

Guidance for schools

Safer Recruitment

Updated January 2015

- DBS
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Purpose of this document

- To give guidance for headteachers and managers involved in the recruitment and selection of staff to ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.
- To give the necessary tools to ensure compliance with all relevant recommendations and guidance including the recommendations of the Department for Education (DfE) and the Disclosure & Barring Service (DBS).
- To give guidance on the Disclosure & Barring Service (DBS) checks, single central record (SCR) and childcare disqualification requirements.

This guidance has been produced in line with the Department for Education (DfE) [Keeping children safe in education](#), a statutory guidance for schools and colleges (April 2014) and the supplementary advice (October 2014) on [childcare disqualification requirements](#).

The role of the school in safeguarding

- Everyone who comes into contact with children and their families has a role to play in safeguarding children. School staff are particularly important as they are in a position to identify concerns early and provide help for children to prevent concerns from escalating. Schools and their staff form part of the wider safeguarding system for children. This system is described in statutory guidance [Working Together to Safeguard Children 2013](#).
- Governing bodies should ensure there is an effective child protection policy in place together with a staff behaviour policy e.g. employee code of conduct. Both should be provided to all staff – including temporary staff and volunteers.
- Each school should have a designated safeguarding lead who will provide support to staff members to carry out their safeguarding duties and who will liaise closely with other services such as children's social care – refer to [Appendix 13](#) which describes the broad areas of responsibility).
- The Teacher Standards 2012¹ state that teachers, including headteachers, should safeguard children's wellbeing and maintain public trust in the teaching profession as part of their professional duties.
- Schools should work with social care, the police, health services and other services to promote the welfare of children and protect them from harm.

¹ The Teachers' Standards apply to: trainees working towards QTS; all teachers completing their statutory induction period (newly qualified teachers [NQTs]); and teachers in maintained schools, including maintained special schools, who are covered by the 2012 appraisal regulations.

Safer recruitment

We must ensure that we do everything we can to prevent appointing people who may pose a risk to children, as this is an essential part of safeguarding. Safer recruitment practice is not just about the Disclosure & Barring Service (DBS) check, in fact most people who abuse children do not have a criminal conviction.

Therefore a range of systems, processes and vetting checks need to be in place to prevent unsuitable people from working with children and young people.

The recruitment and selection process should ensure the identification of the person best suited to the job at the school based on; the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

The safer recruitment process identifies the following approach as good practice for schools:

Prior to appointment

Safer practice in recruitment means thinking about and including issues relating to safeguarding and promoting the welfare of children at every stage of the process. It starts with planning the recruitment, and ensuring that the advertisement makes clear the school's commitment to safeguarding children. It also requires a consistent and thorough process of obtaining, collating, analysing and evaluating information from and about applicants. There are several elements to this process, where the school should ensure that:

- There is an up-to-date recruitment and selection policy that describes the process.
- There is a safeguarding policy and a commitment to safeguarding.
- The job description and person specification are up-to-date and that it includes an expectation around safeguarding.
- The advertisement includes a statement about safeguarding and whether an enhanced DBS with barred list check is required for the post.
- All applications are scrutinised carefully prior to shortlisting.
- There is a question on safeguarding asked of each candidate at interview.
- Any gaps in information supplied by the candidate are explored at interview and documented on the application form for future reference.
- References are sought from the referees prior to interview, and one reference must be from the current employer. Ideally references should be sought for all shortlisted candidates. References provide factual and objective information to support the appointment decision. Where possible the references should cover the last 5 years. Any issues or gaps in information can be explored with the referee and taken up with the candidate at interview. Dates from the application form should be cross matched with the references.
- References are scrutinised and any concerns resolved before the offer of appointment is made. Any issues or gaps in information can be explored with the referee and taken up with the candidate at interview.

Pre-appointment checks

It should be made clear to candidates that the offer of a post is subject to satisfactory completion of pre-employment checks that include:

- Employment history on the application form – any gaps in employment must have a satisfactory explanation.
- At least 2 satisfactory references, one reference must be from the current employer.
- Proof of identity - verification of a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available.
- Proof of address – document should be less than 3 months old.
- Proof of meeting the requirements of the Asylum and Immigration Act 1996 and the Immigration, Asylum and Nationality Act 2006 - verification of applicant's right to work in the UK. Further information can be found at the Home Office: [Full guide for employers on preventing illegal working in the UK](#).
- Health checks – anyone appointed to a post working with children must be medically fit, both physically and mentally. Employers will need to make reasonable adjustments under the Equality Act 2010, where appropriate.
- An enhanced DBS check with a barred list information. Alternatively, if the applicant has subscribed to the DBS Update Service and gives permission, the school or HR may undertake an online update check through the DBS web page. Further details please refer to [Appendix 9](#).
- Professional qualifications, if applicable.
- A check that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State, by using the [Employer Access Online Service](#)². Qualifications should be seen and checked to verify that the candidate has actually obtained them.
- Relevant checks on overseas-trained teachers - to comply with the Department for Education (DfE) [Advice on employing overseas-trained teachers](#). This gives information on the requirements for overseas-trained teachers from the European Economic Area to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the United States of America.
- Relevant checks for applicants who have lived outside the UK - the checks should be the same way as for those applicants resident in the UK.

It is advised that in general employment should not commence until all satisfactory pre-employment checks have been completed. The checklist at [Appendix 8](#) may be useful for pre-employment checks.

² [The Employer Access Online Service](#) will also identify any existing prohibitions and sanctions made by the General Teaching Council for England (GTCE) before its abolition at the end of March 2012, and provide information about any teacher qualifications held and whether induction has been passed. The service is offered free of charge to schools, local authorities and teacher supply agencies in England.

Post appointment

Schools should be a safe environment for the children. Safeguarding should feature highly in policies, processes, procedures and practices that are well promoted to parents, children and all staff including temporary and volunteers. However it is important not to be complacent and on-going vigilance is required. Safer recruitment should not stop at appointment:

- Governing bodies should ensure there is an effective child protection policy in place together with a staff behaviour policy.
- There should be an induction programme for all new staff and volunteers. This should include information about safeguarding.
- All staff, as a minimum, should undergo initial training on safeguarding and child protection.
- Maintaining a safe culture is important. All staff should understand their roles and responsibilities in relation to safeguarding and be confident in carrying them out. Everyone needs to feel confident that they can raise issues or concerns about the safety or welfare of children and that these will be followed through.
- There should be continuous monitoring of employee behaviour and an on-going culture of vigilance. There should be open and transparent working practices to minimise the risk of allegations.
- The school's code of conduct should state that it is a contractual obligation of the employee to report any convictions, cautions or bind overs incurred during the course of their employment. Failure to comply with the school's recognised policies and procedures could result in disciplinary action.
- Monitoring of the recruitment and induction processes, including feedback from employees, will contribute to future improvements.
- On-going training is essential to maintaining a safe workplace.

