

IN THE MATTER OF THE INQUIRIES ACT 2005
AND IN THE MATTER OF THE INQUIRY RULES 2006

THE SOUTHPORT INQUIRY

**CLOSING STATEMENT
OF THE DEPARTMENT FOR EDUCATION
PHASE 1 OF THE INQUIRY**

INTRODUCTION

1. The events of 29 July 2024 were devastating for the families involved, and profoundly shocking for us all. The Department for Education as an organisation, its people, and its representatives wish to begin by expressing their deeply felt sympathies to the families of Alice, Bebe and Elsie, to the survivors, and to all of those affected by the attack. No-one should ever have to go through what they have. As a nation, we owe it to Alice, Bebe and Elsie to ensure that the right lessons are learned, and that they are never forgotten.
2. The Department is determined to do all it can, both internally and through working with other organisations, to make sure that other children, adults, families and communities do not have to face anything similar in the future. The Inquiry has heard evidence of the proactive work that the Department has done and is continuing to do to identify where improvements can and should be made across relevant policy areas and to implement them. And, as part of this process, the Department wholeheartedly welcomes the independent scrutiny of its own role, its systems, policies and guidance, which this Inquiry brings.
3. The Department has sought to provide all possible assistance to the Inquiry, and has maintained its commitment to openness, self-reflection and cooperation at all times. This has included the provision of detailed, frank and objective written and oral evidence across a range of policy areas;¹ comprehensive and timely disclosure of documents of potential interest to the Inquiry; and assistance in identifying and analysing relevant law and policy. The Department has carefully followed the evidence across the whole of Phase 1, remaining open-minded and willing to learn lessons throughout. It will continue in the same spirit of full engagement and assistance, including (as requested) through the provision of an update note by the end of November 2025 and further

¹ The 120-page corporate witness statement of Kate Dixon, a senior official in the Department, has been given the Inquiry reference DFE000256. Ms Dixon gave oral evidence to the Inquiry on 27 October 2025; her evidence is at pages 53 to 148 of the relevant transcript.

engagement² with a view to helping the Inquiry make comprehensive, sensible and achievable recommendations³ which will meaningfully assist in reducing the chances of this kind of event ever happening again.⁴

4. The Department offers this relatively short closing statement for Phase 1 in the hope that it, too, will be of some assistance to the Inquiry. The remainder is focused and structured as follows:
 - a. The Department's role
 - b. Guidance issued by the Department
 - c. The multi-agency safeguarding framework and information-sharing
 - d. Prevent and addressing risks posed to the public by children and young people
 - e. Online filtering and monitoring in school
 - f. Out of School Settings
 - g. Conclusions

THE DEPARTMENT'S ROLE

5. The Department has overall responsibility for setting the policy, accountability and regulatory framework for the education and training system in England and for the provision of children's services, including in relation to Children's Social Care ("CSC") and safeguarding of children⁵, within the legal parameters defined by Parliament.
6. It does so by identifying strategic priorities and desired outcomes for children's services, education and training and by designing the frameworks through which these are to be achieved. This includes developing and promoting legislation, publishing statutory and non-statutory guidance, setting national standards, shaping the structure and oversight of service delivery, and determining how funding is allocated to support these objectives.⁶
7. As Kate Dixon explained in her evidence, the Department does not itself deliver education or children's services; that is to say, it does not directly run the schools or children's services across the country. Instead, operational delivery is substantially devolved to the local level, with schools and local authorities trusted with a high degree of autonomy to make choices about how best to deliver high-quality education and children's services according to local circumstances and demands. Particularly in relation to education, the system is configured to provide parents and young people with choices

² Kate Dixon, 27 October 2025 transcript, p.146, from line 5

³ Chair's opening statement, 8 July 2025 transcript, p.2, from line 13

⁴ Chair's closing statement, 6 November 2025 transcript, p.184, from line 9

⁵ Including in Out of School Settings ("OOSS")

⁶ Kate Dixon, 27 October 2025 transcript, p.56, from line 13

according to their preferences and needs, and to drive high standards including through strong governance and accountability frameworks.⁷

8. As explained, the system is designed to place primary operational responsibilities with the relevant local authorities and education and childcare providers, and the Department's role is not to become involved in individual issues specific to any of the millions of children and young people in education, training or children's services at any given time.⁸ It is important to record that, for this reason, prior to 29 July 2024 the Department had no relevant knowledge of or interaction with AR or his parents.⁹

