

## **CYP Scrutiny Commission 12th January 2026 (19.00)**

### **DfE Response to the Commissions questions**

- 1. How will the Department for Education (DfE) engage with Mossbourne Victoria Park Academy (MVPA) and wider Trust to manage and oversee the implementation of recommendations set out in the City and Hackney Safeguarding Children Partnership (CHSCP) Child Safeguarding Practice Review (CSPR), particularly given that initial responses from Mossbourne indicate a reluctance to accept the recommendations within the report. What assurance can the DfE provide to parents and the wider community that concerns will be acted upon?*

### **Response**

The Department takes the findings of the LCSPR very seriously. Our role is to ensure that trusts and schools meet their statutory duties and respond appropriately to findings from independent reviews and enquiries. Schools have a critical responsibility to safeguard and promote the welfare of all children. We support them in doing so through our statutory guidance Keeping Children Safe in Education (KCSIE), which all schools and colleges must follow when carrying out their duties. Every child deserves to learn in a safe, respectful, and positive environment.

The department has been engaging with Mossbourne Federation trustees and they have committed to reviewing and reflecting on the LCSPR findings carefully. Officials will continue to engage with the Federation to ensure that it implements any changes needed in response, in addition to responding to findings from its own review, led by Anne Whyte KC. To this end the trust is convening a meeting with officers from Hackney and Thurrock councils and DfE officials, to set out its plan to respond to the recommendations of both reviews. We understand that trustees have already made changes to make it easier for parents to raise concerns with their schools, which is one of the issues in both reviews.

Following this initial meeting, the Department plans to establish a framework to review the implementation of changes by the Federation and the impact of these to address the concerns raised.

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2. *The Child Safeguarding Practice Review (CSPR) of MVPA describes serious, systemic safeguarding concerns at an academy operating within the existing national legislation and guidance, without timely or effective corrective action by any national body. In light of this, does the DfE consider that the current statutory framework for academies provides effective accountability equivalent to, or better than, the direct oversight and intervention powers that local authorities hold over maintained schools? Have all regulatory and legal levers available been used to best effect in this case to address the harmful culture identified in the report?*

## **Response**

Where there is evidence that academies are failing in their safeguarding responsibilities, DfE has a number of powers to intervene. Where Ofsted inspects an academy and judges that safeguarding is 'not met' the school will be placed in a category of concern (special measures or requires significant improvement) and the department can intervene on that basis, including by transferring the academy to an alternative trust where appropriate. The department may also intervene where there is evidence of a serious risk to the safety of pupils. These powers are described in the DfE's [Support and intervention in schools](#) guidance. In addition, the [Academy Trust Handbook](#) makes clear that DfE may issue a notice to improve where trustees are failing to comply with their safeguarding duties. The government is legislating in the Children's Wellbeing and Schools Bill for a new power to direct an academy trust to comply with a legal requirement, where it is in breach.

The government has also recently tabled an amendment to the Children's Wellbeing and Schools Bill. This will introduce Ofsted inspection of multi-academy trusts (MATs), and new discretionary intervention powers for the Secretary of State to take action where an inspection identifies that a trust is failing.

Inspection will consider how effectively MATs deliver on a range of their responsibilities, and Ofsted will develop its inspection framework. Inclusion will be an important theme within trust inspection, as it is for inspection at school-level, and we envisage Ofsted's framework will take into account how effectively trusts promote a culture of inclusion across their organisations and the academies they operate. This will help to provide regulatory oversight at both the school and trust level.

The DfE and Ofsted are committed to working with the sector to get trust inspection arrangements right. Ofsted's framework will be shaped by extensive sector engagement, including trialling, piloting, and a full public consultation prior to inspections beginning.

3. *The review notes the resistance to information-sharing and engagement with the local safeguarding system by MVPA, including the use of legal representatives to communicate with the City & Hackney Safeguarding Children Partnership (CHSCP) which contributed to an ‘adversarial’ relationship. Does the DfE consider that this is acceptable and if the current duties on academies to co-operate with safeguarding partners under Working Together guidance are sufficiently enforceable, and if not, will DfE support stronger, enforceable duties with clear sanctions for non-compliance?*

## **Response**

Local authorities, health services, and police forces – as the three statutory safeguarding partners – must work with relevant agencies (such as education and childcare settings) to make arrangements to safeguard and promote the welfare of all children in their area.

In December 2023 we clarified the roles and responsibilities of safeguarding partners through the updated Working Together statutory guidance. This included each safeguarding partner ensuring a lead safeguarding partner (LSP) at the strategic level, and a delegated safeguarding partner (DSP) at the operational level, outlining the role of independent scrutiny clearly, and strengthening expectations on the role of education in multi-agency safeguarding arrangements (MASAs).

In December 2024 the Children’s Wellbeing and Schools Bill introduced legislation to further strengthen the role of education through new duties for safeguarding partners to automatically include all education and childcare settings in their MASAs, so that their views are represented at both operational and strategic decision-making levels of partnerships.