Guidance on the single central record (SCR)

The single central record is to ensure that all the necessary information about the school's recruitment and vetting checks is contained in one central record. The aim of this process is to ensure that a summary of all the checks are kept together in one place. Ofsted inspectors will check the schools' single central record early in the inspection with the expectation that it will be complete and meet statutory requirements.

Schools must keep an up-to-date single central record of all people who work in regular contact with children to ensure compliance with its obligations to ensure that children are safe. The single central record must cover the following people:

- all staff (including supply staff) who work at the school
- all others who work in regular contact with children in the school including volunteers

Generally, the information is to be recorded on these individuals whether or not the following checks have been carried out. Each entry **must show the name of the person making the check, the position held and the date on which the checks were completed**:

- an identity check
- a barred list check
- an enhanced DBS check
- a prohibition from teaching check (Employer Access Online Service)

- further checks on people living or working outside the UK (request a police certificate check from their home country, if teachers verify requirements for overseas trained teachers)
- a check of professional qualifications
- a check to establish the person's right to work in the UK
- health check
- references check

The model single central record for use by schools is attached as a separate document and available on Fronter.

The Ofsted document 'Inspecting safeguarding in maintained schools and academies' is useful for schools to read prior to an Ofsted inspection. This document is reviewed regularly - please check the [Ofsted web page](http://www.ofsted.gov.uk/resources/inspecting-safeguarding-maintained-schools-and-academies-briefing-for-section-5-inspections) for latest information (<http://www.ofsted.gov.uk/resources/inspecting-safeguarding-maintained-schools-and-academies-briefing-for-section-5-inspections>)

Guidance on the DBS checks

On 1 December 2012 the Independent Safeguarding Authority (ISA) merged with the Criminal Records Bureau (CRB) to form the Disclosure & Barring Service (DBS).

The process by which the DBS provides criminal record data is called DBS certificate or a DBS check (formerly CRB check). The DBS is responsible for administering three types of checks:

- **standard:** a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings;
- **enhanced:** a check of the PNC records as above, plus other information held by the police that is considered relevant by the police; and
- **enhanced with barred list information:** for people working in regulated activity with children. This adds checks of the DBS children's barred list³ to the enhanced check.

More information is available on the [DBS website](https://www.gov.uk/government/organisations/disclosure-and-barring-service) (<https://www.gov.uk/government/organisations/disclosure-and-barring-service>)

For school staff, an enhanced DBS check with barred list information is appropriate as the majority of staff will be engaged in regulated activity. A person will be considered to be in 'regulated activity' if as a result of their work they:

- will be responsible, on a regular basis, in any setting for the care or supervision of children; or
- will regularly work in a school at times when children are on school premises (where the person's work requires interaction with children, whether or not the work is paid (unless they are a supervised volunteer), or whether the person is directly employed or employed by a contractor); or
- will regularly come into contact with children under 18 years of age.

³ The DBS maintains 'barred lists' (formerly L99) of individuals who are unsuitable for working with children and adults. The DBS lists replace the lists maintained by the former Independent Safeguarding Authority.

Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government have produced a factual note on [Regulated Activity in relation to Children: scope](#).

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children;
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly⁴. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Guidance for schools on DBS checks

Schools should ensure that all those employed in any capacity that is directly responsible for supervising and/or caring for children or have access to pupil data have a current enhanced DBS with barred list check certificate. It is the London Borough of Islington policy that a DBS check is renewed every 3 years. Alternatively, if the applicant has subscribed to the DBS Update Service and gives consent, the school or Islington Human Resources Services may undertake an online update check through the DBS Update Service.

Prior to taking up employment an enhanced DBS with barred list check disclosure must be requested.

The applicant must show the DBS certificate to the school before they take up post or as soon as practicable afterwards. If a school allows an individual to start work before the DBS certificate is available then the school should ensure that a risk assessment [Appendix 6](#) is undertaken, the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.

⁴ The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if "it is carried out frequently by the same person" or if "the period condition is satisfied". Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, for the purposes of the work referred to at (a), it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children. "Frequently" is not defined in the Act, but the Guidance Regulated Activity in relation to Children: scope describes "frequently" as doing something once a week or more.

Employees are required to join the DBS Update Service. The benefits to schools are:

- instant online checks
- portability of DBS certificates (employees may never need to apply for a new DBS check)
- enhanced safeguarding processes - the online system is updated every week for disclosures with conviction and barring service information, and every nine months for non-conviction information

Further details on the DBS Update Service please refer to [Appendix 9](#).

DBS disclosure information

Schools should verify the original DBS certificate. Just a reminder that applicant's DBS certificate should not be kept on personnel file – schools should update the single central record with the current DBS certificate and destroy any copies of the DBS certificate.

In all cases where a disclosure shows convictions and/or cautions, the headteacher should meet with the employee/volunteer to discuss the convictions and/or cautions and to confirm that the convictions and/or cautions actually relate to the individual. The headteacher's decision should be documented on the **DBS pro-forma** – refer to [Appendix 12](#) and returned along with a copy of the individual's DBS certificate to Islington Schools Human Resources as soon as possible for final ratification. Depending on the contents of the certificate, the Head of Schools Human Resources will also need approval from the Director of Targeted and Specialist Services.

Volunteers including parent volunteers

Volunteers who have frequent and intensive contact with children (frequent is once a week or more, intensive is 4 days a month or overnight) will be required to obtain an enhanced DBS disclosure with barred list check.

For one-off volunteers helping at a school fete or accompanying staff on a trip out of school, a DBS disclosure is not required but appropriate risk assessment [Appendix 7](#) must be undertaken and ensure that any volunteer is not left alone and unsupervised with children.

If volunteers are recruited by another organisation, the school should obtain assurances from the organisation, or the umbrella body that has carried out the DBS checks on the organisation's behalf, that clearance has been given and this assurance must be confirmed in writing in the form of a letter on the organisation's letterhead. This should declare that the person has been properly vetted and the individual should be asked to provide evidence of photo ID on school premises, especially on the first day.

For the purposes of an Ofsted inspection, schools should be able to explain the rationale for those who have been checked and those who have not.

Governors

School governors who are volunteers should be treated on the same basis as other volunteers, that is, an enhanced DBS check with barred list check should be requested if the governor will be engaged in regulated activity.

For school governors where a disclosure shows convictions and/or cautions, the school should instruct the governor to show the DBS certificate directly to Governor Services at 020 7527 5572.

Agency and third-party staff

Schools must obtain written notification from any agency, or third-party organisation, they use that the organisation has carried out the checks on an individual who will be working at the school. This must include, as necessary, a barred list check, prior to appointing that individual. Also it should declare that the person has been properly vetted and the individual should be asked to provide evidence of photo ID on school premises, especially on the first day.