GUIDANCE ISSUED BY THE DEPARTMENT

9. As explained above, and as set out in substantial detail in Kate Dixon's evidence to the Inquiry,¹⁰ the Department issues guidance to schools and local authorities to assist them to deliver services in line with statutory requirements and best practice.
10. As Kate Dixon explained, there are different types of guidance: statutory and non-statutory. Statutory guidance may only be issued where legislation gives the Secretary of State such a power; relevant bodies are legally obliged to have regard to statutory guidance, and should follow it unless there is good reason not to. Non-statutory guidance, on the other hand, represents the Department's view of best practice or is otherwise designed to assist organisations to provide high-quality services; whilst not binding, the relevant standards and inspections bodies – principally Ofsted – will typically have regard to the extent of compliance with non-statutory guidance when assessing performance.¹¹
11. In her witness statement, Kate Dixon identified, explained and exhibited a large number of potentially relevant pieces of statutory and non-statutory guidance.¹² Areas covered include safeguarding; keeping children safe in education settings; health and safety, school security, and screening and searching; online safety; behaviour, bullying and exclusion; mental health and wellbeing; school attendance; and SEND provision.
12. Clearly the development and format of guidance involves trade-offs. For example, the Department must decide whether its objectives would best be served by guidance which is comprehensive or brief, prescriptive or principles-based, frequently updated to reflect

⁷ See "*The Importance of Teaching: The Schools White Paper 2010*", Cm 7980 (DFE000179); Kate Dixon corporate witness statement (DFE000256), §§10-11.

⁸ Kate Dixon, 27 October 2025 transcript, p.57, from line 5

⁹ Kate Dixon corporate witness statement (DFE000256), §28 and following

¹⁰ Kate Dixon corporate witness statement (DFE000256), §45 and following

¹¹ Kate Dixon, 27 October 2025 transcript, p.62, from line 24

¹² Kate Dixon corporate witness statement (DFE000256), §63 and following

best practice or consistent, and so on. Kate Dixon gave a flavour of the competing objectives when describing stakeholder feedback on *Keeping Children Safe in Education* (“KCSIE”): some wanted something much shorter, others wanted something far more detailed.¹³ Ultimately, the Department must exercise best judgement.

13. The Department keeps its guidance under periodic review. For example, *KCSIE* is reviewed and updated roughly annually, rotating between a technical review and more substantive review, accompanied by a published change log. Other less substantial pieces of guidance may be reviewed less frequently.¹⁴ The Department also incorporates feedback loops and other triggers for ad hoc reviews. Ofsted is a particularly useful source of information: through its programme of inspections it is able to identify themes (which may speak to systemic issues), which are brought to the Department’s attention through its annual report and engagement with Department ministers and officials. The Department also receives reports from other stakeholders, such as the National Safeguarding Panel, schools and local children’s services, plus local safeguarding reviews and serious incident reports.¹⁵ Events such as the attack on 29 July 2024 will also trigger a review.¹⁶ In appropriate circumstances, the Department may also commission a thematic review or peer review.¹⁷ In developing and updating its guidance, the Department engages with and seeks feedback from stakeholders on the frontline (for example, schools across the country), in the interests of providing the most helpful guidance possible.
14. All Departmental guidance is published on gov.uk, and the Department also uses a multi-channel communications approach to promote awareness across all relevant stakeholders. In addition, paid and unpaid third-party resources are available and widely adopted by schools to keep abreast of developments.¹⁸ The Department is of the clear view that its process for disseminating guidance is effective, and that relevant stakeholders are aware of the published guidance and how to find it.
15. In general, the Department’s view is that its guidance is also fit for purpose, adequately clear, practical and understood by those who need to understand it.¹⁹ At the same time, the Department strives for continual improvement, and it has proactively and frankly drawn the Inquiry’s attention to some areas of focus. A good example is the SEND

