

Salford Safeguarding Children Board

SSCB Procedure:

Referring unregistered or suspected unregistered provision for children 0-18

1. Context

Unregistered provisions (early years settings and schools) are operating both locally and nationally. In Salford a number of suspected unregistered provisions have been reported to Ofsted and the Department of Education (DFE) in the past few years. The referrals have resulted in a small number of unregistered provisions being identified.

2. Definition

Under section 463 of The Education Act 1996, an 'independent school' is defined as a school that is not maintained by a local authority or is not a non-maintained special school and at which full-time education is provided (a) for five or more pupils of compulsory school age or (b) for at least one pupil of that age who is looked after by a local authority (within the meaning of section 22 of the Children Act 1989) or has a statement of special educational needs or an education, health and care plan. Ofsted may inspect a setting that is unregistered to consider if it is able to provide for the child's educational needs.

3. Referral procedure to DFE

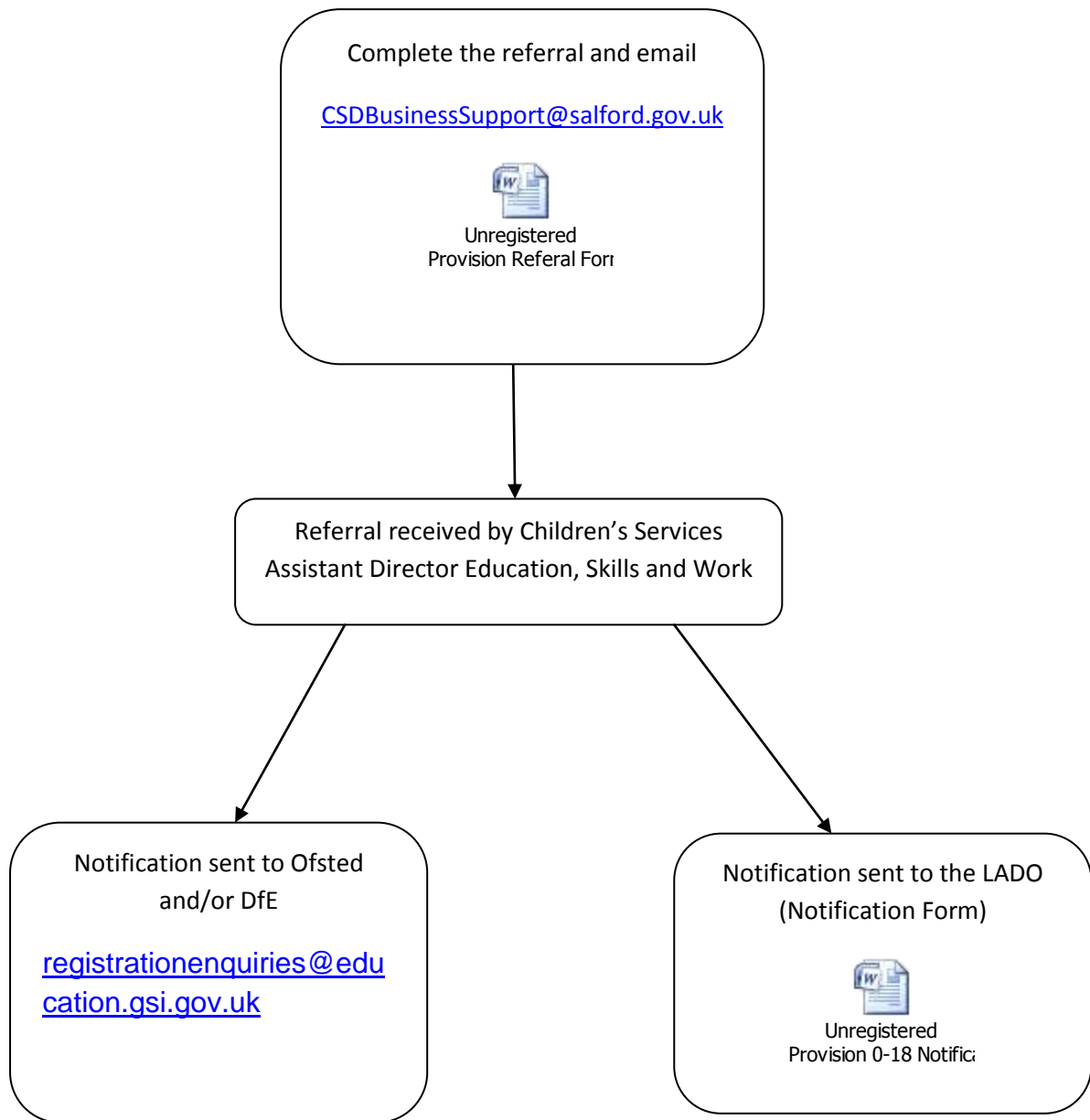
This flowchart sets out the procedure for a referring unregistered or suspected unregistered provision for children. Salford City Council has a duty to report to the DFE any intelligence on unregistered provision in the locality. This referral will be made by the Assistant Director for Education, Skills and Work or to another officer within the directorate who is delegated to undertake this task in his/her absence.