Trainee/student teachers

Where applicants for initial teacher training are salaried by the school - the school must ensure that all necessary pre-employment checks are carried out. As trainee teachers can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and barred list check must be obtained. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider⁵ to carry out the necessary checks.

Existing staff

If a person working at the school moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity must be carried out. If a school has concerns about an existing staff member's suitability to work with children, school should contact Schools Human Resources.

Other visitors to the school

One-off visitors to a school should not be left unsupervised with children. For example, parents collecting their children from school are not expected to have a DBS check. If they are collecting other children, the school should check with the parent of the child/children that a named person has been authorised to collect as per normal school practice. Schools should ensure that procedures are in place for all visitors to sign in and out of the school premises.

Pupils going on work placements

Where the work experience placement is between 10 and 15 days, and the placement is not exclusively with 1 person (responsible for the young person), it is sufficient for the placement organiser to carry out a risk assessment. This to ensure that the placement adheres to all relevant health & safety and safeguarding policies, has insurance cover for the young person on work placement and does not require or ask the young person to carry out tasks prohibited by law or which apply to those under 16 years of age.

The placement organiser should satisfy him/herself that the placement supervisor understands safer recruitment and has information regarding regulated and controlled activities and child protection policies by visiting and briefing the employer prior to placement. Once the briefing has taken place and the placement organiser is assured of the above conditions being met the placement may be confirmed. Similarly a risk assessment should be carried out on a work placement for pupils between 16-18 years of age who are still considered to be in the trust and care of their school.

Where pupils arrange work experience placements at a nursery school/children's centre or where there are children, the supervisor at the setting must be aware of any concerns or risks surrounding the young person who will carry out the work experience placement and assure him/herself of the safety of the placement.

⁵ National College for Teaching and Leadership - [Initial teacher training provider supporting advice and initial teacher training criteria](#)

Contractors

Contractors who are contracted by the school to work with, or provide services (e.g. catering staff) for children should adopt and implement the measures as per that which a school adopts and implements for its own employees.

1. building improvement or maintenance contracts - Where contractors and their sub-contractors are working, for example on building improvement and/or maintenance and survey works, in clearly defined areas and do not have unsupervised access to other areas of the school then the school should ensure the appropriate risk assessments are completed for each activity.
2. where contractors and their subcontractors do require access to areas in use by pupils then the premises manager or other appropriate members of staff should accompany the contractor or their sub-contractor during the visit/task.
3. building improvement or maintenance contracts – contractors site agent. Where a contractors' site agent is required to have access across the site and outside of the identified contractors' compound, usually to liaise with the headteacher or premises manager, during normal operational hours the contractor (employer) is required to ensure their agent has, where possible, an enhanced DBS check.

The school should also monitor the contractor's compliance with safer recruitment policies and satisfy itself that the organisation sends information regarding names of contractors on company letterhead in advance of the contractors' arrival on site.

School should always check the identity of contractors and their staff on arrival at the school before being allowed on school premises or to come into contact with children and young people. In addition the appropriate risk assessment procedures should be adopted and schools should ensure that contractors' access to children is limited.

Extended schools activities

With regard to contractors where a third party is responsible for running the services there should be clear lines of accountability and written agreements setting out responsibility for carrying out the recruitment and vetting checks on staff and volunteers.

Partner agencies

All partner organisations (health, police, social care, CAMHS (Child and Adolescent Mental Health Services), voluntary and community sector organisations, etc.) and external agencies should have carried out an enhanced DBS with a barred list check on their employees. Schools should ensure to have written confirmation from these organisations that any staff visiting the school have the appropriate checks and a risk assessed DBS. Schools should also require evidence of ID (photo ID badge) when the member of staff visits the school.

School Lettings

Before agreeing to any letting schools should ask to see a copy of the lessee organisation's Safeguarding and Health & Safety policies and arrangements, and satisfy themselves that the organisation has appropriate procedures in place for safe recruitment, including (but not limited to) the taking up of DBS checks. Where a school is making a letting to an individual (e.g. a self-employed tutor) the school should follow the same safer recruitment procedures as if the individual concerned were a member of the school staff, regardless of whether the children to whom they provide a service attend the school or not.

Guidance on the childcare disqualification requirements

In October 2014, the DfE (Department for Education) published a supplementary advice to the [Keeping children safe in education](#) statutory guidance. This advice details a requirement for childcare disqualification checks to be carried out on relevant staff working in schools. These checks arise from the [Childcare \(Disqualification\) Regulations 2009](#) and the [Childcare Act 2006](#) **which prohibit anyone who is disqualified themselves** under the Regulations, or **who lives in the same household as a disqualified person**, from working in a relevant setting, including in schools which have pupils under the age of 8, or in childcare facilities or before or after school clubs etc. on the school site.

Relevant staff and relevant settings

The following categories of staff in nursery, primary or secondary school settings are covered by the Childcare (Disqualification) Regulations 2009.

- staff who work in early years provision up to the age of 5 (up to 1st September following their 5th birthday - including teachers and support staff working in school nursery and reception classes)
- staff working in later years childcare settings for those up to the age of 8 (including breakfast clubs, after school clubs and crèche facilities)
- staff who are directly concerned in the management of such early or later years provision

The Regulations refer to employing a person “in connection with” these provisions. The check will apply to all staff employed in these settings who come into regular contact with children at these ages:

- in nursery and Infant school settings - all staff should be covered
- primary schools - all staff should be covered unless they are always **exclusively** working with those over the age of 8
- secondary schools - will need to undertake checks on relevant staff (including managers) where any services are provided where under 8s may be in attendance e.g. childcare facilities, before or after school clubs

Who is disqualified?

A person may be disqualified if any of the following apply:

- they have been cautioned for or convicted of certain violent or sexual criminal offences against children and adults
- they are the subject of an Order, direction or similar in respect of childcare, including orders made in respect of their own children
- they have had registration refused or cancelled in relation to childcare or children’s homes or have been disqualified from private fostering
- they live in the same household where another person who is disqualified lives or works (disqualification by association)

Full details of what constitutes “disqualification” are in the schedules to the Regulations <http://www.legislation.gov.uk/uksi/2009/1547/contents/made>

Action for schools

1. All relevant staff in relevant settings **must be asked to complete a declaration as soon as possible**, affirming that they are not disqualified. See [Appendix 16](#) for a model declaration form and [Appendix 15](#) for a model letter to hand to staff explaining why the declaration is necessary. Staff will need to have access to information about the relevant offences, orders etc. and schools should print the relevant schedules to the legislation which detail the disqualification offences orders etc., and make these available to staff (if not with each form then in a central place). The links can also be provided to staff:
<http://www.legislation.gov.uk/ukxi/2009/1547/schedule/1/made>
<http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made>
<http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made>
2. Schools should contact the Schools HR team (or their HR provider) immediately if they:
 - a. know of anyone in their employment who is or may be disqualified
 - b. receive a positive declaration from any person

Anyone who is disqualified (including by association) will need to be immediately removed from the relevant setting (probably through suspension in the case of employees) and Ofsted must be notified within 14 days.