¹³ Kate Dixon, 27 October 2025 transcript, p.64, from line 14

¹⁴ Kate Dixon, 27 October 2025 transcript, p.63, from line 8

¹⁵ Kate Dixon, 27 October 2025 transcript, p.59, from line 2

¹⁶ Kate Dixon, 27 October 2025 transcript, p.57, from line 20

¹⁷ Kate Dixon, 27 October 2025 transcript, p.58, from line 5

¹⁸ Kate Dixon, 27 October 2025 transcript, p.64, from line 1

¹⁹ Kate Dixon corporate witness statement (DFE000256), §58; Kate Dixon, 27 October 2025 transcript, p.63, from line 8

guidance which, as Kate Dixon observed in her evidence,²⁰ is out of date in some (relatively minor) respects; as explained, the Department will be setting out proposals for significant reform of the entire SEND and Alternative Provision framework in a White Paper (now expected in early 2026), and the Department's view is that the necessary amendments and updates to the guidance should be made as part of that wider package of reform.²¹ In the meantime, the existing guidance continues to provide effective support to the relevant bodies in exercising their SEND functions. The Department has also recognised that there may be ways of improving the clarity of some aspects of other pieces of guidance.²² And, of course, the Inquiry has received detailed evidence about how various pieces of guidance have been developed and improved in several respects since the attack.²³ The Department will welcome the Inquiry's findings and recommendations in relation to its guidance, including in relation to any further areas for improvement which the Inquiry identifies.

16. The Department oversees compliance with the frameworks it has put in place through a scheme which includes monitoring, inspection and reporting by the relevant inspection bodies – principally Ofsted and CQC – and consultation and other engagement with relevant stakeholders (such as schools and educators), including through the Department for Education Regions Group.
17. Overall, the Department considers that the evidence regarding adherence to guidance in AR's case presents a mixed picture. The biggest concern relates to multi-agency working, risk ownership, communication and information sharing; this is addressed in the sections below. Relatedly, the evidence before the Inquiry also indicated a degree of confusion as to which local authority was responsible for attendance monitoring and for the Child Missing Education processes in “cross-border” cases. However, the Department's guidance is clear that the responsibility lies with the local authority for the area in which the child lives; whilst the Department does not hold information to suggest this is a systemic issue, it will of course consider stakeholder feedback.²⁴
18. There was much positive work done by the schools. They, in general, took risks seriously and managed them appropriately, made serious efforts to engage (or re-engage) AR in education, were determined in making safeguarding checks, and communicated appropriately. Much of this was done in the face of the particular challenges posed by the Covid pandemic and AR's bail conditions. In particular, Acorns School and relevant members of staff are to be commended for quickly and accurately recognising the risks

²⁰ Kate Dixon corporate witness statement (DFE000256), §121; Kate Dixon, 27 October 2025 transcript, from p.76, line 2; and p.87, from line 10

²¹ Kate Dixon corporate witness statement (DFE000256), from §117; Kate Dixon, 27 October 2025 transcript, p.88, from line 3

²² See, for example, Kate Dixon, 27 October 2025 transcript, p.107, from line 7; and p.127, from line 11

²³ Kate Dixon corporate witness statement (DFE000256), from §67

²⁴ Kate Dixon, 27 October 2025 transcript, from p.66, line 2; and from p.68, line 18

posed by AR, making repeat Prevent referrals, and refusing to wash their hands of him where partner agencies declined to step up; as Kate Dixon summed it up, “*It wasn’t [Joanne Hodson’s] problem, but she was bigger than that*”.²⁵

THE MULTI-AGENCY SAFEGUARDING FRAMEWORK AND INFORMATION-SHARING

19. Failings in multi-agency working and information sharing in AR’s case run like a golden thread through the evidence heard by the Inquiry. As Kate Dixon explained in her written and oral evidence,²⁶ this is sadly not a new problem. Where safeguarding goes wrong, poor and ineffective multi-agency working, including in relation to intra-agency information sharing, is frequently a point of failure. Two recent reviews identified as particular problems a lack of robust critical thinking and challenge within and between agencies, insufficient specialist skills and capacity, inadequate multi-agency leadership, and barriers to information sharing.²⁷ The *Child Safeguarding Practice Review Panel: annual report 2023-24*²⁸ found that 81% of serious incidents involved poor coordination or handover between services; issues included failures in information sharing, inconsistent record keeping, role confusion, delayed responses, and fragmented services, leading to critical information being missed and delays in addressing children’s needs.
20. In AR’s case, one particular issue was the failure effectively and promptly to exchange information relating to the risk AR posed to others following his permanent exclusion from The Range.²⁹ There was some suggestion in evidence that AR’s risk should have been set out in the EHCP. However, EHCPs have a specific purpose relating to educational barriers faced by the individual child or young person and, indeed, pupils who pose risks to others may not be the subject of an EHCP at all. EHCPs are therefore not the right vehicle for communicating information about risks posed to others.³⁰ But form matters less than substance; the only really important thing is that relevant risks are communicated effectively and promptly to relevant stakeholders. It is obvious that that did not always happen in AR’s case. The Department is considering whether to develop *KCSIE* to provide examples of the sorts of circumstances in which advance information sharing is appropriate (in addition to the existing principled guidance that schools should consider whether to share information in advance),³¹ to make unambiguously clear that

