

REPORT TO: Policy and Performance Review Committee

MEETING DATE: 21 September 2023

BY: Executive Director for Education and Children's Services

SUBJECT: External Review of East Lothian Council's Child Protection and Safeguarding Policies and Procedures – Update on Progress

1 PURPOSE

- 1.1 To update PPRC members on the actions arising from the external review of East Lothian Council's Child Protection and Safeguarding Policies and Procedures, carried out by His Majesty's Inspectors of Education from Education Scotland between May and September 2022 and published on 8 March 2023 (available in the Members' Library, Ref: 24/23, March 2023 Bulletin, [Agendas, reports and minutes | East Lothian Council](#)).

2 RECOMMENDATIONS

- 2.1 Members are asked to note the progress.

3 BACKGROUND

- 3.1 In December 2021, East Lothian Council made a request to His Majesty's Inspectors (HMI) of Education to conduct an external, independent review of the Council's child protection and safeguarding systems, processes, and policies.
- 3.2 As part of the Council's approaches to continuous improvement, the Chief Executive, together with the Executive Director for Education and Children's Services, sought an external review, recognising the importance of ensuring that policies and procedures enable staff across the Council to understand their roles and responsibilities to keep children and young people safe. The review took place over the period May to September 2022.

- 3.3 The external review focused on three main areas related to safeguarding and child protection:
- The Council's safeguarding policies and procedures, which inform staff of the arrangements for keeping children and young people safe.
 - Staff's understanding of their safeguarding roles and responsibilities in respect of those who work with children and young people on a one-to-one basis.
 - Staff's awareness and understanding of East Lothian Council's policy on whistleblowing.
- 3.4 HM Inspectors gathered evidence the Council's policies, procedures and guidance, online questionnaires developed by HM Inspectors for Council staff and face-to-face or online meetings with focus groups of staff. HM Inspectors met with staff from across Council services including staff who work with children and young people in a wide range of contexts. This included staff who work in educational settings and in the local community such as activities that take place outwith the school day.
- 3.5 HM Inspectors sent online questionnaires to a range of staff from across the Council. Almost 700 staff responded to the online questionnaires. Focus group meetings were conducted with senior leaders, staff in administrative roles, staff from Education and Children's Services and staff at all levels within schools, early learning and childcare settings and services. In addition, meetings took place with other Council services such as school crossing patrol managers, facilities management and school catering services. HM Inspectors held over 50 focus group meetings and visited 18 schools. Overall, HM Inspectors met either online or face to face with over 200 staff from across East Lothian Council.

Outcomes of the review

- 3.6 HM Inspectors identified the following key strengths:
- The Chief Executive Officer and the Executive Director for Education and Children's Services are prioritising improving safeguarding and child protection approaches across the council.
 - Staff across East Lothian Council are committed to understanding and implementing their roles and responsibilities to keep children and young people safe.
 - Council policies, procedures and guidance, including references to whistleblowing in recent child protection training, demonstrate clearly a commitment to supporting staff to implement their child protection and safeguarding roles and responsibilities.
 - Senior leaders in Education Services are improving their support for staff in schools, settings and services and are beginning to help them evaluate their approaches to child protection and safeguarding.

- Staff have a good understanding of the need to take specific actions when working one-to-one with children and young people.

3.7 The following next steps were identified for East Lothian Council:

- Engage with all staff to ensure that child protection professional learning is appropriate to their roles and remits.
- Ensure there is a clear understanding about the thresholds for intervention for children perceived to be at risk of harm.
- Within existing quality assurance arrangements, develop further approaches to identify what is working well and areas for improvement in relation to safeguarding and child protection.
- Ensure procedures for reporting child protection concerns across educational visiting services are robust and that these are in line with council policy.
- Review how well the Health and Safety Policy is being implemented across the council and in schools, settings and services, particularly in relation to feedback for those who have made referrals.
- Develop clear and appropriate policies and guidance for one-to-one working situations.

Progress

3.8 The next steps identified by HM Inspectors were accepted in full by Council officers and an action plan was developed that captured the key areas for continued improvement (Appendix 1). All Heads of Service have had a responsibility in taking action relevant to their service area with the Executive Director for Education and Children's Services providing oversight and scrutiny.

Following a six-month review, good progress has been made in implementing the main points for action. Considerable progress has been made in continuing to ensure that all staff understand that they have a responsibility for keeping children safe. Since the publication of the report, the Council has rolled out mandatory Public Protection training for all staff that has to be updated every two years. Very good progress has been made in ensuring that staff are clear on the level of child protection training they require for their role.