3. All new appointments in relevant settings must be required to complete the declaration prior to commencing work. You should also check the DBS certificate that they provide with reference to the relevant list of offences in the Act (see links to schedules above).
4. Schools must ensure that any external agency providing relevant staff, in relevant settings, carry out these checks prior to placing them in the school.

Disqualified employees

Schools HR team (or the relevant HR provider) will support schools in dealing with a case where a disqualified person is identified. A disqualified person can usually apply to Ofsted for a waiver of disqualification (Ofsted cannot, for example, grant a waiver to an individual who is on the children's barred list). Further details about how to make an application for a waiver can be found in the Ofsted document '[Applying to waive disqualification: early years and childcare providers](#)'

Ofsted may grant a full or partial waiver, including a waiver that would allow an individual to work in a relevant school setting. While a waiver application is under consideration the individual **must not continue to work in these settings**. Where a waiver is not granted, the employee will face dismissal, unless redeployment options are available.

Volunteers, governors, contractors and agency workers

The DfE has confirmed that volunteers and governors do not technically fall under the regulations as they are not employees.

However, schools need to be mindful of their safeguarding obligations, and if Governing Bodies wish to ask volunteers/governors to complete a disqualification declaration, this could be viewed as a proportionate decision to apply the same level of safeguarding checks to volunteers/governors that are being applied to their employees, if they are operating in one of the settings described above. The DfE has confirmed this to be the right approach.

Any such information provided by volunteers/governors or prospective volunteers/governors should be assessed in line with the guidance issued in relation to employees. Ofsted will not consider a waiver application in respect of a volunteer/governor (as the Regulations do not apply). Schools will need to make a decision about whether to allow the individual to continue volunteering – this should

involve a risk assessment having regard to the information provided on the declaration, the nature of the activities they undertake and the level of supervision in place.

Contractors are responsible as employers for ensuring that individuals caring for children are suitable to work with children. In the case of workers that are supplied by an agency or third party organisation, schools should ensure that the agency or organisation has carried out the relevant checks.

Please refer to the [Appendix 17](#) for childcare disqualification requirements frequently asked questions.

Safer recruitment training

From 1 September 2014, safer recruitment training no longer needs to be approved by the Secretary of State. However, schools are still required to ensure that at least one member of any recruitment panel has received appropriate training in line with safeguarding guidance.

It is strongly recommended that headteachers, governing body members and managers that have responsibility for recruitment and selection attend the safer recruitment training organised by the Education Welfare Service and Schools Human Resources. Please check Fronter for training schedules and contact details.

The headteacher, governing body members, managers and, especially the school designated safeguarding lead should undergo updated child protection training every two years.

The training consists of four modules:

1. How safer recruitment fits within the wider context of safeguarding and promoting the welfare of children and the Every Child Matters agenda, the scale of abuse, some aspects of the characteristics of abusers and the detail of how child sex offenders typically operate within organisations, and relating that to recruitment.
2. The importance of planning a recruitment campaign by sending the right messages to potential applicants and following a consistent and thorough process to obtain relevant information about each applicant, and short listing candidates for interview.
3. The importance of making the right decisions and using structured interviews questions as well as pre-employment checks for the appointed candidates.
4. Examining the need for on-going awareness and vigilance and considering how organisations can develop and maintain an environment that deters and prevents abuse and challenges inappropriate behaviour.

There is also a safer recruitment half-day refresher training looking at updates and changes that impact on safer recruitment and the safer workforce cycle – a reminder of safer recruitment and selection procedures and the measures that help deter, reject or identify people who might abuse children. Only those people who have attended the whole day safer recruitment training within five years can book onto this course.

The Department for Education (DfE) no longer coordinates arrangements for accredited safeguarding training, or maintain the online training site. The National Society for the Prevention of Cruelty to Children (NSPCC) has developed an online training safer recruitment package in education.

For further details on the NSPCC online training course, please check website:

http://www.nspcc.org.uk/Inform/trainingandconsultancy/onlinetraining/safer-recruitment-in-education_wda103382.html

How to access help and support

Matters in relation to safer recruitment and related personnel issues

For a range of support on issues relating to safer recruitment and personnel issues, please contact your dedicated school HR Adviser.

Matters relating to governors' responsibilities for safer recruitment and safeguarding

For general enquiries and also information about the responsibilities of governing bodies and relevant training opportunities for governors, please contact Governor Services at 020 7527 5572.

Overall safeguarding development, training and policy

A full range of support in relation to whole school work on safeguarding matters is available from the Education Welfare Service, the Safeguarding in Education Training & Development Officer and Schools Human Resources teams. This support is tailored according to the individual needs of the school, ranging from consultancy, whole staff training to specific training for individual members of staff.

Matters concerning allegations against members of staff

All allegations or possible allegations must be discussed with the Local Authority Designated Officer (LADO). For Islington schools, please contact the LADO team on 020 7527 8066. The LADO team will contact other agencies including colleagues in children's social care.

Individual child protection concerns

All child protection concerns relating to individual children should be referred in line with the London Child Protection procedures. The Islington Children's Social Care contact is 020 7527 7400 or 020 7226 0992 (out of office hours). Alternatively, you may contact either the LADO team on 020 7527 8066 or your school's link social worker.

Appendix 1 – DBS agreement letter for single certificate

DISCLOSURE & BARRING SERVICE SINGLE CERTIFICATE ISSUED TO APPLICANT ONLY

Agreement to present original DBS certificate to the school

From 17 June 2013 only one copy of a disclosure certificate is issued and it is your responsibility to present the DBS certificate to the school.

_____ School & Islington Schools Human Resources require that all of our employees/volunteers present issued (original) DBS certificate.

You are reminded that failure to disclose a criminal record may lead to the withdrawal of employment/volunteer offer and if already an employee may lead to disciplinary action.

I agree to present the original DBS certificate to the school within 7 days of receipt and I am aware that failure to comply will lead to further action from HR department/school office.

e-Bulk online reference number	
Full Name	
School	
Signature	
Date	

Please note that the school office should keep signed form on school personnel file for your employees/volunteers.

Appendix 2 – DBS consent form DBS Update Service

DBS STATUS CHECK (DBS Update Service)

CONSENT FORM

Please return this form once you have information of your DBS certificate number and subscribed to the online Update Service.

I give my consent to _____ **School and Islington Schools Human Resources** to perform a status check as many times as required on my Disclosure & Barring Service (DBS) certificate whilst employed/volunteering at the school.

