

Back to School Webinar.

**Academies and Maintained Schools |
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What we will cover today.

- Safeguarding
- Attendance
- Behaviour management
- Health, safety and wellbeing
- Dealing with complaints and claims
- Other legal and regulatory changes
- Looking ahead



Safeguarding.

- **Working Together to Safeguard Children, March 2026**
- **Families First Partnership Programme 2026/27**
- **Keeping Children Safe in Education, September 2026**
- **EYFS statutory framework for group and school-based providers, September 2026**
- **RSE & Health Education 2025 (coming into force September 2026)**



Working Together 2026.

Statutory guidance setting out the framework for the local safeguarding partners (LA, ICB and police) & for safeguarding and child death reviews

Key changes:

Cultural:

- Reinforced expectations on leaders to create inclusive, anti-discriminatory safeguarding cultures which challenge racism & discrimination
- Strengthened guidance on managing child sexual abuse and teenage relationship abuse

Multi agency safeguarding arrangements (MASA):

- Strengthened expectations on LSPs to ensure schools have a stronger voice in safeguarding & about information analysis, information sharing & multi-agency accountability

Providing help, support and protection:

- Reinforcement of whole family focus and need for partnership working with parents and carers where possible



Working Together continued:

Providing help, support and protection continued:

- Expectation of integrated system providing increased support comprising:
 - Universal services and community-based early help for whole families
 - 'Family help' to combine targeted early help and statutory services under section 17 to support children in need
 - Strengthened multi-agency child protection arrangements for children at risk of harm under section 47

Underpinned by new lead roles & specialist teams; procedures which reference specific risk areas & explicit reference to Operation Encompass (which aims to ensure that schools have timely information about police attended incidents of domestic abuse); & family group decision-making.

Organisational responsibilities

- Training so that all staff can identify all forms of abuse, neglect and exploitation & have an understanding of domestic and sexual abuse
- Clarification of vulnerability of looked after children and more focus on residential settings
- Greater emphasis on the voice of the child and evidencing impact.



KCSIE 2026.

Key changes coming into force on 1 September 2026:

- **Updated terminology, references and technical amendments** throughout.
- **Training:** All staff expected to read **Part One in full** (following removal of Annex A).
- **GQC:** Guidance on **children questioning their gender** incorporated into KCSIE with revised requirements around **single-sex facilities, accommodation and sport**.
- **Safeguarding issues:** Expanded guidance on **exploitation, mental health, serious violence, young carers, SEND and children with medical conditions** and major rewrite of **Part Five**, including child-on-child sexual violence and sexual harassment.
- **Management:** Stronger expectations around **DSL cover**.
- **Online safety:** Updated guidance on filtering and monitoring and online safety.
- **Information:** New guidance on the use of **generative AI** and on information security and strengthened expectations around safeguarding **information sharing**.
- **Employment:** changes to **safer recruitment**, including the removal of the supervision exemption for volunteers undertaking regulated activity.



Children questioning their gender.

Key principles

- Schools must not initiate social transition
- Social transition is an active intervention requiring careful safeguarding assessment
- Parents should be involved unless this would place the child at risk of harm
- Decisions must be based on the child's best interests and those of other affected children
- Decision-making should be clearly documented
- Biological sex must be accurately recorded
- Specific requirements apply to toilets, changing rooms, boarding accommodation and some single-sex sport.

Practical message: this is now explicitly a **safeguarding issue**, not simply an equality or inclusion issue.



Relationships, Sex and Health Education (RSHE).

2025 statutory guidance comes into force on 1 September 2026:

- Greater flexibility in curriculum design, with a less prescriptive approach.
- Stronger emphasis on parental engagement and transparency.
- New and expanded content on sexual harassment and violence, online harms, pornography, misogynistic influences, consent, criminal exploitation and personal safety.
- Greater scrutiny of external providers and teaching resources.
- Revised content on LGBT issues and gender identity.
- New emphasis on suicide prevention and other health and wellbeing issues.



Updated EYFS Statutory Framework.

Key changes on 1 September 2026 for schools with children aged 0-5:

The revised framework introduces several Section 3 (safeguarding and welfare) changes, including:

- Strengthened **safer sleep** requirements
- New requirement to have regard to guidance on **children's screen use**
- Prohibition on providing childcare where **banned dog breeds** are present
- Updated safer recruitment, reference template and suitability requirements
- Stronger expectations around **attendance and unexplained absence**
- Clarification on allegations management
- Endorsement of NSPCC's online safeguarding training for early years educators.



Priority actions.

