



Department  
for Education

# **Safeguarding questions for parents and carers**

**Draft guidance**

**December 2018**

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## Summary

This is non-statutory guidance from the Department for Education. It is intended to be a voluntary resource to help parents and carers who choose to have their children attend out-of-school settings (OOSS) understand what a safe environment looks like.

### Who is this publication for?

This guidance is for parents and carers who enrol their children in OOSS.

When referring to OOSS, we mean an institution which provides tuition, training, instruction, or activities to children in England without their parents' or carers' supervision that is not a:

- School<sup>1</sup>;
- College<sup>2</sup>;
- 16-19 academy; or
- Provider caring for children under 8 years old which is registered with Ofsted or a childminder agency<sup>3</sup>.

OOSS generally provide tuition, training, instruction or activities outside of normal school hours (i.e. during the evenings, weekends, and/or school holidays), although some OOSS are run part-time during school hours to help meet the needs of those in home education. An OOSS should not, however, be operating full-time<sup>4</sup> (so as to prevent a child from attending a properly registered school); and would likely be deemed to be operating as an illegal school if it also met the remaining requirements for registration as an independent school. In such cases, those running the setting would risk prosecution for the criminal offence of conducting an unregistered school.

OOSS may also be delivered in a range of venues, from residential settings to much larger and more formal settings such as community and youth centres, sports clubs, and

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<sup>1</sup> 'School' means all schools whether maintained, non-maintained, or independent, including academies and free schools, alternative provision academies, and pupil referral units. It would also include maintained nursery schools.

<sup>2</sup> 'College' means further education colleges and sixth-form colleges as established under the Further and Higher Education Act 1992 and institutions designated as being within the further education sector.

<sup>3</sup> Most providers caring for children under eight years old must register with Ofsted (on The Early Years Register or The Childcare Register) or a childminder agency, unless the law states otherwise. These exemptions are set out in the Childcare (Exemptions from Registration) Order (SI 2008/ No 979) and are summarised in Annex A of the [Early years and childcare registration handbook](#). Providers who are exempt from compulsory registration may still apply to register on the voluntary part of the Childcare Register.

<sup>4</sup> Full-time is not defined in law. Further information on institutions that are required to register at schools is contained in [the department's guidance on registration](#).

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places of worship. Fees may or may not be charged, and some settings may be operating on a commercial basis.

The following is a non-exhaustive list of what is considered to be an OOSS:

- Tuition or learning centres (which may be used to support mainstream, or home education) e.g. in term time or holiday courses in key stage 1-4 curriculum; English and mathematics skills; examination preparation (i.e. SATs, GCSE, A Level and 11 plus / school entry exams) etc.;
- Extracurricular clubs or settings, e.g. ballet classes, gymnastic training, sports tuition, instrumental music tuition, martial arts training, drama classes, etc;
- Uniformed youth organisations, e.g. the Scouts and Guides;
- Open access youth providers, e.g. centre-based and detached youth work;
- Supplementary schools or what are sometimes called complementary schools, e.g. those offering support or education in addition to the mainstream, or core learning, and which operate after school hours or during the weekend;
- Private language schools, including those for children coming from abroad;
- Religious settings which offer education in their own faith, culture, religious texts, preparation for rites of passage, etc. e.g. Jewish yeshivas and chedarim, Muslim madrassahs, Hindu OOSS, Sikh OOSS, Christian Sunday schools, etc.

## How this guidance can help you

Before sending your child to an OOSS, you will want reassurance that your child will be in a safe environment. As a minimum, your OOSS provider should have policies on health and safety, safeguarding and child protection (this includes online and digital safety), and suitability of staff. They may also have policies on governance and finance. This guidance contains questions that you may wish to ask a provider, examples of the types of good answers you should expect to hear back, and red flags you may wish to look out for when choosing a setting for your child.

A well-run and trustworthy setting will welcome questions about their activities and policies. They'll know they have a responsibility to give this kind of information to anyone who leaves a child in their care. As a rule, if a provider is reluctant to answer, or cannot answer your questions, or if you are not satisfied with their answers, you may wish to consider sending your child to a different provider. A provider should be able to reassure you that your children will be safe in their setting, and demonstrate the steps they are taking to ensure their safety and wellbeing.

You may wish to sit in on a session, to satisfy yourself that it is a safe environment before determining sending your child to a particular OOSS.

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## **What to do if you have concerns**

If you have concerns about a setting your child attends, please call the NSPCC helpline on 0808 800 5000. If you believe a child is in immediate danger of harm, please call the police on 999.

## Questions and Answers

1. Some questions you may wish to ask an OOSS provider include but are not limited to:

### **Have staff and volunteers undertaken DBS checks? How recent were the checks?**

2. The Disclosure and Barring Service (DBS) issues criminal record certificates to help the employer to determine the suitability of staff, especially when working with children. These certificates will disclose unspent convictions and cautions and for certain roles, some spent convictions and cautions and other information that the police believe is relevant to the role and ought to be disclosed. It is recommended that staff and volunteers are asked to obtain the appropriate certificate when they join the organisation. It is best practice for these certificates to be updated at regular intervals and you should ask the OOSS to provide you with details of their review period if any.