Who is likely to be involved?

In addition to local residents, there are a number of agencies who are likely to have intelligence which would lead to a referral to the DFE. These include:

- Salford City Council – Children's Services, in particular Safeguarding and Early Years
- Health e.g. Health visitors
- Salford City Council – Planning Department
- Salford City Council – Neighbourhood Team
- Greater Manchester Fire and Rescue service
- Greater Manchester Police
- Ofsted

NB: See Appendix 1 for further detail on likely partner involvement in this area.



If you remain involved with the provision, please ensure you continue to keep Children's Services updated

4. Notification to the Safeguarding Unit

Young people are regarded as being 'Children' for the purposes of safeguarding up to the age of 18 and therefore there is a responsibility for the Local Authority (LA) to ensure that all young people are safeguarded.

The Safeguarding unit will co-ordinate a strategy meeting to share intelligence chaired by either the Head of safeguarding or a relevant senior manager in children's services.

Invites to the meeting should be sent to:

- Childrens Services – Safeguarding
- Childrens Services – Education
- Salford City Council – Planning Department
- Salford City Council – Neighbourhood Team
- Greater Manchester Fire and Rescue service
- Greater Manchester Police
- OFSTED / HMI

The agenda for the meeting will be:

- 1) Welcome and introductions
- 2) Purpose of the meeting
- 3) Partner Updates
 - Childrens Services – Safeguarding
 - Childrens Services – Education
 - Salford City Council – Planning Department
 - Salford City Council – Neighbourhood Team
 - Greater Manchester Fire and Rescue service
 - Greater Manchester Police
 - OFSTED / HMI
- 4) Next steps each agency
- 5) Date and Time of next meeting.

Working Practice

The aim of any practice in dealing with unregistered schools in this category is to encourage them to register if required, follow appropriate planning and health and safety guidance and ensure that the pupils are safeguarded.

All interventions through this strategy are multi agency in approach.

Following the initial strategy meeting a joint plan will be developed with clear actions for each party agreed.

Actions may include:

- Single / multi agency conversations / visits.
- Invitations to the establishment proprietors to come to the table.
- Referral on to other agencies.
- Legal action re planning / fire safety if required.

Meetings will continue until such time as the setting is deemed to have met any legal requirements in any of the identified areas and if relevant any directions from OFSTED have been followed.

There will be information sharing between all partners of the SSCB and at an appropriate level with OFSTED.

Community Liaison will be a key part of the strategy going forward and all partners will use their local resource to support this.

Engagement with appropriate community leaders will be managed by the strategy group, but suggested routes of communication could be via the Community Safety Team and the Orthodox Jewish Forum.

Appendix 1

Duties: Levels of intervention and Powers of Partners

Childrens Services – Safeguarding

Young people are regarded as being ‘Children’ for the purposes of safeguarding up to the age of 18 and therefore there is a responsibility for the LA to ensure that all young people living within its boundaries are safeguarded.

Salford City Council – Planning Department

The planning department are frequently the first to get an indication that an unregistered establishment is operating because local residents will complain about the fact that a building is being used in a manner for which it was not intended. The planning authorities have one of the strongest levers in terms of enforcement in making sure that the physical provision at least is in line with requirements.

Salford City Council – Neighbourhood Team e.g East Salford

The Salford City Council Neighbourhood Team in East Salford may also be aware of the existence of such establishments because of on the ground intelligence and information coming through the community.

Greater Manchester Fire and Rescue service (GMFRS)

GMFRS have a duty to report safeguarding concerns on any incident they attend. They also have a range of powers which they can use to ensure the Health and Safety of residents in such establishments. GMFRS has an appropriate escalation procedure which they will use in these instances.

Greater Manchester Police (GMP)

GMP have a duty to report safeguarding concerns on any incident they attend. GMP has an appropriate escalation procedure which they will use in these instances

OFSTED

OFSTED are commissioned by DfE to inspect schools and to check standards. When receiving local intelligence on illegal schools they will try to ascertain by letter if the school requires registration, and follow that through in order to compile an advice note for DfE.