    - Childnet
    - Internet Watch Foundation
- London Grid for Learning
- Internet Matters
- NSPCC
- Parent Zone

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How to read this document:

- *This font indicates a direct quote from the handbook*
- This font is used to highlight recommendations, good practice and useful links
- This font indicates a possible action points for DSLs, Governing bodies, Headteachers, managers and proprietors to consider.

Safeguarding and inspectors' responsibilities

3. Early years education and skills settings should be safe environments where children, learners and vulnerable adults can learn and develop. Inspectors should consider how well leaders and managers … have created a culture of vigilance where children's and learners' welfare is promoted and where timely and appropriate safeguarding action is taken for children or learners who need extra help or who may be suffering or likely to suffer harm.

4. Inspectors must evaluate how well early years settings, schools, colleges and other further education and skills providers fulfil their statutory and other responsibilities and how well staff exercise their professional judgement in keeping children and learners safe

- This will include online safety

5. It is essential that inspectors are familiar with the content of the following key documents…. 'Keeping children safe in education'…. 'Prevent duty guidance'…6. Inspectors of independent schools should be familiar with the content of…. the Education (Independent School Standards) Regulations 2014… 7. Inspectors of schools and early years provision should be familiar with the …. 'Statutory framework for the early years foundation stage' 2017

- These documents have specific references towards settings responsibilities regarding online safety. An in-depth summary regarding online safety within KCSIE 2018 can be found here.

- **Action Points:**
    - Do leaders and staff recognise online safety within your statutory safeguarding responsibilities?
        - If so, how can this be evidenced?

Definition of safeguarding

10. Safeguarding action may be needed to protect children and learners from... sexual abuse…bullying, including online bullying and prejudice-based bullying… racist, disability and homophobic or transphobic abuse… gender-based violence/violence against women and girls… peer-on-peer abuse… radicalisation and/or extremist behaviour… child sexual exploitation and trafficking… child criminal exploitation and county lines… the impact of technology on sexual behaviour, for example 'sexting' and accessing pornography…teenage relationship abuse

11. Safeguarding is not just about protecting children, learners and vulnerable adults from deliberate harm, neglect and failure to act. It relates to broader aspects of care and education, including… children's and learners' health and safety and well-being, including their mental health… meeting the needs of children who have special educational needs and/or disabilities… online safety and associated issues.

- These issues are either specifically related to online safety or may occur online
- The term 'online safety' is used to reflect a widening range of issues associated with technology

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and a user's access to content, contact with others and behavioural issues.

The signs of successful safeguarding arrangements

13. In settings that have effective safeguarding arrangements, there will be evidence of the following…

- *Children and learners are protected and feel safe...*
  - This will include children being and feeling safe in the online environment as well as offline and at school or within the setting.

- *Leaders and managers have put in place effective child protection and staff behaviour policies that are well understood by everyone in the setting.*
  - These policies should include online safety in accordance with KCSIE 2018.

- *All staff and other adults working within the setting are clear about procedures where they are concerned about the safety of a child or learner. There is a named and designated lead who is empowered to play an effective role in pursuing concerns and protecting children and learners*
  - The designated safeguarding lead (DSL) has overall responsibility for online safety (as indicated within KCSIE 2018) and act as the lead for dealing with online safety issues that arise.
    - If a deputy DSL is leading on online safety is partnership with the DSL, they should access appropriate training to enable them to fulfil this role
  - The procedure for children, parents and staff to use when reporting online safety concerns should be clearly communicated - for example on the setting website.
  - Staff training should be specific to the settings procedures and ensure that all members of staff are clear how to recognise, respond and refer online safety concerns.

- *Children and learners can identify a trusted adult with whom they can communicate about any concerns. They report that adults listen to them and take their concerns seriously. Where children or learners have been or are at risk of harm, the trusted adult has been instrumental in helping them to be safe in accordance with agreed local procedures…*
  - This will include online safety. The fear of losing internet privileges or not being taken seriously (being told to not using the internet or that staff or parents don't "understand" or see the point of social networking, gaming etc.) can be a common reason why children and young people don't speak to adults about problems online. If staff fail to acknowledge technology, they will be ignoring a major part of children's lives. If settings are to understand and help children effectively then they should acknowledge and understand the true nature of the world in which they live.