3. DBS checks are not always required by law; however, obtaining a DBS check is considered good practice as part of any employer's recruitment and safeguarding policies and practice. If your OOSS has not had its staff DBS checked, you may wish to consider sending your child to a different provider that has. Do not assume that a provider has had its staff DBS checked; always ask to make sure that their staff have been checked.

4. Unless they are working for another body that would make them eligible (for example, a school or a local authority), a self-employed person may only be able to obtain a basic DBS check. In these circumstances you may wish to ask the provider to provide testimonials and make your own enquiries of other users to ensure you feel the provider is suitable.

### **Will any adults besides the instructor be present at the venue while my child is there? If so, will they be there on a regular basis?**

5. This is especially important to ask if the OOSS is within a personal residence. If there will be other adults present besides the instructor, you may wish to ask for their names, whether they will be in the room alone with your child at any point, and whether they have been DBS checked (this is not always a requirement of the law). Consider carefully whether you want your child to be in an environment with an adult you do not know.

### **What training have staff had?**

6. Training will differ according to the type of OOSS, but all staff should have good working knowledge of and be appropriately trained in health and safety and child protection as a minimum. You may also wish to ask if providers have had equalities training, on topics such as cultural sensitivity and mental health. OOSS providers should

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as part of their policies and procedures be able to detail the training that has been undertaken by staff.

### **May I have a copy of your child protection policy?**

7. The provider should be able to give you this on request. The policy should also include commitments that: under no circumstances should any member of staff inflict corporal or emotional punishment on a child; and that no disciplinary approaches should be deployed which could cause physical or emotional harm to a child.

### **Who is your designated safeguarding lead (DSL) and what training have they had? How recent was this training?**

8. The provider should be able to name a person. A DSL should have as a minimum training on bullying, physical abuse, sexual harassment and sexual violence, sexting, hazing, online safety, and substance abuse. You may also wish to ask if they have had training on extremism and radicalisation. Training should have been provided within the last year.

### **My child has Special Educational Needs and / or a disability (SEND). What steps will you take to accommodate this?**

9. While answers will differ on an individual basis and the provider may not always be able to accommodate SEND needs, you should always ensure you walk away from the conversation satisfied that you understand the provider's response. For example, if you have a child with SEND and wish to send them to an OOSS, you may want to know whether the OOSS has a member of staff who is trained to work with children who have SEND. However, if you are unsatisfied, continue to ask follow up questions or consider sending your child to a provider that can accommodate their needs.

### **My child needs help with: using the toilet; changing; feeding; their medication, etc. How will these personal care needs be addressed?**

10. While answers will differ on an individual basis and the provider may not always be able to accommodate personal care needs, you should always ensure you walk away from the conversation satisfied that you understand the provider's response. If you are unsatisfied, continue to ask follow up questions or consider sending your child to a provider that can accommodate their needs.

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### **How are you securely storing the information you hold on my child? Who has access to it and are you giving it to anyone else?**

11. The provider should be able to detail how they are storing paper and electronic copies of files. If they are storing electronic data, it should be encrypted and password protected. If they are storing paper data, it should be secured with a lock.

12. The designated safeguarding lead, or someone high enough in the organisation to be trusted with it, should have access. This information should not be given to other parties without your child's consent (and your consent if your child is under 13).

### **Is my child allowed to access the internet unsupervised?**

13. Your child should be 13 or older to access the internet unsupervised. Your OOSS should not allow children under 13 to do so.

14. If your provider allows your child to access the internet unsupervised, they should have filtering and monitoring systems as outlined above in place.

### **Do you have filtering and monitoring systems in place? What are they?**

15. Your provider should have age-appropriate systems in place. These should filter out:

- Inappropriate or harmful material; e.g. pornography, fake news, racist or radical and extremist views; and
- Any means of being subjected to harmful online interaction with other users; e.g. commercial advertising as well as chatrooms where adults can pose as children or young adults



## Red Flags

16. As a rule, if you spot any of the below red flags when asking settings the above questions or when visiting your setting, you may wish to send your child to a different setting. You may also wish to report serious incidents to the NSPCC or the police.

- Staff are not DBS checked
- No child protection policy
- Signs of abuse on other children who attend the setting, for example, unexplained bruises
- Provider unable to name a designated safeguarding lead
- The designated safeguarding lead has not had relevant training
- If the OOSS allows children access to the internet, no filtering or monitoring systems in place
- Dangerous physical environment e.g. loose wires, damp, no fire escape, no first aid kit
- No designated first aider
- No parental consent form or requirement for emergency contact details
- Other adults coming into the OOSS who are not staff members / a lack of clarity on the roles of different adults in the setting
- No health and safety policy
- No fire escape plan



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