- Check that policies have been reviewed against final version of KCSIE rather than earlier consultation draft
- Check whether the school's local authority has delivered any guidance on early help in the light of the WTSC updates and if so that it is reviewed
- Ensure the school's safeguarding suite of policies and procedures reflect the new language and guidance and for those with EYFS that the framework obligations are reflected
- Ensure your DSL has had appropriate training and review the content of the safeguarding update training to be delivered to staff by cohort at Inset
- Review volunteer, DBS and barred-list arrangements
- Identify vulnerable children and plan for their successful reintegration
- Give governors/proprietors assurance that implementation is complete.



Attendance.

- Working Together to improve school attendance, July 2026



Attendance.

Statutory guidance, so schools must have regard to it

Described as containing "technical clarifications", but there are important operational changes too:

- Emphasis on **consistent register-taking**, including taking the register at the same time for all registered pupils
- Stronger expectations around **leadership** and on **attendance analysis**, including identifying key cohorts, benchmarking attendance data & explicit inclusion of young carers
- Clearer guidance on **illness-related absence**, when medical evidence may be appropriate and the use of remote education as a last resort and as part of a reintegration plan
- Clarification that **leave of absence** should only be granted in **exceptional circumstances**, blanket policies should be avoided & requests must always be considered on their individual merits
- Further guidance on use of **attendance register and codes**.

Two practical issues to watch

Registration times: schools using different registration windows for different age groups should review this now.

"Regular attendance": the new definition appears difficult to reconcile with the separate attendance-return requirements. VVW has raised this with the DfE and is awaiting clarification; schools should not assume that the reporting threshold has radically changed in the meantime.



Behaviour management.

- **Section 93 & 93A of the Education and Inspections Act 2006 and the Schools (Recording and Reporting of Seclusion and Restraint) (No. 2) (England) Regulations 2025 re Restrictive interventions, including use of reasonable force, in schools, April 2026**
- **29A Education Act 2002 as amended by the Children's Wellbeing and Schools Act 2026 and the Education (Educational Provision for Improving Behaviour) Regulations 2010 as amended by the Education (Educational Provision for Improving Behaviour) (Application to Academies and Pupil Referral Units and Minor Amendments) Regulations 2026 re off-site direction**
- **Children's Wellbeing and Schools Act 2026, section 36 introduces new section 550c of the Education Act 1996 re Mobile phones in schools guidance, statutory on 29 June 2026**



Suspension and permanent exclusion: what has changed?

Updated statutory guidance – effective 26 July 2026

Key changes include:

- Expanded guidance on unlawful exclusions and off-rolling, with additional examples of practices that may be unlawful
- New guidance on temporary separation for safeguarding purposes – making clear that this is not a disciplinary exclusion
- Significant changes to off-site direction, including extension of the statutory framework to academies
- Strengthened requirements around review and monitoring of off-site placements
- Further clarification on managed moves, including that “trial managed moves” and “trial admissions” are not lawful
- Stronger expectations of governing boards around scrutiny of suspension, exclusion and pupil movement data
- Greater emphasis on safeguarding, reintegration, information sharing, SEND and equality considerations.



Off-site direction: academies.

Academies now have an express statutory power to direct pupils off site

From **26 July 2026**, the statutory off-site direction framework applies to academies (as set out within section 29A Education Act 2002).

The requirements include:

- Formal written notice to parents and, where relevant, the local authority
- Prescribed information about the placement and its objectives
- Regular review of the placement
- Rights for parents/local authorities to request a review
- Written notification of extensions
- Evidence that appropriate initial interventions were attempted before an off-site direction was used.

Transitional point: Academies with directions made before 26 July but continuing afterwards need to ensure those arrangements comply with the transitional provisions.



Restrictive interventions: new duties.

What changed in April 2026?

New requirements were introduced, alongside updated DfE guidance (through Section 93A of the Education and Inspections Act 2006 and the Schools (Recording and Reporting of Seclusion and Restraint) (No. 2) (England) Regulations 2025).

Schools must now have procedures to:

- **Record** every significant use of force and every incident of seclusion or non-force related restraint.
- Make the record **as soon as practicable and no later than the same day**
- **Report significant uses of force to parents**, in writing, as soon as practicable and no later than the same day
- Provide parents with written information about **seclusion and non-force related restraint**, again no later than the same day

Key point: The duties apply even where the intervention forms part of an agreed behaviour support plan.



RIs: more than recording and reporting.

The wider guidance also strengthens expectations around:

- Prevention and de-escalation
- The lawful and proportionate use of reasonable force
- Seclusion and other forms of restraint
- Support for pupils with SEND
- Parental engagement following incidents
- Safeguarding oversight of restrictive intervention
- Monitoring incident data for patterns and disproportionate impact.

What should schools be doing?

- Check behaviour and safeguarding policies reflect the new terminology and duties
- Ensure staff understand what must be recorded and reported
- Review incident data rather than simply retaining records
- Ensure governors/trustees receive appropriate assurance and oversight



Mobile phones.