- *… is evidence, where applicable, that staff have an understanding of when to make referrals when there are issues concerning criminal or sexual exploitation, radicalisation and/or extremism or that they have sought additional advice and support.*
  - This will include online criminal or sexual exploitation, radicalisation and/or extremism

- *Any risks associated with children and learners offending, misusing drugs or alcohol, self-harming, going missing, being vulnerable to radicalisation or being sexually exploited are known by the adults who care for them and shared with the local authority children's social care service or other relevant agency...*
  - This may include online concerns.

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- *Children and learners are protected and helped to keep themselves safe from bullying, homophobic behaviour, racism, sexism and other forms of discrimination. Any discriminatory behaviours are challenged and help and support are given to children about how to treat others with respect.*
    - This may include online bullying (cyberbullying) and online discrimination, including homophobic, racist and sexist comments.
    - Settings should ensure that their anti-bullying policy is robust and covers online bullying. Templates and links can be found here.

- *Adults understand the risks posed by adults or learners who use technology, including the internet, to bully, groom, radicalise or abuse children or learners. They have well-developed strategies in place to keep children and learners safe and to support them to develop their own understanding of these risks and in learning how to keep themselves and others safe. Leaders oversee the safe use of technology when children and learners are in their care and take action immediately if they are concerned about bullying or children's well-being. Leaders of early years settings implement the required policies with regard to the safe use of mobile phones and cameras in settings.*

    - Online Safety is clearly identified as a leadership and management issue as part of settings safeguarding responsibilities. There is a need for leaders to demonstrate strategic oversight and awareness regarding the use of technology within the setting
        - Leaders may wish to audit current practice using tools such as the Kent Online Safety audit tool, the SWGfL 360 safe tool or for other settings, Online Compass.
        - Leaders should work together with IT staff to ensure that systems and devices are appropriately filtering and monitored; this should be evidenced to show the setting is fulfilling its safeguarding responsibilities.
    - Leaders of early years settings have specific expectations to ensure that they understand and implement the required policies regarding the safe use of mobile phones and cameras in settings; this will apply to staff as well as children and visitors/volunteers.
    - Online Safety training should be provided to all staff (including as part of induction) and should be up-to-date and relevant.
        - Settings should ensure training enables staff to develop and build their online safety knowledge and understanding throughout the staff training calendar. Some settings have found success by offering several shorter focused sessions throughout the year covering topics such as professional responsibilities and reputation which are underpinned by whole setting safeguarding training and staff induction.
        - External support (such as external agencies providing training either online or in person) can be beneficial but may not always sufficiently explore the settings own policies and procedures or have enough understanding of local safeguarding procedures. If external support is used, it should be underpinned and extended by the leaders to ensure that all staff are aware of the settings requirements, expectations and procedures.
        - Online safety should be embedded throughout the curriculum and not viewed as the sole responsibility of the computing/ICT department.
            - One-off events/assemblies or lessons regarding online safety will not be effective or adequate practice.
            - Curriculums should be flexible, relevant and engage children's interests and encourage them to develop resilience to online risks.
                - The UKCCIS 'Education for a Connected World Framework' may be useful to enable settings to reflect on core messages.
                - Online safety education should start within early years and be developed throughout the year by all year/age groups. It is good practice for all staff to reference ways in which safeguarding and online safety can be reinforced within their lesson plans.

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- External support may be helpful to enable to re-enforce key messages but should not be used in isolation to provide online safety education to children, young people and learners. UKCCIS provide guidance regarding use of external visitors to support online safety education.

- *Leaders and staff make clear risk assessments and respond consistently to protect children and learners while enabling them to take age-appropriate and reasonable risks as part of their growth and development.*
  - This will include clear risk assessments regarding the safe and appropriate use of technology such as when using tablets, mobile devices or social media. Risk assessments should be taken seriously and be used to promote online safety and resilience.

- *Children and learners feel secure and, where they may present risky behaviours, they experience positive support from all staff… Staff respond with clear boundaries about what is safe and acceptable and they seek to understand the triggers for children's and learners' behaviour…*
  - Risky behaviours will include children taking risks online; therefore, all members of staff should have an understanding of the online world and the range of risks posed as well as the potential benefits to children.
  - Staff and children should have a clear understanding of what is acceptable and unacceptable online behaviour, and there should be a clear procedure to follow where there is a concern.

