

### Why have a designated safeguarding lead?

Everyone working with children has a responsibility to safeguard and protect them should they be concerned about their well-being or safety. Each person whatever their role must be proactive to ensure appropriate actions follow from any concerns that have arisen that suggest a child's welfare or safety has been compromised. There is therefore a defined and specific function required that is undertaken by a lead safeguarding officer or person, who has ultimate responsibility for the safeguarding and protection of children, young people and adults with whom they work or with whom they come into contact.

We need to act!

Lessons from serious case reviews have shown a number of failings in regards to the role of the Designated safeguarding lead (DSL) that have impacted negatively on children's lives. Failings such as;

- a lack of clarity about the role by the lead and staff working under their leadership
- DSL's who have inadequate knowledge about safeguarding and child protection
- weaknesses in child protection reporting systems
- an inability or deferred decision to take action and refer concerns in a timely and appropriate manner

All of the above are reasons why the role of the safeguarding lead is vitally important. Those who undertake the role of DSL need to understand what is required of them in order to both fulfil that role and to implement it effectively.

### What is the role of the designated lead?

Let consider the role and its expectations by looking at the 3 C's that means we are compliant, competent and confident.

#### **1. Compliant:**

Are we adhering to legislation and Government guidance in regards to our expectations? This really should be the minimum requirements that we meet, the least that we do and the place from where we continue to build upon best practice. Lets look at (some of) the expectations of being compliance in England, Scotland and Wales.

#### **England**

*The Early Years Foundation Stage statutory framework (2017)* which is underpinned by the Childcare Act 2006, makes clear its expectations of what DSL's 'must do'. There **MUST** be a practitioner designated to take the lead responsibility in every setting and childminders must take the lead responsibility themselves. The lead practitioner **MUST**;



- ✓ liaise with local statutory children's services agencies and with the LSCB – (Safeguarding Partners)
- ✓ provide support advice and guidance to other staff on an on-going basis and on specific safeguarding issues
- ✓ attend a child protection training course that enables them to identify, understand and respond appropriately to signs of possible abuse and neglect

### Wales

Guidance in the *Wales Safeguarding Procedures (2019)* sets out expectations, roles and responsibilities for anyone working with children in Wales. It defines the role of the DSL and requires them to apply part 7 of the Social Services and Well-being Act (Wales) 2014 to their practice. This document has clear focus on 'safeguarding principles and effective practice' and an explanation of the duty of practitioners to 'report a child at risk of abuse, neglect and / or harm'.

### Scotland

Scottish practitioners are required to have regard to the *National Guidance in Scotland for Child Protection (2014)* which is commissioned by Scottish Government. The guidance cross references the *Getting it Right For Every Child (GIRFEC)* approach and provides a national framework that 'helps shape practice and procedures'. The legislative context of this guidance is rooted in the Children and Young People Act (Scotland) 2014. This extensive document explains the role of the 'Named Person' and 'Lead Professional' in relation to the 'Child's Plan'. It determines that 'the Lead Professional will be responsible for ensuring the production of an agreed multi-agency Child's Plan, based on an assessment of needs and with a particular focus on the risks to the child and the interventions needed to reduce these risks'. The Lead Professional's role aligns with that of the Child Protection Officer in a setting who has ultimate responsibility to ensure that children are kept safe and are protected.

### 2.Competent:

It is vital that the DSL has sufficient knowledge themselves about safeguarding and child protection issues. How else will they recognise when they need to act and take action? This knowledge should be relevant for the children and families with whom they work and kept up-to-date.

Training plays a significant part in supporting the role and expectations of the DSL. Although there is not specific requirements on frequency of training the *Keeping Children Safe in Education* Government (England) guidance for schools and colleges, which schools must have regard to states that the DSL must have training that is updated every two years.

**Good communication** plays a very important role in successful safeguarding practice and arrangements. The DSL will need to consider how policies and procedures that safeguard children are effectively shared and implemented with staff teams. Information sharing will require systems that have both a legal and ethical basis upon which to operate. Record keeping and confidentiality has to be managed appropriately.

### 3. Confident:

There are lots of reasons why a DSL needs to be confident. The role is challenging and sometimes complex. A DSL requires confidence in order to;

- ✓ make professional judgments about whether a child is at risk
- ✓ make decisions about where and to whom they refer their concerns
- ✓ have difficult conversations with parents and carers about concerns for children
- ✓ work with others in a multi-agency context representing the child and the significant issues for the child
- ✓ challenge others where necessary if they disagree with judgments or decisions taken
- ✓ support others in teams and provide effective supervision for staff when they are working with children and families at risk and in need of protection
- ✓ always to keep the child at the centre of decision making and processes even when sometimes others don't

### Other designated safeguarding lead roles and responsibilities

A variety of responsibilities may be undertaken by the DSL this can include a number of actions such as;

- Responding to and managing allegations of people with children working including whistleblowing
- Working with statutory bodies such as children's services or the police
- Taking part in investigations
- Contributing to multi-agency processes, assessments and plans including attending meetings and child protection conferences
- Notifying regulatory bodies such as Ofsted and local authorities of concerns about staff or adults conduct and behaviours that may present risks to children

### Early years inspection processes and considerations for the safeguarding lead

#### Ofsted - England

Under the Ofsted, Education Inspection Framework (2019) leadership in early years will be expected to demonstrate a 'culture of safeguarding' where effective arrangements enable staff to '*identify* children who may need early help or are at risk



of neglect, abuse, grooming or exploitation; *help* children to reduce their risk of harm by securing the support they need, or referring in a timely way to those who have the expertise to help; and *manage* safe recruitment and allegations about adults who may be a risk to children.

### Care inspectorate - Scotland

Standards that are taken into account by the Care Inspectorate are based upon the Health and Social Care Standards My support, my life (2017) Scottish Government they are used to establish the extent to which children feel safe and protected from neglect, abuse and avoidable harm. The expectations for children are that they are;

- protected from harm, neglect, abuse, bullying and exploitation by people who have a clear understanding of their responsibilities
- protected from harm because people are alert and respond to signs of significant deterioration in a child's health and wellbeing, that they may be unhappy or may be at risk of harm
- listened to and taken seriously if they have a concern about the protection and safety of themselves or others, with appropriate assessments and referrals made
- protected if they go missing, people take urgent action, including looking for them and liaising with the police, other agencies and people who are important to them
- in a position to harm themselves or others, they know that people have a duty to protect them and others, which may involve contacting relevant agencies
- helped to feel safe and secure in their local community

### Care Inspectorate - Wales

Early years provision inspected in Wales is underpinned by the **Guidance handbook for inspecting care and education in regulated non-school settings eligible for funding for part-time education (2019)** The guidance states the arrangements that settings are required to have in place to ensure that 'reasonable measures are taken to minimise risks of harm to children's welfare and safety' and that 'appropriate actions are taken to address concerns about the welfare and safety of children'.

Further details in Annex A of the document explore the expectations of systems in early years provisions that;

- prevent unsuitable people from working with children
- promote safe practice and challenge poor and unsafe practice
- identify instances in which there are grounds for concern about a child's welfare, and initiate or take appropriate action to keep them safe
- contribute to effective partnership working between all those involved with providing services for children and young people