Conclusion

3.9 Child Protection and Safeguarding continue to be a very high priority for East Lothian Council. Whilst we have made good progress in addressing the next steps as set out by HM Inspectors, we are not complacent and will continue to review our policies, procedures and guidance on an ongoing basis.

4 POLICY IMPLICATIONS

4.1 There are no policy implications from this report.

5 INTEGRATED IMPACT ASSESSMENT

5.1 The subject of this report does not directly affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6 RESOURCE IMPLICATIONS

6.1 Financial – none.

6.2 Personnel – none.

6.3 Other – none.

7 BACKGROUND PAPERS

7.1 External Review of East Lothian Council's Child Protection and Safeguarding Policies and Procedures – Report by His Majesty's Inspectors from Education Scotland (available in the Members' Library, Ref: 24/23, March 2023 Bulletin) [Agendas, reports and minutes | East Lothian Council](#)

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| DATE | 21 September 2023 |

East Lothian Council Child Protection and Safeguarding Action Plan – April 2023 – June 2024

| Actions arising from the external review of child protection and safeguarding policies and procedures | Owner | Timescale | Progress Updates |
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| <p>1. Engage with all staff to ensure that child protection professional learning is appropriate to their roles and remits.</p> <ul style="list-style-type: none"> • SMT to work with team leaders and all staff teams to ensure child protection professional learning is appropriate. • Advice and guidance to be provided by Child Protection lead officer to SMT and staff as appropriate • Work with Communications and Organisational Development teams to raise staff awareness of Child Protection training and provide information on ELNet about training against job roles • All line managers to ensure that Child Protection training is discussed at staff annual PRD. • Child Protection (CP) training to be included in all induction programmes for new staff relevant to role/remit | <p style="text-align: center;">SMT CP lead officer Executive Director – Ed & CS All line managers</p> | <p>By June 2023 and annual checks</p> <p>Ongoing April 2023</p> <p>Ongoing</p> | <p>Considerable progress has been made in ensuring that professional learning is appropriate and is being undertaken by staff.</p> <p>Mandatory Public Protection LearnPro module has been introduced to be refreshed every 2 years.</p> <p>Senior Leaders in education to submit Learn Pro Score Cards annually to Education Child Protection (CP) Lead.</p> <p>New staff induction now includes CP training.</p> |
| <p>2. Ensure there is a clear understanding about the thresholds for intervention for children perceived to be at risk of harm.</p> <ul style="list-style-type: none"> • Intake and Assessment team leaders to meet with the education lead for child protection on a monthly basis to share feedback about recent referral themes for the purposes of continued learning and development. • To strengthen our response to concerns about staff or colleagues, East Lothian's whistleblowing protocol to be refreshed and updated. | <p style="text-align: center;">Head of Children's Services Head of Education</p> | <p>Ongoing</p> <p>October 2023</p> <p>Ongoing</p> | <p>Education Support Officer (ESO) Child and Public Protection to arrange monthly meetings with Intake and Assessment Team to understand more about referrals. This will inform training, school support and curriculum.</p> |

