Malvern College

Malvern College, College Road, Malvern, Worcestershire WR14 3DF

Proprietor: Malvern College Incorporated

Date of visit: 04 November 2014

Purpose of visit

This was an unannounced emergency visit carried out at the request of the DfE, to focus on the college's compliance with the Education (Independent School Standards) Regulations 2010, as amended, (ISSRs) and the National Minimum Standards for Boarding (NMS), particularly, those concerned with safeguarding; pupils' welfare, health and safety, including support for boarders, measures to promote good behaviour, to guard against bullying, to promote good relationships in boarding, to ensure suitable supervision of pupils, including in boarding, for applying and recording serious sanctions; and the handling of complaints, including provision of information to inspectors.

Characteristics of the School

Malvern College is a co-educational boarding school for pupils aged 13 to 18 in the centre of Malvern, Worcestershire. There are 655 pupils in total of whom 515 are boarders, drawn from more than 20 countries, with those from the rest of Europe forming the largest group from overseas. The college is a registered charity overseen by a board of governors. The previous inspection was in March 2014.

Inspection findings

Welfare, health and safety of pupils – safeguarding [ISSR Part 3, paragraphs 7 (a) and (b) and 8 (a) and (b); NMS 2.2 and 2.3; 11]

The college does not meet the regulations.

The college has a safeguarding policy which shows concern for pupils' welfare but omits some items required by statutory guidance. Most of the procedures outlined in the policy are implemented effectively but records of actions in relation to child protection are not complete and do not consistently include evidence that advice has been sought from local children's services in cases where a pupil is at risk.

The safeguarding policy in use at the time of the visit identifies the need to safeguard children, both those in need and at risk of harm. It is provided to parents online. It acknowledges guidance from the Local Safeguarding Children Board (LSCB) and makes suitable references to statutory guidance, including Keeping Children Safe in Education 2014 (KCSIE) but also retains outdated references to Safeguarding Children and Safer

Recruitment in Education. The policy is supported by a staff code of conduct. This covers all areas relevant to the college, including boarding and is understood by staff. The policy outlines some elements of the college's recruitment procedures and is supported by a separate, comprehensive staff recruitment policy.

The policy includes suitable definitions of abuse and provides appropriately for the handling of allegations of abuse by one pupil against another. Discussion with the Designated Safeguarding Lead (DSL) confirmed that pupils receive support when risks are identified, but this is not effective in all cases in preventing issues from escalating. Records do not contain written evidence of referral to local children's services in all cases. Those records that were available included advice from external agencies and showed that it is followed when sought. The views of pupils are listened to with care. In some cases, where situations do not improve, school inaction is not effectively challenged.

The safeguarding policy cross-references the college's anti-bullying policy, which provides for suitable arrangements for pastoral support for pupils who are bullied. Staff readily identify incidents of potential bullying and alert the DSL to these but subsequent strategies are not consistently effective.

The college's safeguarding policy guides staff as to what to do if they have concerns and requires immediate reporting but does not state clearly that anyone can make a referral to external agencies, limiting such provision to staff and volunteers. It states that the DSL will work closely with local agencies and that referral is 'within 24 hours' but written records do not confirm that this is consistently followed. The policy gives contact details for local agencies. It is stated that staff must not ask leading questions or promise confidentiality to pupils; staff show clear understanding of suitable practice.

The safeguarding policy provides appropriately for dealing with allegations of abuse against staff, volunteers and the DSL. Staff show understanding of procedures to report allegations. The policy provides for reporting any person whose services are no longer used where referral criteria are met to the Disclosure and Barring Service or the National College for Teaching and Leadership. The college confirmed that there has been no occasion to do so recently.

The policy names an individual to take responsibility for child protection matters, together with an alternative person in the absence of the DSL. The alternative person is a member of senior management. The DSL is a head of section within the college. Although not a member of the senior management team, the DSL has a weekly meeting with the Head. The role of the DSL is outlined appropriately. The policy identifies a governor to liaise regarding safeguarding but does not specify details of their role including liaison with the LSCB and other agencies. The policy requires that any deficiencies or weaknesses in child protection arrangements are remedied without delay, and provides for annual review by the governors. The deficiencies in the published policy and its outdated references show that the annual review is not wholly effective.

Training in child protection is stipulated for all staff including volunteers and temporary staff on induction and thereafter. Effective record-keeping confirms that training is up to date; all staff have read Part 1 of KCSIE. In interviews, staff recounted their training effectively. Induction training includes all the required elements. The training identified for the DSL in the policy does not specify that this will include inter-agency working although certificates show such training has been undertaken.