²⁵ Kate Dixon, 27 October 2025 transcript, from p.139, line 15

²⁶ Kate Dixon corporate witness statement (DFE000256), from §173 and §§437-443; Kate Dixon, 27 October 2025 transcript, p.109, from line 12

²⁷ *Child Protection in England* (DFE000085) and the *Independent Review of Children’s Social Care* (DFE000204), both published in 2022

²⁸ DFE000236

²⁹ Kate Dixon, 27 October 2025 transcript, from p.104, line 9

³⁰ Kate Dixon, 27 October 2025 transcript, p.80, from line 1

³¹ Kate Dixon, 27 October 2025 transcript, from p.105, line 20; and p.107, from line 7

relevant information relating to risk should not be sent to a single email recipient,³² and also to reinforce the need to confirm receipt and review of relevant information.³³

21. The Department is committed to strengthening the multi-agency safeguarding architecture to prevent children falling through the gaps. In November 2024, it published the policy statement *Keeping children safe, helping families thrive*, setting out the government’s commitment to whole system reform of the CSC system.³⁴ As envisaged in the policy paper, the Children’s Wellbeing and Schools Bill is currently progressing through Parliament. Amongst other things, the Bill creates an explicit duty to share information for safeguarding and welfare purposes, making clear that data protection concerns are no barrier to appropriate information sharing and introduces a Single Unique Identifier (“SUI”) for children.³⁵
22. However, as Kate Dixon explained in her oral evidence, removing the structural barriers (real or perceived) to effective multi-agency safeguarding, including through information sharing, is a necessary step but not a complete solution: *“I think it helps but it doesn't solve the whole problem. So there are two issues, there is culture and people, and there's a mechanism and a process, and this is the latter. So, it will be helpful because it will allow different systems to speak to each other, it will join data up. What it won't solve is people needing to input the right data and share them and have the discussions and talk to each other and clarify information ...”*³⁶ and *“mandating a structure doesn't always guarantee the relationships are good. So there's something about the culture behind that, that is important as well.”*³⁷
23. The reality is that, irrespective of the formal structure, no safeguarding system – which necessarily depends on finely calibrated judgements on a case-specific basis – can operate without human input, with all the subjectivity and fallibility that comes with it.³⁸ And there are good reasons why safeguarding is best configured through a multi-agency framework, recognising the infinitely wide range of safeguarding needs, and drawing on expertise across diverse specialisms as required. At the same time, the Department recognises that there may be a case for greater clarity through designating a lead agency with overall responsibility and accountability for coordination and allocating responsibilities;³⁹ but this must incorporate necessary flexibility according to changing individual circumstances and needs.

³² Kate Dixon, 27 October 2025 transcript, p.107, from line 19

³³ Kate Dixon, 27 October 2025 transcript, from p.107, line 23

³⁴ DFE00086

³⁵ Kate Dixon, 27 October 2025 transcript, from p.110, line 1

³⁶ Kate Dixon, 27 October 2025 transcript, p.112, from line 11

³⁷ Kate Dixon, 27 October 2025 transcript, p.116, from line 19

³⁸ See Stephanie Roberts-Bibby, 4 November 2025 transcript, p.8, from line 11

³⁹ Kate Dixon, 27 October 2025 transcript, from p.113, line 13

24. In this and all respects, the Department will welcome the Inquiry's views and recommendations.

PREVENT AND ADDRESSING RISKS POSED TO THE PUBLIC BY CHILDREN AND YOUNG PEOPLE

25. As the Inquiry knows, safeguarding as a policy area, for which the Department is responsible, involves protecting individual children from the risks posed *to* them.⁴⁰ It is not focused on the risks posed – whether by children or adults – to the public at large, a policy area for which the Home Office is the lead Government department.⁴¹