Safeguarding partners are required to publish a yearly report to ensure local scrutiny and accountability which includes an assessment of the effectiveness of local arrangements, learning, and spend.

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4. *Complaints about MVPA appear to have been raised through multiple routes: directly to the school and governors, to the local authority (including the LADO), to other agencies, and to national bodies, but only the CSPR process has brought this picture into full view. What arrangements does DfE have to systematically collate and analyse complaint and concern data about an academy across these different routes, so that patterns like those seen in the CSPR MPVA are detected early rather than after long-term harm?*

## **Response**

DfE Regions Group (RG) is the principal regulator for academy trusts under charity law, ensuring they operate for educational purposes and comply with public accountability standards. This means when RG becomes aware of actual, or a high risk of a trust's non-compliance with [statutory requirements](#) it will work with the trust until assured the matters are satisfactorily addressed.

RG has processes in place to record and assess all complaints and whistleblows received about academies and trusts. Where correspondence contains evidence or suggests a trust is at high risk of non-compliance with its financial or governance statutory responsibilities (including those relating to safeguarding), RG will act to obtain assurances from the trust about its policies and procedures.

RG records and assesses all governance compliance concerns identified and has processes in place to track the volume received at both an individual academy and trust level so action can be taken as described above.

Where necessary, and in line with the Academy Trust Handbook. RG will use its intervention powers as set out in the [Support and Interventions in schools](#) statutory guidance to ensure the trust fulfils its obligations under the Funding Agreement (FA).

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5. *Parents are advised they can complain to Ofsted or to DfE if they remain dissatisfied from a school complaints process, yet the report suggests that these routes did not lead to timely or substantive change in the MVPA case. Can the DfE explain:*
- How complaints about individual academies made to Ofsted and to DfE are shared, combined and analysed; and*
  - What threshold of volume, seriousness or pattern of complaints would currently trigger an investigation, monitoring visit or formal intervention in an academy?*

## Response

### (a) - How complaints are shared and analysed

- DfE Regions Group (RG) and Ofsted have separate processes for the handling of complaints, in line with their distinct remits. Both organisations have processes in place to communicate with the relevant LA when child protection issues are identified in information received.
- Ofsted provides complaint information to the DfE when its [Section 11A process](#) has been completed. RG will share with Ofsted details of its concerns, should intervention action triggered by issues at an individual school be considered.
- Governance compliance information received from Ofsted is considered by RG as set out in response to question 4. The DfE complaint process can be found [here](#).
- Information is shared on a case-by-case basis, especially when a complaint or series of complaints suggests a risk to pupil welfare or a breach of statutory requirements. Ofsted may use complaint data to inform inspection priorities, and RG may use shared information to determine whether further intervention is warranted.
- The [Support and intervention in schools](#) guidance also sets out the process for LAs to notify RG of safeguarding concerns at an individual academy - see page 41.

### (b) Thresholds for Investigation, Monitoring Visit, or Formal Intervention

- The '[support and intervention in schools guidance](#)' outlines circumstances when RG can intervene.
  - RG's processes for holding trusts and academies to account are set out in the academy trust handbook which is accessible [here](#). Information about a Regional Directors (RD) intervention powers are set out [here](#).
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6. *The review notes the disproportionate impact of the application of the MPVA behaviour policy on certain disadvantaged and minoritised communities, including Black Caribbean pupils and those children with special educational needs or disability (SEND), which suggested insufficient scrutiny or challenge by governors / trustees. What legal or contractual requirements does DfE place on academy trusts (and other schools) to:*

- a) Collect and analyse sanctions data by protected characteristics and SEND; and*
- b) Demonstrate to an external body, such as Ofsted, that governing boards are actively scrutinising this data and acting on identified or emerging risks?*

## **Response**

- The *Behaviour in Schools Guidance* encourages schools to have strong and effective systems for data capture, including data on behavioural incidents, permanent exclusion and suspensions and use of pupil support units. It states that this data should be monitored and objectively analysed regularly by skilled staff.
- The guidance states that analysing the data by protected characteristic and using those findings to inform policy and practice may help a school ensure that it is meeting its duties under the Equality Act 2010.
- Paras 108-111 of the *Suspension and Permanent Exclusion guidance* is clear governing boards should be challenging and evaluating what the school's data is telling them in relation to their school or academy trust. Governing boards should carefully consider the level of pupil moves and the characteristics of pupils who are moving on and particularly any permanent exclusions to ensure the sanction is only used, when necessary, as a last resort.
- Governing boards should also review pupils on the school roll but attending education off-site. It is important to consider both the cost implications of directing children to be educated off-site in AP or an alternative mainstream school and whether there are any patterns to the reasons or timing of such moves. For example, if high numbers of children with SEND are moving, the school, academy or trust may wish to consider reviewing its SEN support.
- Multi-academy trusts (MATs) may also choose to work with their academies to consider this information, and whether there are patterns across academies within a MAT, recognising that numbers in any one academy are often too low to allow for meaningful statistical analysis.
- There are longstanding national trends which show that particular groups of children are more likely to be excluded from school, both for a suspension or permanent exclusion. All of these factors will differ for each child, and the influence of out-of-school factors will vary according to local context, so it is important that schools, local authorities and local partners work together to understand what lies behind local trends. Local leaders will be best placed to

effectively plan and put in place additional and targeted action based on their own context. If they identify any gaps, they are also in the position to act to ensure those who work with children have the training, services and support they need to address these.

