

IOE London blog

Expert opinion from the UK's leading centre for education research

Child protection: Schools want and need clear statutory requirements, not freedom to do their own thing

Posted on [August 5, 2013](#) by [Blog Editor](#)

[Chris Husbands](#)

We have been here before. Daniel Pelka's name is added to the grim roll call of cases of children murdered following months or years of abuse: Maria Colwell, Jasmine Beckford, Victoria Climbié, Lauren Wright. The conviction of Daniel's parents will now be followed by a serious case review, and amongst the questions which will be asked, according to the [BBC report](#) will be why police and social services did not become involved after staff at Daniel's school noticed bruising on his neck and what appeared to be two black eyes. The Colwell Inquiry in 1974 found poor communication and liaison between agencies, poor training, and a lack of co-ordination. [Lord Laming's report](#) into the murder of Victoria Climbié in 2000 found that the agencies involved in her care had failed to protect her, noting that on at least 12 occasions staff involved in her case could have prevented her death. Laming went on to recommend radical change in arrangements for child protection which underpinned the system-wide [Every Child Matters](#) programme. The murder of [Lauren Wright](#) in 2001 by her step-mother followed abuse during which, despite warnings, Lauren was not removed from the family home. In each of these cases, reports criticized the way in which information was – or was not – shared and the extent to which front line teachers, social workers and police officers were able to interpret the information they had. In each case, professionals failed to make sense of what they found.

Concerns arising from the Lauren Wright case produced sections 157 and 175 of the [2002 Education Act](#), which laid statutory responsibilities on schools and local authorities in relation to the training of teachers and governors in relation to child welfare. The government is currently considering the results of its consultation on amending the requirements. Consistent with its drive to reduce prescription and bureaucracy, government proposes to replace the detailed prescription of section 157 and 175 with more general

guidance, setting out the “minimum legal and statutory requirements and beyond that giving schools and further education colleges autonomy to use their own judgment to decide how to keep children safe”. Amongst elements which appear to be excluded from statutory prescription are the requirement to update whole school training every three years, for governors to be trained to understand their duties, and for there to be a nominated governor for child protection. Whilst the consultation recognizes that it is impossible to advise schools and colleges on every detail of safeguarding issues, it no longer sets out where Designated Senior Persons (normally the headteacher) should look for help, nor does it set out reference to Local Children’s Safeguarding Board inter-agency procedures. It insists that “individuals should use their own judgment”, but, as we have learnt, individual judgment is only part of the picture: information matters, judgment matters, communication matters, but sound knowledge and clear guidance are essential.

There are areas where deregulation, school autonomy and diversity are to be celebrated as markers of a vigorous and dynamic school system, and where differences between the practice of different schools are important. Child protection and the arrangements which underpin it are not such areas. We know that teachers, school leaders and governors find safeguarding and child protection difficult and troubling. Clear statutory requirements are actually seen as helpful. Most child abuse takes place within families. The signs are not obvious. They are often hidden. The fact that schools are particularly well placed to notice when children are being mistreated makes it doubly important that practice is not left to local discretion. Serious abuse is rare. [Marion Brandon’s most recent study of serious case reviews](#) suggests that there are about 85 violent and maltreatment-related deaths of children England each year – that is about 0.77 per 100,000. So any individual school is unlikely to build up experience in case management that supports good practice. The new guidance proposes setting out “minimum legal and statutory requirements” and beyond that giving schools and FE colleges autonomy to use their own judgement to decide how to keep children safe. Some schools will always go beyond good practice, but it is those with least awareness of how to keep children safe where detailed statutory requirements make the difference.

Share this:



This entry was posted in [Chris Husbands](#) and tagged [child protection](#), [Daniel Pelka](#), [Every Child Matters](#), [school autonomy](#), [Victoria Climbié](#) by [Blog Editor](#). Bookmark the [permalink \[http://ioelondonblog.wordpress.com/2013/08/05/child-protection-schools-want-and-need-clear-statutory-requirements-not-freedom-to-do-their-own-thing/\]](http://ioelondonblog.wordpress.com/2013/08/05/child-protection-schools-want-and-need-clear-statutory-requirements-not-freedom-to-do-their-own-thing/).

7 THOUGHTS ON “CHILD PROTECTION: SCHOOLS WANT AND NEED CLEAR STATUTORY REQUIREMENTS, NOT FREEDOM TO DO THEIR OWN THING”

Pingback: [Child protection: Schools want and need clear statutory requirements, not freedom to do their own thing | Art Events](#)

Pingback: [Child protection: Schools want and need clear statutory requirements,](#)