The safeguarding policy makes suitable provision for alternative accommodation if a member of the boarding staff is suspended in circumstances of a child protection nature. It

identifies particular risks associated with boarding. Logs in boarding houses include records of incidents, but in limited detail; email communication with senior staff is clear in alerting them to serious incidents. Records for individual boarders are systematic and full. Records of house staff meetings introduced recently identify individual boarders who are of concern, but contain little detail.

Welfare, health and safety of pupils – the promotion of good behaviour, including promoting positive relationships in boarding [ISSR Part 3, paragraph 9; NMS 12]

The college does not meet the regulations.

The college has a policy to promote good behaviour which reflects the context of the school, including boarding. It emphasises celebrating success to promote high standards and places appropriate responsibility on staff to promote this provision for the use of physical restraint and searching boarders is in line with guidance. The policy identifies clearly which whole-school sanctions will be imposed for misdemeanours such as misuse of alcohol, poor academic work or infringements of bounds. Behaviour detentions are provided for acts of anti-social behaviour or inappropriate language. Scrutiny of school records and interviews indicate that these provisions are implemented effectively. Their use is understood by staff and pupils and considered by the latter to be fair.

In boarding, infringements of the school behaviour policy are recorded and communicated to senior managers effectively. Senior managers monitor sanctions for patterns and trends taking appropriate action where necessary. Parents are kept suitably informed of notable or repeated incidents of poor behaviour. Arrangements for house sanctions are less clearly defined and no specific sanctions were identified by boarding staff in discussion.

The college educates a number of pupils with SEND. No additional guidance is given to staff to ensure that reasonable adjustments are made to sanctions for such pupils if appropriate. The behaviour policy does not make effective links with the anti-bullying policy and sanctions listed in that document, limiting its effectiveness to deal with bullying incidents, including in boarding.

Welfare, health and safety of pupils – measures to guard against bullying [ISSR Part 3, paragraph 10; NMS 12]

The college does not meet the regulations.

At the time of the visit the college had a policy to guard against bullying on its website dated 4 February 2014. It includes no specific reference to non-statutory guidance for the information of staff or parents, but sources of additional guidance provided include the government website where this guidance is placed. External sources of support are provided for pupils in addition to many named sources within the college, although some, for boarders, are outdated. The policy outlines how staff and particular groups of pupils, such as prefects and mentors can act to guard against bullying but does not include reference to how staff and pupils can be involved in modelling good behaviour.

The policy encourages pupils to take action by informing staff if they witness bullying, though not all pupils show by their actions that they have understood the policy. The college policy for information and communications technology (ICT) gives extensive guidance to pupils on avoiding cyber-bullying and dangers such as grooming. Its effectiveness is lessened by containing no specific link to the school's anti-bullying policy. When specific types of bullying are identified within the college, staff take prompt action to warn pupils against involvement, for example through assemblies on specific topics or immediate discussions with particular groups of pupils. In interview, pupils say they understand their responsibilities to report

bullying, would readily inform staff if they have concerns and consider that the college takes action when necessary.

Training for staff is stipulated in the policy and this identifies some of the ways in which staff may be alerted to bullying. Staff confirm sessions in whole-staff training on aspects of bullying. However, documentation, particularly the boarding staff handbook which provides guidance to staff, is of variable quality and reflects the lack of clarity in discussing how to respond to bullying incidents.

The policy includes recommended definitions of bullying but does not mention physical consequences in addition to emotional ones. Specifically, there is no mention of the potential for bullying to lead pupils to self-harm, or guidance for staff or pupils about what to do should they consider this a possibility.

The policy includes suitable provision to support those who are subject to bullying and those who bully, including counselling for the latter, which records substantiate is implemented in terms of immediate support but actions to deal with long-term incidents of bullying 'in-house' lack the rigour which external agencies can provide.

The policy states the requirements for recording and reporting incidents in a bullying file, but does not specify whether such records will be used to identify any patterns, or give any timescale for review of records. Actions are not consistently effective in guiding staff on important aspects of practice including feedback on policy implementation.

Suitable sanctions are identified for those who bully, and reference is made to the behaviour policy with regard to more serious sanctions to be implemented if bullying persists, including temporary or permanent exclusion. Records show that these sanctions are employed when incidents occur but not always promptly.