- Ofsted's assessment of behaviour in schools also includes specific consideration of school exclusion, including the rates, patterns and reasons for exclusion, as well as any differences between groups of pupils. Inspectors consider information on pupils who are taken off roll (including those who are not formally permanently excluded) for any patterns.
  - Further detail can be found here [Behaviour in Schools - Advice for headteachers and school staff Feb 2024](#) and here [Suspension and permanent exclusion guidance](#)
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*7. Local authorities retain statutory safeguarding responsibilities for all children in their area, yet have no direct powers over academy governance, culture or complaints processes. What changes, if any, is the DfE considering to ensure that LAs can exercise meaningful oversight and intervention in academies where there is evidence of cumulative safeguarding risk?*

## **Response**

Statutory guidance '[Working Together to Safeguard Children](#)' sets out that local Safeguarding Partnerships (LSPs) should ensure it has effective multi agency arrangement safeguarding partnerships in place.

Where LSPs have concerns about safeguarding in an academy, they are advised to follow the "[Support and intervention in schools](#)" guidance, which states:

"Where a local authority has concerns about an academy or free school's safeguarding arrangements or procedures (arising as a result of investigations about individual children or otherwise), these concerns should be raised to the DfE as the body with responsibility for ensuring that academy trusts comply with their Funding Agreements".

Additionally, paragraph 86 of the '[Working Together to Safeguard Children](#)' guidance allows for LA's to take legal action against a person or organisation who are not complying with the LA's request for information.

The Children's Wellbeing and Schools Bill introduces new, important responsibilities and statutory duties to promote the safety and welfare of children including the formation of multi-agency teams to keep children safe.

The intention of the legislation is to strengthen the role of education in multi-agency safeguarding arrangements to better protect children from abuse, neglect, and exploitation. We are building on existing legislation and recognise that the current system needs to change to ensure education is adequately represented both operationally and strategically. The aim of the legislative change is two-fold, to ensure that:

- Safeguarding partners automatically include all relevant agency education and childcare agencies in their safeguarding arrangements.
- These arrangements enable education and childcare agencies to have representation at both the operational and strategic decision-making levels of these safeguarding arrangements.

Further to this, multi-agency child protection teams, being introduced through the Children's Wellbeing and Schools Bill, will provide a consultation and oversight function for the system. This will involve guiding practice across agencies to support the timely identification of significant harm, maximising opportunities to protect children.

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8. *In light of the CHSCP Safeguarding Practice Review conclusions about the application of the 'No Excuses' model of behaviour management in MVPA and its impact on some children's mental health and wellbeing, will the DfE provide additional guidance to schools given that variants of this model are also widely in use across both academies and maintained school settings.*

## **Response**

- All schools are required by law to have a behaviour policy which outlines effective strategies that will encourage good behaviour.
  - It is for school leaders to design and implement a behaviour policy that promotes safety, respect, and a positive environment for both staff and pupils, tailored to the needs of their school and wider community.
  - The Behaviour in Schools guidance is clear that any policy must be lawful, proportionate, and reasonable and comply with the school's duties under the Equality Act 2010 and the Education and Inspections Act 2006.
  - The Behaviour in Schools guidance is kept under regular review and will be updated as necessary.
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9. *This LCSPR exposes systemic issues in an academy that go beyond a single incident, including culture, leadership and governance. How does DfE ensure that learning and recommendations from such reviews are reflected in academy funding agreements, governance handbooks and statutory guidance, and what is the mechanism for changing national requirements where patterns of concern emerge?*

## **Response**

DfE Regions Group recognises the importance of the work undertaken by partners across the education and children's social care sectors to strengthen child protection and improve arrangements to safeguard the wellbeing of all children. RG will be taking time to carefully consider and learn from the findings and recommendations of the review, as is standard departmental practice on receipt of a child serious incident report.

Statutory guidance such as "[Keeping Children Safe in Education](#)" and the Academies Trust Handbook are regularly updated (usually annually) to ensure these remain up to date and where appropriate, incorporate new learning from a variety of sources.

As part of the publication process, the DfE often invites comments from stakeholders and the wider public through public consultation before finalising changes to policy or statutory guidance. Examples of open consultations can be found [here](#).