Full name	
Date of birth	
DBS certificate (12 digit reference number)	
The date your DBS certificate has been added to your Update Service account	
School	
Post title	
Signature	
Date	

If you have not subscribed for the Update Service as yet, please go online to www.gov.uk/db and click the link for the DBS Update Service. You have **19 days** only to join up the Update Service from the DBS certificate issue date.

The £13 annual subscription fee is payable by you (only by credit card or debit card), but this will be refunded to you through your payslip whilst employed. After you have received your DBS certificate and have subscribed to the DBS online service, please present this form completed along with the original DBS certificate.

Please be informed that it is your responsibility to maintain and keep your Update Service account up-to-date including the renewal of your annual subscription. If the subscription is not renewed, you are required to apply for a new DBS check and then re-subscribe to the Update Service. The cost of the DBS check will be charged to you and will not be refunded to you.

You must keep your original DBS certificate safe as the DBS will not issue a replacement DBS certificate. If you lose your certificate, you will have to apply for a new DBS check. The cost of the DBS check will be charged to you and will not be refunded to you.

Please note that we require this form signed by the employee/volunteer. Please send signed form and copy of DBS certificate to Schools Human Resources **only if employee has subscribed to the Update Service.**

Appendix 3 – Offer of appointment letter

DATE:

PERSONAL

London Borough of Islington
Schools Human Resources

Room 111, Town Hall
Upper Street
London N1 2UD

T 020 7527 number
F 020 7527 number
E name.name@islington.gov.uk
W www.islington.gov.uk

OFFER OF APPOINTMENT

Dear Ms/Mr XXXX,

On behalf of the Governing Body and **xxxx School**, we are pleased to confirm that you have been successfully appointed for the post of **xxxx** with effect from **Click here to enter a date..** Your contract will be with London Borough of Islington / Governing Body of **xxxx**

You will be paid on the 26th of each month by BACS in accordance with the **Choose an item.** Your starting salary will be grade **xxxx** spine point **xxxx** which is **xxxx** per annum (pro-rata/TTO).

Prior to starting employment please note that you are required to visit the school office or Schools Human Resources in person at Upper Street, Town Hall, room 111, Islington.

Please find enclosed the following pre-employment documents to be **completed in full and brought with you** for the on-site visit. Upon completion of them, please book an appointment with me by **xxxx** on **xxxx** (telephone number):

- HMRC check-list form (formerly P46) – to enable us to set up the correct tax record
- next of kin form
- health assessment questionnaire
- criminal record disclosure (online DBS)

Please enter the following address in the web browser:

<https://disclosure.capitarvs.co.uk/islington/>

To enter the following details to start your DBS online application:

Organisation Reference:

Password:

- bank details form

Please ensure that the following original documents are also brought into the office:

- proof of identity (**passport / UK birth certificate / photo ID UK driving licence with the associated counterpart licence**)
- proof of address (e.g. 2 utility bills, credit card statement, council tax statement)
- meeting the requirements of the Asylum & Immigration Act 1996 (proof of right to work in the UK / valid visa (indefinite leave/settlement) - (if applicable)
- proof of qualifications: **support staff** relevant to their role and **teaching staff** (QTS certificate with Induction certificate, degree certificate (BEd, BA, BSc, Cert Ed), skills tests (newly qualified teacher), PGCE (newly qualified teacher), Master in Teaching & Learning)
- P45 from your last employer

Disclosure of Criminal Record – Disclosure & Barring Service (DBS) Update Service

You are required to subscribe to the DBS Update Service – this will give you more flexibility as checks are transferrable and you can use the same DBS certificate from role to role within the same workforce.

You can apply for the online service (Update Service) after your DBS certificate number is issued – you will have **19 days** only from the issue date to join up the Update Service. Please keep note of your DBS certificate number and go to web page www.gov.uk/dbs.

The **£13** annual subscription fee is payable by you (only by credit card or debit card), but this will be refunded to you through the payroll whilst employed.

You must keep your DBS certificate safe and secure as the DBS will not issue a replacement and you may need to use it again.

Please be informed that it is the employees responsibility to maintain and keep the Update Service account up-to-date including the renewal of your annual subscription. Failure to comply, will result in the employee incurring all charges for DBS check.

Your final offer of employment will be subject to satisfactory completion of:

- two satisfactory references
- post offer reference (confirmation of local government service/sickness data)
- criminal conviction check
- medical clearance
- proof of date of birth
- meeting the requirements of the Asylum & Immigration Act 1996

We would like to take this opportunity to wish you every success in your new post.

Yours sincerely,

Name Surname
Job Title

Appendix 4 – DBS renewal letter

DATE:

PERSONAL

London Borough of Islington
Schools Human Resources

Room 111, Town Hall
Upper Street
London N1 2UD

T 020 7527 number
F 020 7527 number
E name.name@islington.gov.uk
W www.islington.gov.uk

Dear Ms/Mr XXXX,

RENEWAL OF Disclosure & Barring Service (DBS) CERTIFICATE

It is London Borough of Islington policy to have DBS certificate renewed every three years and whilst auditing our system, it has come to our attention that your current DBS certificate has expired or is due for renewal as it was issued more than three years ago. You are required to complete an online DBS check, please enter the following address in the web browser:

<https://disclosure.capitarvs.co.uk/islington/>

Please enter the following details to start your application:

Organisation Reference:

Password:

After you have completed the online DBS application, you have to come in person to the school office and provide original identification documents as listed in the acceptable ID table. Your online application will be processed by your employer once they have verified your identity, and then sent onto the DBS. Please contact your school office to arrange a suitable time.

In addition, you are required to go online and subscribe to the DBS Update Service.

DBS Update Service is an online DBS service that lets applicants keep their DBS certificates up-to-date. It allows flexibility as checks are transferrable and employee/volunteer can use the same DBS certificate from role to role within the same workforce.

To subscribe for the Update Service, please go online to www.gov.uk/dbs and click the link for the DBS Update Service. You have **19 days** only from the issue date on the DBS certificate to sign up for the Update Service. The £13 annual subscription fee is payable by you (only by credit card or debit card), but this will be refunded to you through the payroll whilst employed.

Please be informed that it is your responsibility to maintain and keep your Update Service account up-to-date. If the subscription is not renewed, you are required to apply for a new DBS check and then re-subscribe to the Update Service. The cost of the DBS check will be charged to you deducted through payroll.