Schools must now **have regard to the DfE's guidance** and should begin following it from 1 September 2026.

The DfE's expectations are that schools should be **mobile phone-free by default** throughout the school day.

Note:

- The guidance does not prohibit pupils bringing phones onto the school site
- Schools can choose how to achieve a phone-free environment, for example through hand-in arrangements or secure storage
- **“Not seen, not heard”** - Not expressly prohibited but guidance expects pupils not to have **access** to mobile phones during the school day
- Different arrangements may be appropriate e.g. for sixth form, boarding provision, pupils with SEND needs or other exceptional circumstances, but these should be clearly justified, recorded and controlled and not seen, not heard policies may be appropriate in those circumstances.



●●● Health, safety and wellbeing.

- Mobile Phones (see previous section)
- Allergy safety in schools, July 2026
- Terrorism (Protection of Premises) Act 2025 (Martyn's Law)



Allergy safety: new statutory requirements.

New statutory guidance published 6 July 2026

Maintained schools and academies must:

- Have a dedicated allergy safety policy.
- Publish the policy and keep it under review.
- Have regard to the new DfE statutory guidance.
- Identify a named senior leader responsible for allergy safety.
- Have arrangements for identifying pupils with allergies and managing their risks.
- Ensure appropriate Individual Healthcare Plans are in place where required.
- Provide appropriate allergy-awareness and emergency-response training.
- Ensure access to prescribed and spare adrenaline devices.
- Record, investigate and learn from serious incidents and near misses.



Allergy safety: what should schools be doing?

Maintained schools and academies should:

- Publish the dedicated policy.
- Review IHPs and Allergy Action Plans.
- Review staff training.
- Check medication and adrenaline arrangements.
- Review catering, trips and classroom risk management.
- Put systems in place for recording and learning from incidents/near misses.
- Review connected policies – medicines, first aid, attendance, educational visits, safeguarding and risk assessment.
- Ensure governors/trustees have appropriate oversight.



School security.

Martyn's Law

- The **Terrorism (Protection of Premises) Act 2025** received Royal Assent on 3 April 2025 but implementation period of **at least 24 months** before it comes into force.
- The Act aims to improve security and public preparedness at public venues by requiring steps to reduce vulnerability to terrorist attacks.
- Once in force, schools within scope will need to have appropriate **public protection procedures** covering:
 - **Evacuation**
 - **Invacuation**
 - **Lockdown**
 - **Communication**
 - an identified **responsible person**
 - to register with the Security Industry Authority (SIA), which will regulate compliance.
- Will apply where it is reasonable to expect 200+ people to be present.
- The standard tier arrangements will apply to schools, even where 800+ may be present.



Complaints and claims.

- **Section 164A Data Protection Act 2018, 19 June 2026**
- **FOI and AI guidance from the ICO**



Data protection complaints: new legal requirements.

From 19 June 2026, section 164A Data Protection Act 2018 introduced new requirements for handling data protection complaints.

Schools must:

- provide a clear and accessible way to make a data protection complaint;
- **acknowledge complaints within 30 calendar days;**
- take appropriate steps to investigate and respond **without undue delay;** and
- inform the complainant of the outcome.

Our recommended approach:

- Make the parental complaints procedure **compliant** so it can accommodate data protection issues within wider parental complaints.
- Have a shorter standalone data protection complaints process available for **non-parent complaints and appropriate standalone data protection complaints.**
- **Categorise carefully:** consider the substance of the complaint as a whole before deciding which process applies.
- Update **privacy notices** to explain the right to make a data protection complaint.



The ICO guidance

The ICO has published guidance for public authorities on responding to AI-generated Freedom of Information requests.

[Freedom of Information \(FOI\) and Artificial Intelligence | ICO](#)

The guidance is particularly useful given the increasing use of generative AI to produce lengthy FOI requests, SARs, complaints, and legalistic correspondence.

Useful principles for schools

- **Focus on substance, not how it was drafted**
- **Don't assume AI is accurate**
- **Clarify scope where necessary**
- **Respond proportionately**



Managing complaints effectively.

- **Identify the actual complaint:** distil lengthy correspondence into the issues requiring determination.
- **Control scope creep:** be clear about what is, and is not, within the scope of the current complaint.
- **Follow the correct procedure:** don't bypass stages because the correspondence is difficult or extensive.
- **Set boundaries appropriately:** consider clear conduct expectations or a parent code of conduct where necessary.
- **Build flexibility into policies:** ensure the school has tools to manage unreasonable or repetitive conduct without obstructing legitimate complaints.
- **Consider the different regimes:** safeguarding, parental complaints and data protection issues may overlap but may not necessarily follow the same process.