- *Positive behaviour is promoted consistently.*
  - Settings should positively reinforce good positive online behaviour and celebrate children's successes. This could include working with children to develop policies and to educate and engage with families and the wider community in the online safety agenda. Many settings have digital leaders, ambassadors or champions to provide good role models for online behaviour.

- *There are clear and effective arrangements for staff development and training in respect of the protection and care of children and learners…*
  - This will include recognising and establishing online safety as part of safeguarding and child protection training for all members of staff.

- *The physical environment for babies, children and learners is safe and secure and protects them from harm or the risk of harm.*
  - This will include technology considerations with regards to devices such as appropriate filtering which is monitored appropriately by the setting.

- *All staff and carers have a copy of and understand the written procedures for managing allegations of harm to a child or learner. They know how to make a complaint and understand policies on whistleblowing and how to manage other concerns about the practice of adults in respect of the safety and protection of children and learners.*
  - This may include allegations or concerns regarding online behaviour, therefore clear guidance which supports the safeguarding culture should be provided to staff.
  - This should address (via induction, training and AUPs) the expectations regarding appropriate and professional behaviour and communication e.g. appropriate use of equipment and using work provided devices/communication channels so that contact takes place within clear and explicit professional boundaries which is transparent and open to

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scrutiny.

- **Action Points:**
    - Do leaders/managers have strategic oversight regarding the use of technology within the setting?
        - If so, how is this evidenced?
    - Is online safety clearly embedded within the role and responsibilities of the DSL?
        - Has the DSL (and any deputies) accessed appropriate training to support them regarding online safety?
    - Does the setting recognise the breadth of online safety issues?
        - KCSIE 2018 identifies the issue as 'content, contact and conduct'
    - Does the setting child protection and staff behaviour policy have explicit and appropriate references towards online safety?
    - Do all members of staff access appropriate and up-to-date online safety training?
        - If so, how and when is this delivered and how is this evidenced?
    - Are children and learners taught about online safety as part of a broad, balanced, embedded and progressive curriculum?
        - If so, how is this evidenced?
    - Does the setting have robust risk assessments in place regarding the safe and appropriate use of technology?
    - Is there an appropriate policy in place regarding online safety which includes issues such as mobile phones and personal devices?
    - Is there a clear procedure to follow regarding online safety concerns? NB, they do not have to be different to other safeguarding issues.
    - Does our anti-bullying policy cover online/cyber bullying?
    - Does the setting recognise positive online behaviour?
        - If so, how is this evidenced?

Evidence to look for when inspecting safeguarding arrangements

15. *Inspectors should look for evidence of the extent to which leaders, governors and managers create a positive culture and ethos where safeguarding is an important part of everyday life in the setting, backed up by training at every level. Inspectors should consider the content, application and effectiveness of safeguarding policies and procedures and the quality of safeguarding practice, including evidence that staff are aware of the signs that children or learners may be at risk of harm either within the setting or in the family or wider community outside the setting.*

16. *Inspectors should consider how far leaders and managers have put in place effective arrangements to: Identify children and learners who may need early help or are at risk of neglect, abuse, grooming or exploitation; Help prevent abuse by raising awareness among children and learners of safeguarding risks and how and where to get help and support if they need it; Help those children who are at risk of abuse and need early help or statutory social care involvement, keeping accurate records, making timely referrals where necessary and working with other agencies to ensure that children and learners get the help and support they need; Manage allegations about adults who may be a risk.*

- This will include online safety.

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Inspecting how effectively leaders and governors create a safeguarding culture in the setting

17. Inspectors should consider how well leaders and managers … have created a culture of vigilance where children's and learners' welfare is promoted and timely and appropriate safeguarding action is taken for children or learners who need extra help or who may be suffering or likely to suffer harm.

- This will include online safety.

18. Inspectors should evaluate how well early years settings, schools and further education and skills providers fulfil their statutory responsibilities and how well staff exercise their professional judgement in keeping children and learners safe.

- This will include online safety.

19. Inspectors should consider evidence that:

- *child protection/safeguarding and staff behaviour policies and procedures are in place, …*
  - This should cover online safety.