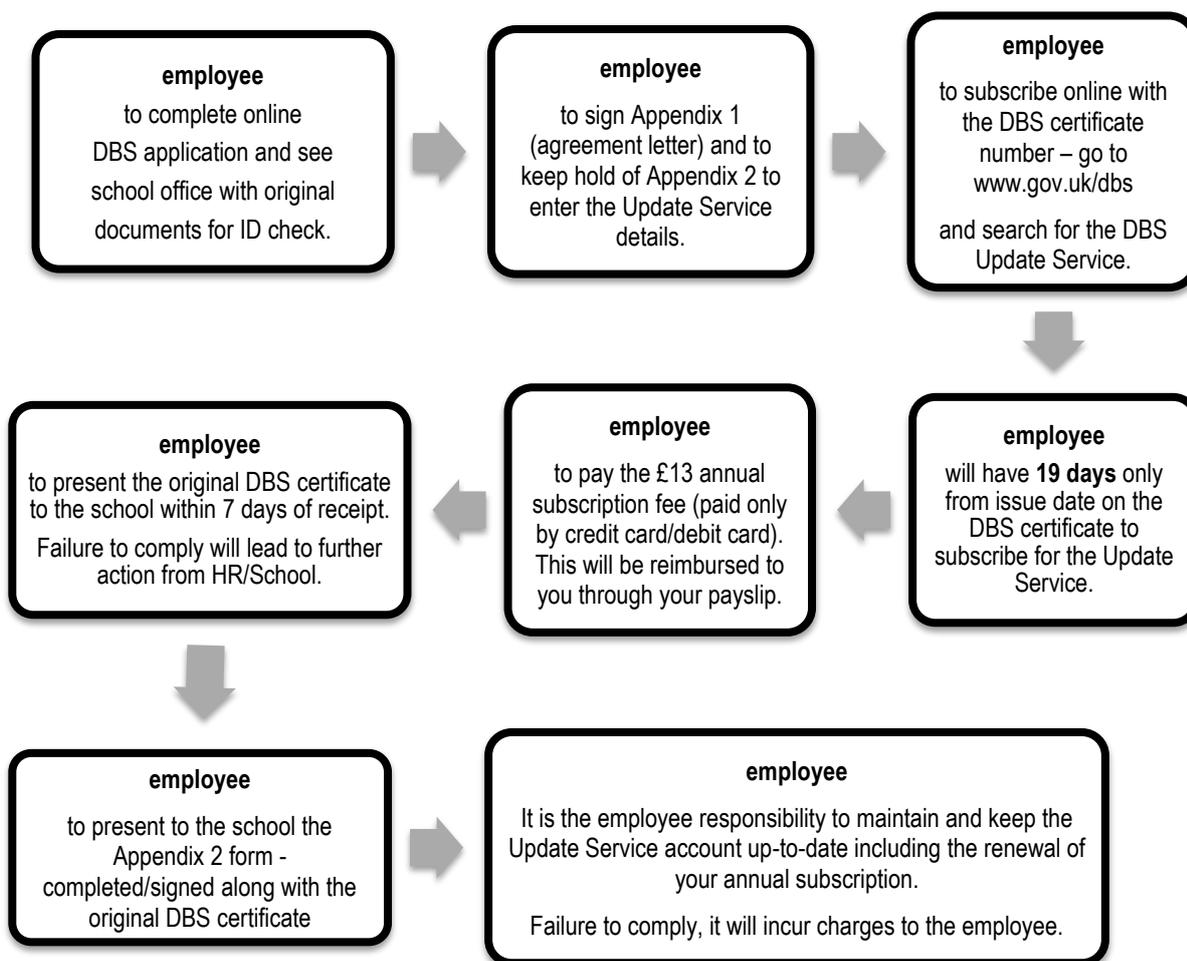
You must keep your original DBS certificate safe as the DBS will not issue a replacement DBS certificate. If you lose your certificate, you will have to apply for a new DBS check. The cost of the DBS check will be charged to you and will not be refunded to you.

You will be asked to sign two letters:

Appendix 1 (Agreement Letter) - applicant only certificate - DBS will issue only one certificate to you and it is your responsibility to show the original certificate to the school.

Appendix 2 (DBS Update Service – consent form) - once you have subscribed to the online DBS Update service, we need your consent in writing that we can perform a status check on your Disclosure & Barring Service (DBS) certificate whilst employed/volunteering.

DBS – an Overview to apply for the Update Service



Failure to comply to complete the online application for renewal would lead to suspension of your next salary payment. Should you have any queries, please contact **xxxxx**.

Yours sincerely,
Name

Appendix 5 - DBS Update Service Renewal Form

Only return this form once you have renewed your subscription to the DBS Update Service.

DBS Update Service – subscription renewal

To renew your subscription for the Update Service, please go online to www.gov.uk/dbs and click the link for the DBS Update Service. Please remember to renew your subscription to the update service as early as 30 days in advance of it running out. You may have already opted to automatically renew your subscription when it ends after 12 months. Expiration date of your subscription can be found within your account with the DBS. If you have forgotten your ID reference number to access your account, please contact DBS on **0870 90 90 811**.

The £13 annual subscription fee is payable by you (only by credit card or debit card), but this will be refunded to you through your payslip whilst employed. After you have renewed your subscription to the DBS Update Service, please present this form to your school office.

Please be informed that it is your responsibility to maintain and keep your Update Service account up-to-date including the renewal of your annual subscription. If the subscription is not renewed, you are required to apply for a new DBS check and then re-subscribe to the Update Service. The cost of the DBS check will be charged to you and will not be refunded to you.

You must keep your **original** DBS certificate safe as the DBS will not issue a replacement DBS certificate. If you lose your certificate, you will have to apply for a new DBS check. The cost of the DBS check will be charged to you and will not be refunded to you.

Please tick the appropriate box:

I confirm that I have renewed my annual subscription with the Update Service.

I confirm that my annual subscription has been automatically renewed with the Update Service.

Full name	
Date of birth	
DBS certificate (12 digit reference number)	
Date subscription renewed	
School	
Post title	
Signature	
Date	

School office, please note that we require this form completed/signed by the employee in order to instruct payroll to reimburse the £13 paid by the employee. Islington Schools Human Resources will first verify that the employee has renewed their subscription and also check their current status online.

Appendix 6 - Internal risk assessment (DBS pending)

Purpose: To be used to assess the suitability of an applicant to begin in the proposed position while awaiting a returned DBS disclosure. The degree of risk the employee/volunteer represents to children and other members of staff.

Applicant name	
Position applied for	
Applicant start date	
DBS e-Bulk reference number	

SECTION 1- Applicant's Disclosure Statement

Question	Applicable	Applicant Explanation/Comments
Did the applicant declare any matters on the application form, DBS online application form and/or at interview?	Yes / No If yes, please detail	
Has the individual had a DBS certificate previously? Have you seen the certificate?	Yes / No If yes, please detail	If yes, please supply: DBS certificate date: DBS certificate number: Issuing organisation:
Has the applicant worked directly with children in the past?	Yes / No If yes, please detail	
<p>Declaration by applicant and any additional comments in support of their employment</p> <p>I understand that any offer of employment will be subject to the information I have supplied and that this is complete and correct. False information, or a failure to supply the details required, could make an offer of employment invalid or lead to termination of employment.</p> <p>Signature:Date:</p>		

Appendix 7 - Internal risk assessment for volunteers or visitors who do not require an enhanced DBS check

Purpose: To be used to assess the suitability of a person who is working with the school on a one-off basis i.e. parent volunteer going on a school trip.