The policy is communicated to parents through the website. It gives effective guidance to encourage parents to support their child if they feel they are being bullied. However, advice in the handbook for boarding staff is not consistent with this guidance.

Welfare, health and safety of pupils – ensuring proper supervision of pupils, including in boarding [ISSR Part 3, paragraph 11; NMS 15 and 15.4]

The college meets the regulations.

Arrangements to supervise pupils, including in boarding, are appropriate and implemented effectively. Scrutiny of evidence shows that sufficient staff are always present, including at night, to supervise boarders. Boarders confirmed that they know how to get help at any time when necessary. Arrangements for signing in and out are effective in enabling staff to know the whereabouts of boarders at any particular time.

Welfare, health and safety of pupils – records of sanctions for serious misbehaviour [ISSR Part 3, paragraph 16]

The college meets the regulations.

The college keeps an appropriate record of serious sanctions. This is consistent with records of incidents held in boarding logs and records of bullying incidents and notes the appropriate use of sanctions identified in the behaviour policy.

The manner in which complaints are handled [ISSR part 7, paragraph 25; NMS 18]

The college meets the regulations.

The college complaints procedure includes all the required elements. In implementing its complaints procedure the college endeavours to keep within the timescales identified other than in exceptional circumstances where specific legal requirements prevent this. It is assiduous in keeping channels of communication, both formal and informal, open to parents who have a concern or complaint. It keeps full, methodical records of correspondence relating to individual complaints and identifies the stages of the complaints procedure where each is resolved, once resolution is reached.

Regulatory action points

The school does not meet several of the Independent Schools Standards Regulations 2010, and the NMS for boarding, and therefore it must:

Improve the wording and implementation of the safeguarding policy as follows [ISSRs Part 3 Regulation 7 and 8 (a) and (b); NMS 2.2 and 2.3; 11]

1. The policy and its implementation require the following amendments.

    - Make clear that contact details for local agencies are provided for any staff, parent or other persons to use, e.g. anyone, not just staff, can make a referral.
    - Give the status of each DSL in the policy and confirm that the person has the status and authority to act in this capacity.
    - Stipulate that the training identified for the DSL includes inter-agency working.
    - Stipulate that the annual review by governors is of both the school's policy <u>and its implementation and the process accords with the requirements of KCSIE 2014.</u>

2. Ensure that record keeping is systematic, comprehensive and detailed, in particular:
    - that any contact with external agencies, including by telephone, is recorded in the appropriate child protection record;
    - that boarding house logs record incidents in detail;
    - that records of house staff meetings record discussion and detailed actions about boarders where there are concerns;
    - that the weekly meeting between the DSL and the Head is minuted.

3. Seek help from external agencies promptly where there are concerns about a child to ensure that appropriate levels of help and support are provided to meet individual needs or to ensure protection from harm.

4. Remove outdated references in the policy to Safeguarding Children and Safer Recruitment in Education.

Welfare, health and safety of pupils – the promotion of good behaviour, including promoting positive relationships in boarding [ISSR Part 3, paragraph 9; NMS 12]

5. Improve current arrangements to ensure that:
    - arrangements for house sanctions are clearly defined, understood and implemented consistently by all boarding staff;
    - specific guidance is given to staff to ensure that reasonable adjustments are made to sanctions for pupils with SEND;
    - the behaviour policy is effectively linked with the anti-bullying policy so that it provides clear guidance to staff.

Welfare, health and safety of pupils – measures to guard against bullying [ISSR Part 3, paragraph 10; NMS 12]

6.   Improve current measures to ensure that:

- the anti-bullying policy refers comprehensively to the seriousness of bullying in terms of potential consequences, specifically, the potential for bullying to lead pupils to self-harm; give associated guidance for staff or pupils about what to do should they consider self-harm possible;
- the anti-bullying policy includes reference to how staff and pupils can model good behaviour;
- listed sources of support for boarders within the college identified in the anti-bullying policy are up to date;
- records of bullying are used effectively to identify any trends or patterns in bullying so that timely guidance for staff is provided and necessary interventions are made;
- staff are aware of the guidance that external agencies can provide in dealing with serious and long-term incidents of bullying;
- sanctions are employed promptly when bullying incidents occur;
- a specific link to the school's anti-bullying policy is provided in the ICT policy;
- the boarding staff handbook provides high quality guidance to staff about how to handle bullying, in particular working effectively with parents;
- specific reference is made to government guidance for the information of staff and parents.