AI doesn't change the underlying issue: The length, tone or apparent sophistication of an AI-generated complaint should not dictate the response. Identify the concern and apply the appropriate process.



Other regulatory and inspection changes.

- Children's Wellbeing and Schools Act 2026
- Ofsted inspection toolkit



Children's Wellbeing and Schools Act 2026.

What matters for September?

School food

- Academies expressly subject to the School Food Regulations from **29 June 2026**
- Free school meal eligibility extended to children in households receiving **Universal Credit from September 2026.**

School uniform

- New limits on compulsory branded items from **September 2026:**
- Primary: maximum **3**
- Secondary: maximum **3**, or **4 where one is a tie**

Other changes to be aware of

- New statutory **off-site direction** framework now applies to academies – covered earlier
- **Free breakfast clubs** are being rolled out, but the universal duty is not yet in force
- Wider reforms, including the **National Curriculum duty for academies**, to come later.



Ofsted inspection from September 2026.

Updated school inspection toolkit and operating guides

The revised toolkit applies to inspections from **September 2026** and strengthens expectations across:

- safeguarding;
- inclusion;
- SEND;
- attendance;
- behaviour;
- curriculum;
- personal development;
- early years; and
- governance.



Ofsted inspection from September 2026.

Where is Ofsted placing greater emphasis?

Safeguarding

- Governance/trustee oversight
- Pupils at heightened risk
- Mental health concerns becoming safeguarding concerns
- Medical conditions and allergy safety
- Safeguarding pupils with SEND.

Inclusion

- Whole-school inclusion strategy
- Accessibility planning
- SENCo leadership
- Looked-after and previously looked-after children
- Effective use of funding, specialist support and alternative provision.

Inspection readiness

- Schools need to evidence implementation and impact, not simply policies
- Governors/trustees should understand the school's compliance position and evidence base.



Looking ahead.

- Education policy to 2028
- SEND reform
- Early years reform
- Mandatory reporting duty for CSA



Education policy: where are we heading?

Policy direction to September 2028

Curriculum & assessment

- Proposed removal of the English Baccalaureate (EBacc).
- Plans to reduce GCSE examination time by around 10%.
- Academies will be required to teach the revised National Curriculum from September 2028.

Technical education

- New technical education pathways from age 14.
- Greater emphasis on creating routes with “no dead ends” between academic, technical and employment pathways.

SEND

- Major overhaul of support, with a stronger emphasis on inclusion and meeting needs closer to home.

Devolution

- Greater decentralisation of education and skills policy, with provision more closely aligned to local economies and industries.



SEND reform: the direction of travel.

The proposed reforms seek to move towards a more nationally consistent, **inclusion-first graduated support model**, with more needs met through mainstream provision and EHCPs increasingly focused on pupils with the most complex needs.

Key proposals include:

- National Inclusion Standards
- A strengthened universal mainstream offer
- Specialist Provision Packages
- Individual Support Plans
- SEND workforce development and specialist support
- Significant expansion of specialist places
- Reform of the wider EHCP framework

The King's Speech confirmed that the Government intends to legislate for the SEND reforms through an **Education for All Bill**, subject to the outcome of the SEND consultation.



Early years: what else is coming?

Further reform on the horizon

Beyond the September EYFS changes already discussed, there are several wider developments to monitor:

- The Government's **Best Start in Life strategy**.
- The wider Government review of EY provision.
- The **CMA market study into EY education and childcare** considering issues including information & parental choice & the impact of different provider and ownership models. Provisional findings are expected in early 2027.



Mandatory reporting of child sexual abuse.

Crime and Policing Act 2026 – Duty not yet in force

The Act creates a new statutory duty for individuals undertaking **regulated activity** with children to report where they:

- are told about child sexual abuse;
- witness it; or
- see or hear it through images, video or audio.

The Act also creates an offence of **preventing or attempting to deter someone from reporting**.

Timing: The Government has said it expects commencement no earlier than 12 months after Royal Assent, with further statutory guidance issued before implementation.



Further support.

We'll continue to keep schools updated throughout the year. In particular, you may find the following resources helpful:

- **SEND Reforms Tracker** – our regularly updated tracker summarising the Schools White Paper, consultation proposals and implementation timetable.
[VWV SEND Reforms Tracker](#)
- **Insights** – practical articles and guidance as new legislation and statutory guidance is published.
- **VWV eLearning Solutions** – a comprehensive suite of legally authored online training for schools, including updated KCSIE 2026, safeguarding, data protection, equality, health and safety and other compliance topics.
- **Admissions Training for Academies and Schools** – Upcoming practical training on the school admissions framework for academies and maintained schools. Thursday, 8 October 2026, 10am – 12pm.



Any questions?



Thank you.

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