

From Hansard online:

The blue highlighting is added to show you how impossible it is for Mr Brennan the Minister responsible for Safeguarding to answer Cheryl Gillan's very simple question:

.....what statutory requirements there are on (a) independent and (b) maintained schools to report allegations of child abuse to a local authority designated officer; and if he will make a statement.

Children: Abuse

Mrs. Gillan: To ask the Secretary of State for Children, Schools and Families what statutory requirements there are on (a) independent and (b) maintained schools to report allegations of child abuse to a local authority designated officer; and if he will make a statement. [201312]

Kevin Brennan: Section 175 of the Education Act 2002 imposes a statutory duty on both local authorities and the governing bodies of maintained schools to *make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children and to have regard to guidance issued by the Secretary of State in considering such arrangements.*

Section 157 of the Education Act 2002 and the Education (Independent Schools Standards) (England) Regulations 2003 impose a duty on independent schools to draw up and implement a policy to safeguard and promote the welfare of pupils at the school.

These statutory duties are supported by *guidance* contained within Working Together to Safeguard Children, which was issued in April 2006, and Safeguarding Children and Safer Recruitment in Education, which was issued in November 2006 and came into force in January 2007. Both documents set out the process for dealing with allegations that might indicate that someone is unsuitable to continue to work with children, because it is alleged that they have behaved, in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child; or behaved towards a child or children in a way that indicates s/he is unsuitable to

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work with children. The *guidance* is clear that any allegations that fell within this definition *must* be taken seriously and *should* be examined objectively by *someone* independent of the school concerned: in the first instance this is *typically* the local authority designated officer who leads on dealing with allegations in that area. The *guidance* explains that the police *must* be consulted about any case in which a criminal offence may have been committed, and that a strategy discussion (which will involve children's social care) *should* take place when there is cause to suspect a child is suffering or is likely to suffer significant harm. Sometimes allegations will be so serious as to require immediate intervention by children's social care or the police, *prior* to notifying the local authority designated officer.

To see this written answer in Hansard click [here](#) and scroll down the page.

<http://www.publications.parliament.uk/pa/cm200708/cmhansrd/cm080424/text/80424w0012.htm>