

Commitment to Care Charter

BSA schools are committed to the highest duty of care and safeguarding

Keeping pupils safe, secure and cared for are the main priorities for members

Everyone working in a BSA school will raise any concerns immediately

'Everyone' includes all full or part-time staff, volunteers, governors and contractors. It also means pupils, such as prefects in boarding houses. 'Immediately' is without hesitation or delay, and 'abuse' is any suspicion, belief or evidence of physical, emotional, sexual or discriminatory abuse by an adult against a pupil or by a pupil against another pupil.

BSA schools will follow all statutory safeguarding guidance and laws and report concerns to the relevant authority and the BSA

Follow all 'safeguarding guidance and laws' means that all policies and procedures, including a school's guidelines for reporting, must comply with any applicable rules and expectations¹, and in relation to any requirement to report to the police where necessary. 'Report concerns to the relevant authority' means to follow those guidelines and, if an unsatisfactory response is received, to escalate the concern. Report 'to the BSA' means to inform the BSA that a referral has been made, but without disclosing any details by which a case or an individual can be identified.

BSA schools will support any present pupils affected by abuse and those who report concerns, and offer support to past pupils

'Support' means to provide open, honest communication, provide counselling or similar services or referral to them. 'Offer of support' means referral to other organisations (e.g. the police for past pupils), counselling or similar services. Support will be given if there is no conflict of interest or legal restriction.

BSA will support member schools which responsibly follow the Charter

The BSA will support member schools to help them to follow the Charter. Member schools are expected to endorse the Charter clearly and strongly. The Safeguarding Governor is expected to have a clear oversight of safeguarding procedures and practice. BSA will review any instances where the Charter has not been responsibly followed (especially where cases and allegations have not been reported to the BSA as soon as it is permissible to do so) and consider any appropriate action.

¹For member schools in England, this includes, but is not limited to, statutory guidance set out in Keeping Children Safe in Education (as updated from time to time). In other UK regions and internationally, this includes any relevant guidance or legislation applicable in the territory concerned.

REPORTING SAFEGUARDING ISSUES TO BSA

The following guidance indicates the circumstances where, under the terms of the Charter, a school should inform BSA of a safeguarding issue:

WHEN must BSA be notified?

BSA must be notified, as soon as it is permissible to do so, of any allegation against a member of staff, whether recent or non-recent, which the school has referred to the Local Authority Designated Officer (LADO) or equivalent, to the police or to Children's Services.

BSA must also be informed of any allegation of child-on-child abuse in which external authorities have become involved.

WHAT information should be given?

BSA needs to know only that an incident has been alleged and which statutory agencies are involved. BSA does not need to know specific details (unless a school chooses to provide them), nor will it normally be appropriate for BSA to know as soon as the allegation is received. At a later stage, schools should update BSA with any information which is in the public domain (eg. copies of letters to parents etc).

WHO sees the information?

BSA's Safeguarding Case Log is password protected and accessible only by the Chief Executive, Chief Operating Officer, Senior Director and Head of Safeguarding. Generic and statistical information, but not information which can identify a school, a case or any individual, may be shared with the Board and with the membership from time to time.

WHY does BSA need the information?

BSA needs this information to ensure schools are meeting their obligations under the Commitment to Care Charter, to maintain an overview of safeguarding practice within the sector and to be in a position to offer help and support to individual schools and to the membership as a whole. It is vital that BSA is seen as proactively promoting good safeguarding practice within our schools

HOW do I inform BSA?

Please contact Dale Wilkins, Senior Director:
dale.wilkins@bsagroup.org.uk or
safeguarding@boarding.org.uk

PROCEDURE FOR DEALING WITH ALLEGED BREACHES OF THE BSA "COMMITMENT TO CARE" CHARTER

BSA can become aware of alleged breaches of the "Commitment to Care" Charter (the Charter) through inspection reports, media coverage, by other sources of information or by a school's own disclosure.

When BSA becomes aware of a suspected breach of the Charter, BSA will:

- Write to the Head/Principal and Chair of Governors asking for full clarification
- Make any other enquiries which are appropriate in the circumstances
- Offer, where practical and appropriate, BSA support and guidance

If it is clear that NO breach has taken place, continued support and guidance will be offered to help manage any remaining issues.

If it remains unclear as to whether a breach has occurred, the Director of Safeguarding, Professional Development and Accreditation will gather any further relevant information, and make a report to the Board. If the evidence indicates that, on the balance of probability, there has been a breach of the Charter, appropriate action will be considered, which may include a review by the Board of a school's membership of BSA. Such review may result in suspension of a school's BSA membership for a specified period.

If a school is suspended from membership, BSA will consider whether it is appropriate to offer support and guidance during the period of suspension. Member schools may choose to appeal against the decision, in writing, to the Chief Executive of BSA for review by the Board.

Once all relevant matters relating to the breach have been addressed satisfactorily, including any recommendations made by inspection bodies, the school may apply for the suspension to be lifted.

Any member school failing to engage with BSA concerning suspected breaches of the Charter will be considered to be in breach of the Charter.

The Board may terminate, without right of appeal, the membership of any BSA member establishment which fails to address breaches of the Charter during any period of suspension or at any other time. No re-application for membership will be considered within two years from the date of such termination