- *staff, leaders and managers recognise that children and learners are capable of abusing their peers and this risk is covered adequately in the child protection or safeguarding policy*
  - This will include online abuse such as sexting, harassment and bullying.

- *the child protection or safeguarding policy reflects the additional barriers that exist when recognising the signs of abuse and neglect of children who have special educational needs and/or disabilities*
  - This includes recognising the unique risks (and benefits) posed by the internet.

- *children and learners feel safe*
  - This will include online.

- *staff, leaders, governors and supervisory bodies (where appropriate) and volunteers receive appropriate training on safeguarding at induction, that is updated regularly…*
- *staff are supported to have a good awareness of the signs that a child or learner is being neglected or abused…*
- *staff are confident about what to do if a child reports that they have been sexually abused by another child*
  - This will include online safety concerns.

- *there is a designated senior member of staff in charge of safeguarding arrangements who has been trained to the appropriate level and understands their responsibilities relating to the protection of children, young people and vulnerable adults and the safeguarding of all learners. …*
  - The role of the DSL includes responsibility responding to and managing online safety concerns

- *action is taken to ensure that children are taught about safeguarding risks, including online risks*

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- o This explicitly identifies that children should be taught about online risks.
- *there is a clear approach to implementing the Prevent duty and keeping children and learners safe from the dangers of radicalisation and extremism*
  - o This will include the risks of radicalisation and extremism online
    - ▪ The DfE has published advice to clarify the role of schools and childcare providers under the 'prevent duty', and to help protect children from radicalisation. The advice and social media guidance for school leaders has been issued to schools to ensure children and young people are safeguarded and schools can carry out the prevent duty, introduced as part of the Counter-Terrorism and Security Act 2015, which legally requires a range of organisations including schools, local authorities, prisons, police and health bodies to take steps to prevent people from being drawn into terrorism. Also see the following link from SWGfL for more information.

- *the setting takes effective action to prevent and tackle discriminatory and derogatory language – this includes language that is derogatory about disabled people and homophobic and racist language*
  - o This could include online concerns.

- *children and learners are supported to understand and recognise risk, for example risks associated with criminal and sexual exploitation, … gang activity, radicalisation and extremism, and are aware of the support available to them*
  - o These concerns could take place online.

- *staff, leaders and managers understand the risks posed by adults or young people who use the internet to bully, groom or abuse children, learners and vulnerable adults; there are well-developed strategies in place to keep learners safe and to support them in learning how to recognise when they are at risk and how to get help when they need it*
  - o This specifically highlights the need for staff, leaders and managers to have increased awareness and knowledge of online safety and the need to develop children's resilience via the curriculum.

- *staff understand the importance of considering wider environmental factors that may be present in a child's life that are a threat to their safety and/or welfare*
  - o This could include online concerns.

- *staff, leaders and managers oversee the safe use of electronic and social media by staff and learners and take action immediately if they are concerned about bullying or risky behaviours*
  - o This identifies the need for leaders/managers to oversee the use of devices and social media and be clear regarding policies and procedures relating to safe and appropriate use.

- *appropriate filters and monitoring systems are in place to protect learners from potentially harmful online material*
  - o There is a need for all settings to ensure filtering and monitoring is in place.
    - ▪ The specific details about how this can be achieved will depend on the setting type, the age/ability of children, and what technology is available. Decisions will also need to be proportionate. What is appropriate for a large secondary school is likely to be different to a small early year's provision.
    - ▪ Leaders should evidence that they understand how internet use takes place on site

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and what filtering and monitoring is in place.

- This could include there is no internet access for children (likely to be the case in some early years settings), learners only access devices under direct supervision, the setting uses an appropriate filtering provider.
  - The UK Safer Internet Centre have written guidance about appropriate filtering and monitoring which may be helpful to inform leaders decision-making.

- **Action points:**
  o Does the child protection policy cover peer on peer abuse issues such as online bullying and 'sexting'?
  o How does the setting evidence staff receive appropriate online safety training?
  o How does the setting evidence learners are taught about online safety?
  o How does the setting ensure appropriate filtering and monitoring is in place?
    - How are these decisions evidenced?