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| <ul style="list-style-type: none"> • All team leaders to consult with a general manager or head of service if they hear of concerns about a member of staff – even if this does not result in a referral or investigation. • General Manager for Children’s Services to attend the Head Teacher’s meetings to build relationships and create an opportunity to address queries and concerns about thresholds. • A clear message to be given to staff across the organisation to always talk to a senior manager in children’s services or education if they have any concerns about a staff member or colleague’s behaviour in relation to children. • Input to SMT to launch refreshed whistleblowing policy. | <p>Head of Children’s Services</p> <p>Public Protection Office produce Level 1 & Level 2 training. ESO Child and Public Protection Delivers Update.</p> | <p>By June 2023 and then ongoing</p> <p>By Dec 2023</p> <p>By June 24</p> | <p>All staff in education supported to understand whistleblowing procedures. General Manager for Children’s Services attended Secondary Head Teacher meetings with further engagement planned.</p> <p>Level 1 and level 2 CP training and annual update training has clear references to what to do in the event of a concern about staff behaviour.</p> <p>Establishment of Child Planning Locality Groups May 23 – June 24 to develop shared understanding of thresholds and promote early intervention.</p> <p>Reminder email sent to Team Leaders in Children’s services about all actions relating to them. Assurance requested and confirmation of when they will next raise with their staff team. Confirmation of receipt and action requested.</p> <p>Regular updates at full service weekly briefing about sharing information with senior management if concerns are heard about a member of staff. This includes third hand</p> |
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| | | | information, rumour and unsubstantiated information. |
| <p>3. Within existing quality assurance arrangements, develop further approaches to identify what is working well and areas for improvement in relation to safeguarding and child protection.</p> <ul style="list-style-type: none"> • Annual Quality Improvement Officer (QIO) visit with a focus on 2.1 to ensure consistency across education settings with Local Authority • Annual Standards and Quality report to include Child Protection scorecard report, alongside 2.1 Child Protection & safeguarding Self- evaluation return • School reviews - ensure follow up on action points and recommendations from the review. • Education Support Officer for Child Protection, will offer support and challenge visits to schools to review planning for children who are placed on Child Protection register • Quarterly joint Education and Children Services review of CP referrals to review emerging themes, understanding of thresholds, safety planning and training needs • Inter-agency Review Discussion (IRD) oversight group to collate details of investigations relating to staff members or carers. Circumstances to be considered by the education and children's services management team on a quarterly basis to identify themes or areas for learning. • Children's services quality improvement framework to include a measure to track the use of the whistleblowing policy. • Reiterate to all team leaders that the general manager or head of service should always be consulted when a concern is shared about a member of staff – even if this does not result in a referral or investigation. | <p>QIOs</p> <p>Head Teachers</p> <p>QIOs</p> <p>ESO Child and Public Protection</p> <p>ESO / Children's Services Manager</p> <p>Head of Children's Services General Manager (Children's Services)</p> <p>CP Lead Officer</p> <p>Team Leaders</p> | <p>Annual QIO visit</p> <p>Annual submitted in June</p> <p>As required</p> <p>As required</p> <p>Quarterly Meeting</p> <p>ESO Child and Public Protection</p> | <p>Calendar for annual school reviews published.</p> <p>ESO Child & Public Protection Quality Assure CP & Safeguarding returns annually.</p> <p>Education CP Lead to arrange monthly meetings with Intake and Assessment Team to understand more about referrals. This will inform training, school support and curriculum.</p> <p>IRD review group have been reminded of need to collate information and to alert senior manager to any investigations about a member of staff. There have not been any relevant investigations since the implementation of the plan.</p> <p>ESO Child and Public Protection attends the IRD oversight group to ensure all education actions have been undertaken.</p> |
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| <p>4. Ensure procedures for reporting child protection concerns across educational visiting services are robust and that these are in line with council policy.</p> <ul style="list-style-type: none"> • Training required for visiting services clearly articulated in new CPS policy and is shared with visiting services • Review current process and communication via 2.1 visits to ensure visiting services are clear about their role and responsibilities for child protection whilst in school • Visiting Services to be added to distribution list to share EMPPO newsletters and training opportunities • Ensure Child Protection procedures is included within all Service Level Agreements with partner agencies | <p>ESO ESO / HTs Service Manager Inclusion and Wellbeing Service Manager Inclusion and Wellbeing</p> | <p>January 24 Programme of training delivered by January '24 Ongoing By June '23 By June '23</p> | <p>ESO Child and Public Protection to ensure all the leaders of all visiting services are aware of training requirements.</p> <p>School reviews have questionnaires and focus groups for visiting partners to ensure familiarisation with CP responsibilities.</p> <p>Procurement procedures / Service Level Agreements now ensure adherence to CP requirements.</p> |
| <p>5. Review how well the Health and Safety Policy is being implemented across the council and in schools, settings and services, particularly in relation to feedback for those who have made referrals.</p> <ul style="list-style-type: none"> • Training in use of SPHERA to be delivered to Head Teachers and other relevant school staff | <p>Health and Safety Officer</p> | <p>By December '23</p> | <p>Guidance issued to all schools.</p> <p>Managing Distressed and Challenging Behaviour working group established June 23. To be continued 23/24.</p> |
| <p>6. Develop clear and appropriate policies and guidance for one-to-one working situations.</p> <ul style="list-style-type: none"> • Working with HR, review relevant policies associated with one to one working. • Develop appropriate relevant staff communications regarding one to one working | <p>HR service</p> | <p>By December 2023</p> | <p>Work has commenced to review existing policies</p> |