If a volunteer is not engaging in regulated activity, the school should undertake a risk assessment and use their professional judgement and experience when deciding whether to seek an enhanced DBS with barred list check. They should consider:

- the nature of the work with children;
- what the school knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability; and
- whether the role is eligible for an enhanced DBS with barred list check.

For one-off volunteers (helping at a school fete or accompanying staff on a trip out of school, a DBS disclosure is not required but appropriate risk assessments must be undertaken and under no circumstances should a volunteer/visitor in respect of whom no checks have been obtained be left unsupervised with children.

Volunteers who have frequent and intensive contact with children (frequent is once a week or more, intensive is four days a month or overnight) will be required to obtain an enhanced DBS disclosure with barred list check.

Applicant name	
Role in the school	
Proposed/actual start date	
Risk assessment undertaken by	
Date of risk assessment	

SECTION 1 - Applicant Summary

Question	Applicant Explanation/Comments
In what capacity will the person be visiting the school?	<input type="checkbox"/> volunteer <input type="checkbox"/> attending class trip <input type="checkbox"/> other visiting professional (please specify)
How regularly will this person be visiting the school and how long will the person spend at the school during each visit?	
Does this person have previous experience working with children?	Yes / No Please detail
Has the person been interviewed by someone in the school?	Yes / No Interviewed by: Date of Interview:
Has the person at the school e.g. teacher in charge been given guidance on volunteers assisting in school?	Yes / No
Has the individual had a DBS clearance previously?	Yes / No If yes, please advise: Disclosure date: Disclosure number: Issuing organisation:

SECTION 2 - Headteacher / Appointing Manager Risk Assessment

Question	Details (please circle correct answer)								
What is the nature of the contact the individual has with children?	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Frequent direct contact</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> <td style="width: 30%;">Frequent indirect contact</td> <td style="width: 10%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Infrequent indirect contact</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Intensive</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	Frequent direct contact	<input type="checkbox"/>	Frequent indirect contact	<input type="checkbox"/>	Infrequent indirect contact	<input type="checkbox"/>	Intensive	<input type="checkbox"/>
Frequent direct contact	<input type="checkbox"/>	Frequent indirect contact	<input type="checkbox"/>						
Infrequent indirect contact	<input type="checkbox"/>	Intensive	<input type="checkbox"/>						

Decision and rationale from the appointing manager /headteacher taking into account risks

Headteacher's discretion: Do you wish to proceed with volunteer/visiting professional? Yes / No

Please confirm what further vetting checks has been carried out by the school prior to the person's commencement?

two references

proof of ID and address

Signature: Date:

Name (printed):

Appendix 8 - HR/Payroll Forms – starters checklist – submission of pre-employment documents

School: _____

Date: _____

Document	Mandatory	Non - Mandatory	Scanned	Original	Please indicate that this document is attached	Name of the person who has seen original document
Starter payform	√		√			
Proof of Identity (Passport or UK birth cert)	√		√			
Proof of meeting the requirements of the Asylum and Immigration Act 1996 and the Immigration, Asylum and Nationality Act 2006 ((e.g. proof of right to work in the UK / valid visa (indefinite leave to remain)	√		√			
Proof of address	√		√			
Application form	√		√			
Online DBS application form (completed by employee and verified by the ID checker)	√					
Health assessment form	√		√			
2 satisfactory references	√		√			

Document	Mandatory	Non - Mandatory	Scanned	Original	Please indicate that this document is attached	Name of the person who has seen original document
Bank details form	√		√			
Proof of qualifications (QTS cert., degree, Induction cert. for teachers & skills test)	√		√			
Pensions - Teachers (copy of opt out details) IF applicable			√			
Next of kin/emergency contact		√	√			
P45/starter HMRC checklist (formerly P46) form (payroll to input correct tax code)	√		√ (Starter HMRC ok to scan)	√ (P45) original only		
Job description with person specification		√	√			
Advert		√	√			
Interview notes		√	√			

Please note the following:

- Mandatory If we do not have this documentation by payroll deadline the pay form cannot be processed
(late instructions/manual payment charge of £95 will occur)
- Non mandatory We need this documentation to ensure that our records are complete, but the pay form can still be processed.
- Scanned Only a copy of the document required (**proof of ID & address certified photocopy only**)
- Original The original document is required, without this we cannot process

Appendix 9 - DBS The Update Service

DBS launched the Update Service on 17 June 2013. The DBS Update Service is an online service that lets applicants keep their DBS certificates up-to-date and allows employers to check a certificate online.

The new service aims to save employers and applicant's time and money and improve the overall safeguarding landscape; which are all big positives. The purpose of the Update Service is:

- to allow individuals to use their DBS certificate with more than one organisation and,
- to allow organisations to perform a status check on employees/volunteers without having to complete another DBS application form.

Benefits to the school

- instant online checks of DBS certificates
- school may never need to apply for another DBS check for an employee again
- less bureaucracy
- enhances our safeguarding processes and may help to reduce risks

Benefits to your employee/volunteer/governor

- one DBS certificate is all they may ever need
- take their DBS certificate from role to role within the same workforce
- they are in control of their DBS certificate
- get ahead of the rest and apply for jobs DBS pre-checked

Important: Please ensure that your employee, volunteer and governor complete the consent form [Appendix 2](#) so that schools and HR are able to perform the online status check.

Appointment of staff – schools what to do

When recruiting new members of staff, you should ask them to join the Update Service - see offer letter [Appendix 3](#).

Three year re-checks and DBS checks for existing employees

When a three-year renewal check is due for existing employees, schools should ask employees to apply for the DBS Update Service. This new service lets individuals keep their DBS certificates **up-to-date** and they can re-use it for another position in the same workforce without having to complete another DBS application - see DBS renewal letter [Appendix 4](#).

DBS three year re-checks will continue until all employees/volunteers have subscribed to the Update Service.

Who is responsible for paying the annual fee to the DBS Update Service?

The £13 annual subscription fee is payable by the applicant (only by credit card or debit card) and **reimbursed by the school through payroll whilst employed.**

HR/Payroll will credit the employee only with the receipt of their signed consent form [Appendix 2](#) and a copy of their DBS certificate

Volunteers/governors – DBS Update Service subscription is free of charge (it is important that schools encourage them to apply for this service).

How to subscribe to the DBS Update Service?

Individuals can only join the Update Service within **19 days** from the date of issue on the DBS certificate.

- DBS application form for non-volunteers - £57 per applicant plus annual subscription fee (£13)
- DBS application form for volunteers: £13 per applicant (no subscription fee)

When should the applicant join the DBS Update Service?