26. As has been explained in evidence, however, the Department does have an important role to play.⁴² This arises in several ways. First, of course, it arises where children pose risks to other children, such as in schools. Second, the factors which pose safeguarding risks to the individual child often serve to increase the risks posed by that child and, similarly, safeguarding measures are a protective factor which can mitigate risks to others.⁴³ And, third, schools and other education providers are the biggest single referrer of cases into Prevent.⁴⁴

27. For this reason, the Department issues guidance and offers training and support, in line with the national Prevent strategy, to assist education settings and local authorities to comply with their Prevent duties. This is addressed in substantial detail in Kate Dixon's witness statement.⁴⁵

28. In common with other areas of guidance, the Department considers its guidance in relation to Prevent to be clear and generally well understood. As stated above, the Department's view is that the actions of Acorns School, in particular, deserve praise.

29. The fact that Acorns School attempted on three occasions, unsuccessfully, to refer AR to Prevent highlights two important points. The first relates to feedback loops. Undoubtedly it would be helpful if there were better dialogue between referrers and police, for all the reasons set out in Kate Dixon's evidence.⁴⁶

⁴⁰ Kate Dixon, 27 October 2025 transcript, p.114, from line 21

⁴¹ Kate Dixon corporate witness statement (DFE000256), §12

⁴² Kate Dixon, 27 October 2025 transcript, p.59, from line 13

⁴³ Kate Dixon, 27 October 2025 transcript, p.74, from line 5; p.115, from line 8; and from p.117, line 11. Stephanie Roberts-Bibby, 4 November 2025, p.5, from line 5

⁴⁴ Kate Dixon, 27 October 2025 transcript, p.60, from line 9

⁴⁵ Kate Dixon corporate witness statement (DFE000256), especially §§243-278

⁴⁶ Kate Dixon, 27 October 2025 transcript, from p.100, line 2

30. The second, and more fundamental, point concerns the approach to dangerous children and young people who do not meet the established Prevent thresholds. Clearly a system which leaves it, by default, to the safeguarding apparatus to manage and mitigate the risks posed by such individuals is very far from optimal. As Kate Dixon explained in her evidence, the Department is contributing to cross-government work considering how best to manage such cases including, specifically, where violence fixated individuals are involved (“VFIs”). It anticipates that learnings from the Home Office pilot scheme will inform the Department’s approach to supporting schools.⁴⁷ The Department will also seek advice from the Youth Justice Board. Critically, a programme of work needs to be completed to form a reliable evidence base to show what interventions work (and what interventions do not work) to minimise the risks posed by VFIs.⁴⁸ There is also, of course, an important and difficult question of principle about “predictive policing”, and the level of coercive intrusion we are willing to accept as a society in the interests of reducing assessed risks to the public.⁴⁹
31. These are complex issues. The Department will update the Inquiry on its work in this area later this month, and will welcome the Inquiry’s views and recommendations.

ONLINE FILTERING AND MONITORING IN SCHOOLS

32. Since 2016, *KCSIE* has made clear the need for schools and regulated educational settings to have in place suitable monitoring and filtering systems.⁵⁰
33. The Department’s focus is on supporting schools to implement and manage their filtering and monitoring systems effectively. It does so by issuing guidance, in which applicable standards are set out. It published non-statutory guidance *Filtering and monitoring standards* in March 2023, which were referred to in the September 2023 version of *KCSIE*.⁵¹ These were an update on the non-statutory guidance *Meeting digital and technology standards in schools and colleges*, published March 2022.⁵² The standards were most recently updated on 10 March 2025 to reflect the evolving technology landscape.⁵³ As of this year, schools can self-assess their filtering and monitoring provision and receive tailored recommendations via the Department’s *Plan technology for your school* service. The

⁴⁷ Kate Dixon corporate witness statement (DFE000256), §268

⁴⁸ Kate Dixon, 27 October 2025 transcript, p.114, from line 1; and from p.117, line 14

⁴⁹ Kate Dixon, 27 October 2025 transcript, p.119, from line 16; Stephanie Roberts-Bibby, 5 November 2025 transcript, from p.45, line 20

⁵⁰ Kate Dixon corporate witness statement (DFE000256), from §310

⁵¹ Kate Dixon corporate witness statement (DFE000256), §311; Kate Dixon, 27 October 2025 transcript, p.89 from line 16

⁵² DFE000256

⁵³ DFE000059

Department will continue to develop this support to enable all schools to deliver effective online safeguarding.

