



Department
for Education

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Date: 06 December 2023

Dear Ms Combes

Thank you for your Report to Prevent Future Deaths which was received by the Department for Education on 10 October 2023.

This is a tragic case of a life cut short far too young. My thoughts are with Alex's family and friends, and everyone who knew him. I am mindful of the timing of this response, so close to Alex's birthday, at what will undoubtedly be a most difficult time for his loved ones.

It may be useful to begin with setting out the Department's requirements of schools and colleges in respect of safeguarding and mental health provision, in addition to responding to the action directed to the Department. All schools and colleges must have regard to the statutory guidance [Keeping children safe in education](#), and school staff should also have regard to the Department's advice on [Mental health and behaviour in schools](#).

Keeping children safe in education is clear that governing bodies and proprietors have a strategic leadership responsibility for their school or college's safeguarding arrangements and must ensure that they comply with their duties under legislation. The guidance states that schools and colleges should work with local authority children's social care, the police, health, and other services to promote the welfare of children and protect them from harm. This includes providing a coordinated offer of early help when additional needs of children are identified.

All schools should have a child protection policy and mental health provision should be included in that policy. Whilst there is no requirement on schools to have a standalone mental health policy, many choose to do so. School staff cannot act as mental health experts, but they should ensure that they have clear systems and processes in place for early intervention and identification, referral to experienced skilled professionals, and clear accountability systems. It is important that schools have an understanding of the local services available, including school nurses, and how and when to draw on, or commission, them. Where required, schools should expect parents and pupils to seek and receive support elsewhere, including from their GP, NHS services, trained professionals working in specialist child and adolescent mental health services, voluntary organisations, and other sources.

Many individual schools are able to commission individual support and health services for pupils, to give increased flexibility and provide an early intervention response. It is important that schools commission appropriately qualified and experienced external providers, as this will provide assurance that they are properly trained, supported, professionally supervised, insured, and working within agreed policy frameworks and standards, and are accountable to a professional body with a clearly articulated complaints procedure.

Local authorities are ultimately responsible for protection and welfare of all children in a local area. Those duties do not preclude a school or college from offering support and procuring mental health services for its pupils. The *Mental health and behaviour in schools* advice sets out school roles and responsibilities in relation to mental health and provides advice and guidance on working with other professionals and external agencies.

The Department for Education is not prescriptive in what support services schools can use – that authority is delegated to school leaders to ensure that the support is tailored for children by those who know them best. Schools have delegated budgets to make those decisions and should escalate cases to children’s social care or to child and adolescent mental health services when there is cause for concern over and above the support that a school puts in place.

All concerns, discussions and decisions made, and the reasons for those decisions, should be recorded in writing. Information should be kept confidential and stored securely. It is good practice to keep concerns and referrals in a separate child protection file for each child. The designated safeguarding lead is responsible for ensuring that child protection files are kept up to date. Records should include a clear and comprehensive summary of the concern; details of how the concern was followed up and resolved; a note of any action taken, decisions reached; and the outcome.

As you will appreciate, each child is unique, as are the circumstances of the support they may need throughout their time at school. It is with this in mind that the Department seeks to give school leaders as much flexibility as possible in deciding appropriate support managed within the school. This flexibility is governed by a statutory safeguarding framework that operates inside a much broader safeguarding system that includes local authorities, police, and health, as the statutory safeguarding partners.

Whilst the sad circumstances of Alex's case would not have met the threshold for a child serious incident, or action by the Child Safeguarding Practice Review Panel, there is local learning for the [Barnsley Safeguarding Children Partnership](#), and they may well appreciate sight of the Regulation 28 in Alex's name, if you have not already shared with them.

The Department is working with the Minister for Women and Equalities to develop guidance to support schools and colleges in relation to children who are questioning their gender. We know that this is a complex and sensitive issue, and that some schools and colleges feel that they need more support in this area in order to help pupils, students, and parents to deal with concerns raised. The Department will hold a full public consultation on the draft guidance prior to its publication.

I trust the information provided in this response satisfies the action attributed to the Department for Education. I would be interested to see the responses from colleagues at the Department for Health and Social Care, and from Outwood Academy Shafton, to understand whether and where we can further strengthen our guidance to support schools when safeguarding our children.

With best wishes to you, and to the family and friends of Alex.

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**Assistant Director – Safeguarding Strategy and Systemic Improvement
Department for Education**