Inspecting the quality of safeguarding practice

31. Inspectors should look for evidence that the early years setting, school or college is implementing its safeguarding policy and processes effectively and keeping them under review. As well as ensuring that children and learners are safeguarded while on the premises, the setting should be proactive about anticipating and managing risks that children and learners face in the wider community. The setting should adhere to any locally agreed arrangements for safeguarding children. All concerns and the action taken in response should be clearly recorded.

- This will include policies relating to online safety and a recognition that children will face risks online.

Arriving at judgements about safeguarding arrangements

37. Inspectors will make a judgement on the personal development, behaviour and welfare of children and learners by evaluating, where applicable, the extent to which the provision is successfully promoting and supporting children's and learners' safety. In order to make this judgement, inspectors will consider, among other things, children's and learners' understanding of how to keep themselves safe from relevant risks such as exploitation and extremism, including when using the internet and social media. Inspectors should include online safety in their discussions with children and learners (covering topics such as online bullying and safe use of the internet and social media). Inspectors should investigate what the school or further education and skills provider does to educate pupils in online safety and how the provider or school deals with issues when they arise.

- Inspectors will be speaking to children about online safety, therefore it is important that settings can be confident that their online safety education is appropriate to the needs of the children and that all staff understand and promote the online safety ethos and culture.
- Settings should be able to demonstrate that their online safety approaches are proactive and seeks to prevent harm by building resilience through an embedded and progressive scheme of work, as well as being reactive, by responding to specific concerns as and when they arise.
  o This means that online safety expertise should be shared within the setting (not just in one-off subjects or assemblies) and that settings should be able to demonstrate internal capacity to enable children to build resilience and respond to risks.
  o Settings should not rely solely on external partners to developer online safety education to children and families. Settings should be able to demonstrate ownership of any online safety concerns and their own practice and therefore work in partnership with external organisations.

38. *In relation to early years, inspectors should consider how staff promote young children's understanding of how to keep themselves safe from relevant risks and how this is monitored across the provision.*

- o This will include online safety.

Inspecting and reporting on safeguarding concerns

43. *Inspectors should ensure that they are aware of any information about safeguarding at the setting that is available to the public, reported in the press or accessible on the internet, including that available on the early years setting, school or further education and skills provider's website, if available. As part of their pre-inspection planning, the lead inspector should run an internet check to see whether there are any safeguarding issues that the inspection team may need to follow up during the inspection. All information that is considered when planning for the inspection should be recorded as evidence.*

- o Schools and settings should be aware that public searching may highlight stories from local or national press as well as potentially revealing content posted by parents, staff or children on unofficial sites and forums or social networking sites which references the settings name.
    - ▪ This content may have been shared or posted deliberately or accidentally and could include content which can be misread or misinterpreted.
    - ▪ It could also highlight positive practice and celebrations and demonstrate that the setting is using technology to engage with the wider community, locally and globally.
- o Leaders may wish to regularly check their settings "digital reputations" via public search engines or other tools such as reputation alert systems so they can respond as necessary (e.g. request removal of content, speak with those involved or share good news).
    - ▪ By being aware of the settings digital reputation this means that leaders are more likely to be prepared to discuss the effectiveness of their safeguarding approaches and can be open and effective in such discussions with inspectors.
- o Leaders may wish to raise awareness of professional conduct with staff as part of induction and ensure that this is reinforced through regular staff training. Parents/carers and children should also be made aware of online safety and digital reputation as part of the home school/setting agreement etc. and be encouraged to consider how they can act positively online to safeguard themselves and the community.
- o It is recommended that settings include appropriate technology and social media use in the acceptable use policies (AUP) which must be regularly reviewed to ensure that they are appropriate and up-to-date. Settings should be able to demonstrate that the AUP is effective and understood and are in place for all members of the community.

Annex 1. Safeguarding requirements for leaders and managers

The responsibilities placed on governing bodies, boards of trustees, registered providers, proprietors and management committees include:

- *ensuring that an effective child protection policy is in place, together with a staff behaviour policy, where applicable. For schools and colleges the child protection policy should include procedures for minimising and dealing with peer-on-peer abuse and the approach to managing reports of sexting.*
    - o Settings policies should specifically cover peer on peer abuse, including 'sexting'.