

Submission by the NSPCC Northern Ireland to the Education
Bill [Clauses 55-59]

November 2012

Introduction

The NSPCC is the lead child protection NGO in Northern Ireland providing a range of therapeutic and protection services for children and young people. These include the regional Young Witness Service, ChildLine, a 24 hour Child Protection Helpline and a range of therapeutic and post abuse recovery services. NSPCC has statutory child protection powers under the Children (NI) Order 1995, is a member of Public Protection Arrangements NI and is a core member of the Safeguarding Board for Northern Ireland. We are also in the process of developing new services in Northern Ireland. The new ChildLine Schools Service provides information to children in primary schools about how to protect themselves from bullying and child abuse.

The NSPCC's comments on clauses 55-59 within the proposed Education Bill consultation are based on our expertise and practice in safeguarding children and young people and promoting their welfare, in our projects and services in Northern Ireland. In particular the role of Education Advisor has worked strategically within the Northern Ireland division and nationally to develop and support education initiatives which promote safeguarding across the Education sector. Within recent years the Education Adviser has been involved in the promotion of schools counselling across all post primary school in Northern Ireland, the Pupils Emotional Health and Wellbeing programme led by the Department of Education in Northern Ireland (DE) and a 'Keeping Safe' Research Project (2008-2011) funded by DE which explored the development of preventative education within primary schools. The research made recommendations to DE around the need to develop a comprehensive package of training, development and support and evidence informed resources for the whole school community, including school leaders, teachers, support staff and parents to enable them to teach "keeping safe" messages through preventative education.

General comments

The maltreatment of children across the UK is a widespread social problem. Prevalence data confirms that a significant number of children continue to experience maltreatment within the context of the family and wider society, including bullying (and cyber bullying) and domestic abuse, as well as physical, sexual and emotional abuse and neglect (Cawson, 2002; Cawson et al, 2000; James, 2010; Scott, 2009; UNICEF, 2005). There is also considerable evidence that children with special educational needs or disabilities are particularly vulnerable to being maltreated (DCSF, 2009; Higgins and Swain, 2009; Mencap, 2007). Furthermore research evidence relating to the impact of child maltreatment confirms that these experiences have a negative and detrimental impact on children's health, wellbeing and development, both in the shorter and longer term (Finkelhor, 2007; Goddard and Bedi, 2010; Lazenbatt, 2010).

Our experience of working in the education sector confirms that schools and the education sector are vital to the protection and support of all children and particularly to those who

are most vulnerable. They are the universal service to which virtually all children have access and by virtue of their training and understanding of child development, their unique position of being able to detect changes in children's behaviour over time, and the potential for developing significant relationships with children (Baginsky, 2007), teachers and other educational professionals are ideally placed to identify and support those children who are at risk of being harmed and to work with other agencies to take action.

In Northern Ireland the development of the Child Protection Support Service for Schools (CPSSS) and the Independent Counselling Service for Schools (ICSS) has facilitated and supported a culture of listening within schools to promote children's disclosure, appropriate responses to disclosures and more effective multi-agency working to ensure children and their families receive appropriate support. However reports indicate that teachers have found this challenging both in terms of responding to and reporting children's disclosure (Bunting et al, 2009), and in working collaboratively with statutory partners to secure an effective pragmatic response and support for children and their families (DHSSPS, 2005; Ofsted, 2010). An evaluation by the Education and Training Inspectorate (2009), *The adequacy, accessibility and integration of services to support the emotional well-being and health of children and young people in the Greater Enniskillen area of Fermanagh*, identified that "teaching staff in schools require an increasing range of professional skills to recognise, and respond effectively to, the additional needs of learners. With growing frequency, schools need to deploy staff to foster and develop links with a widening range of statutory agencies and health professionals." (p14)

The 'Keeping Safe' Research Project Research published by NSPCC in 2011 confirmed that while the majority of teachers acknowledge that schools and all of their staff have an important role to play in responding to disclosures of abuse and other forms of maltreatment, and working to support those children in a multi-agency context, a minority of teachers expressed a level of unease at undertaking this role. In relation to dealing with child protection issues one principal commented:

"I think 'please don't disclose anything to me' because I personally feel it places such a burden on you...What do you do about this...to me it places the teacher in an awful dilemma." (Mc Elearney et al, 2011)

Comments on clauses 55-59 dealing with the safeguarding of children

We therefore welcome the opportunity to respond to clauses 55-59 of the Education Bill dealing specifically with the safeguarding of children.

NSPCC welcome the new duties proposed being placed on the Education and Skills Authority (ESA) to safeguard and promote the welfare of children and young people. Previous legislation placed statutory duties on Boards of Governors to safeguard the welfare of pupils. We believe that giving ESA the duty to review how these duties are exercised by

Boards of Governors and others and the authority to issue guidance and specific directions necessary to ensure compliance will give added protections to pupils (Clause 55 and Clause 58).

We also endorse the duties being placed on providers of funded pre-school education (Clause 56) to safeguard and promote the welfare of children and are fully supportive of the requirement to keep parents and staff fully informed of measures being taken to safeguard children. We also firmly support the duties being placed on ESA and DE to ensure that grants to providers of educational and youth services are subject to conditions which ensure that the welfare of young people is safeguarded (Clause 57)

Schools are managing increasingly complex work many offering activities and services within their communities' as well as fulfilling their core purpose as places of high quality teaching, learning and achievement. They are also responding to children struggling to cope with increasingly complex issues including domestic violence, bereavement, sexual abuse, family breakdown, suicide, alcohol and illegal substance abuse and bullying. It is therefore essential that schools are linked closely with other agencies in their local areas, including health and social services, voluntary organisations and early intervention services. Our research suggests that teachers continue to experience difficulties in multi-agency working to safeguard children. It is therefore imperative that measures are put in place to promote cooperation in the arena of safeguarding and we fully support the duty being placed on Boards of Governors of grant-aided schools, those providing pre-school education and others, to co-operate with ESA and other authorities to safeguard and protect the welfare of children and young people (clause 59). This complements responsibilities in Article 46 of the Children Order.

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