34. The Department’s position is that schools should have autonomy to choose filtering and monitoring products which meet their specific context and needs.⁵⁴ However, the Department is aware of a minority of products on the market which do not align with the standards it has set. The Department is therefore developing options to increase product alignment and reduce the burden on schools to identify appropriate systems. There are several ways that the Department might achieve this. The Department will conduct a full assessment of the implications of any new requirements to avoid creating burdens on the sector and limiting supplier diversity.

OUT OF SCHOOL SETTINGS

35. Out of School Settings (“OOSS”) provide a hugely valuable service to children and families across our society. As Kate Dixon described in her written and oral evidence, the OOSS sector is made up of an enormous and hugely diverse range of providers, offering an incredibly wide array of out-of-school activities in all manner of different settings, and is heavily dependent upon volunteers.⁵⁵
36. The sector as a whole is unregulated, in the sense that there is no specific set of legal regulations bespoke to OOSS. However, the fact that the OOSS sector is unregulated by the Department does not mean that OOSS act outside the reach of the law. Although OOSS are not subject to the statutory safeguarding duties that apply to schools, they are nonetheless required to take reasonable measures to safeguard the children in their care. OOSS remain bound by the general legal duties that arise under common law principles and wider regulatory frameworks – including health and safety legislation, building safety and fire safety law – which together establish the baseline for responsible safeguarding practice. Taken together, these duties require the OOSS sector to act in a manner consistent with recognised safeguarding principles and to take proportionate measures to protect children from foreseeable harm. The Department has, in addition, issued guidance to assist OOSS to operate safely, lawfully in adopting appropriate safeguarding practices, as well as parents in considering using the services of OOSS⁵⁶.
37. The Department has recently consulted on regulation of the OOSS sector, and officials will in due course make recommendations to ministers.⁵⁷ That consultation, which followed a consultation in 2015/2016, closed on 21 September 2025.

⁵⁴ Kate Dixon, 27 October 2025 transcript, p.92, line 8 to p.94, line 12

⁵⁵ Kate Dixon corporate witness statement (DFE000256), §§387-424; Kate Dixon, 27 October 2025 transcript, from p.124, line 14; and from p.128, line 20

⁵⁶ Kate Dixon corporate witness statement (DFE000256), §§392-403

⁵⁷ DFE000084; Kate Dixon, 27 October 2025 transcript, from p.130, line 22

38. The Department is not immediately attracted to the suggestion, made during the course of the Inquiry, that it should regulate to require OOSS to adopt particular protective security measures (such as magnetic locks or video entry), which the Department believes may – depending on the nature of the particular OOSS – be impractical, unrealistic or counter-productive; nor to the suggestion of regulating in relation to adult : child ratios, which may fail to recognise the vastly diverse nature of the sector and of the differing risks involved.⁵⁸ The Department wishes to ensure the continuing availability of diverse opportunities for children and young people, and is concerned that regulation of the type suggested is likely to result in a significant proportion of OOSS ceasing to offer services, thereby reducing choice and opportunities for children and young people.⁵⁹ However, the Department is considering whether there may be merit in providing worked examples of the sorts of considerations that OOSS should have in mind when making decisions relevant to safety.⁶⁰

CONCLUSIONS

39. The Department remains committed to learning from the tragic events of 29 July 2024 in the interests of doing everything reasonably possible to prevent anything similar happening in future. It will continue to reflect on the evidence that has been heard throughout Phase 1 of the Inquiry, and will look forward to receiving the Inquiry’s report and recommendations in due course.

⁵⁸ Kate Dixon, 27 October 2025 transcript, from p.128, line 20; and from p. 134, line 11

⁵⁹ Kate Dixon, 27 October 2025 transcript, from p.129, line 1; and p.134, from line 11

⁶⁰ Kate Dixon, 27 October 2025 transcript, from p.135, line 4