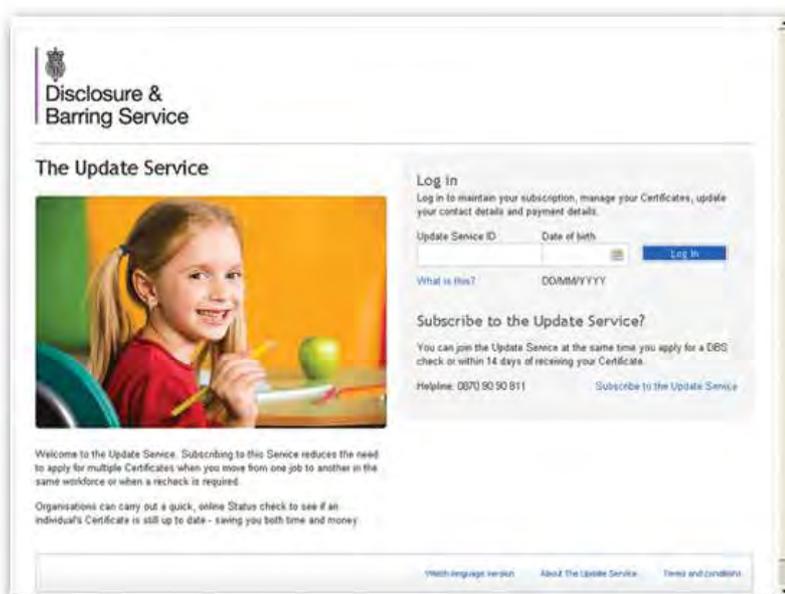
Individuals should join the Update Service as soon as the DBS certificate is issued. Applicants will only have **19 days** from the date of issue on the DBS certificate to join the Update Service.

Applicant applying for the update service

Applicants can simply access the Update Service via DBS [website](#) and enter the following details:

- DBS certificate number
- surname
- date of birth
- email address
- gender
- volunteer Status
- mobile phone (optional)

Subscribers will receive a unique ID number, which they must keep safe and not share with anyone, as they will use this to access their Update Service account online. Subscription starts from the date their certificate is issued (or their joining date, if this was later) and lasts for 12 months.



Individuals can add more DBS certificates if they need to - for example they may require more than one if their original certificate is not of the same type and level of check required by the school:

- **level:** enhanced **not** standard check
- **type:** enhanced with a children's barred list check **not** an adults' barred list check; or enhanced without a barred list check
- **workforce:** child workforce **not** adults workforce

To perform a status check – what you need to know

A status check allows employers to see if any relevant information has been identified about the individual since their certificate was last issued. This reduces the need to ask individuals to apply for multiple certificates if they move from one job to another in the same workforce or when a recheck is required.

Schools and Islington Schools Human Resources will, only where the staff member has subscribed to the Update Service and given consent, have the capacity to perform instant online checks of a DBS certificate. The online system will be updated **every week for conviction and barring information, and every nine months for non-conviction information.**

A status check can only be performed by the DBS '**school identity checker**' who has been trained in the DBS process and safer recruitment.

To make a status check, you will be asked to confirm that you are legally entitled to make the check and able to comply with practice. If you are not sure, you can request Islington Schools Human Resources to perform a status check.

The Update Service (subscribers) - Do I need to see the actual DBS certificate to perform a status check?

Yes. The school office and/or HR will need to see the original DBS certificate to ensure that it is of the right type and level required. For the school (child) workforce, we should verify:

- ✓ **certificate level:** enhanced
- ✓ **certificate type:** enhanced with a children's barred list check.

It is the employees/volunteers responsibility to disclose any unspent convictions, cautions, reprimands or warnings issued in their certificate or that may incur during their employment with the school, to their headteacher.

Failure to disclose a criminal record may lead to the withdrawal of volunteer/employment offer and if already an employee may lead to disciplinary action.

Do we need the individual's consent to perform a status check?

Yes. We need applicant's consent in writing in order to perform a status check of their DBS certificate. Please see consent form on [Appendix 2](#).

The individual will be able to see who has performed a status check, and when they did so, from their online account.

How to make a status check – step-by-step

Step 1

- Are you, the 'school identity checker', entitled to perform a status check? Refer to the [DBS Code of Practice](#) for guidance.
- Do you have the individual's consent to perform a status check?
- If you have answered 'yes' to both questions, you can perform a status check.
- If you are unsure please contact Islington Schools Human Resources.

Step 2

- Go to www.gov.uk/dbs and click the link for the DBS Update Service.
- Enter the name of your organisation.
- Enter your forename and surname.
- Enter all of the applicants details requested by the DBS:
 - Enter the DBS certificate number.
 - Enter the current surname of the DBS certificate holder (as specified on their DBS certificate).
 - Enter the date of birth of the DBS certificate holder (as recorded on the DBS certificate) in the format DD/MM/YYYY.

Step 3

You will be presented with the following Legal Declaration.

'I confirm I have the authority of the individual to which this DBS certificate number relates to receive up-to-date information (within the meaning of section 116A of the Police Act 1997) in relation to their criminal record DBS certificate for the purposes of asking an exempted question within the meaning of section 113A of the Police Act 1997; or in relation to their enhanced criminal record DBS certificate for the purposes of asking an exempted question for a prescribed purpose within the meaning of section 113B of the Police Act 1997.'

- You must tick the 'I agree with the legal declaration' check box to proceed.

Step 4

You will be presented with the result of the check. You can print and keep a record of the status check as long as you protect this information in line with the DBS's Code of Practice and the Data Protection Act. Details can be found on www.gov.uk/dbs.

Please remember to update the school single central record – just a reminder that it is not allowed to keep any copies of employees DBS certificate on their personnel file. Please destroy copies of the certificates once records have been updated.

Status check - Interpreting the results

You must have seen the original DBS certificate to:

- satisfy yourself through robust ID checks that the person being checked is the same person as that is named on the actual DBS certificate.
- check that it is the correct level of check required by the school:
 - **level:** enhanced **not** standard check
 - **type:** enhanced with a children's barred list check **not** an adults' barred list check; or enhanced without a barred list check
 - **workforce:** child workforce **not** adults workforce

The outcome of a valid status check will be one of the following:

- **this certificate did not reveal any information and remains current as no further information has been identified since its issue.** This means that the individual's certificate contains no criminality or barring information and no new information is available.
- **this certificate remains current as no further information has been identified since its issue.** This means that the individual's certificate did contain criminality or barring information and no new information is available.
- **this certificate is no longer current. Please apply for a new DBS check to get the most up to date information.** This means that the individual's certificate should not be relied upon as new information is now available and you should request a new DBS check.
- **the details entered do not match those held on our system. Please check and try again.** This means either: the individual has not subscribed to the Update Service; or the DBS certificate has been removed from the Update Service; or you have not entered the correct information.

Please be informed that if new information comes to light after the issue of the certificate the applicant will have to apply for a new DBS check.

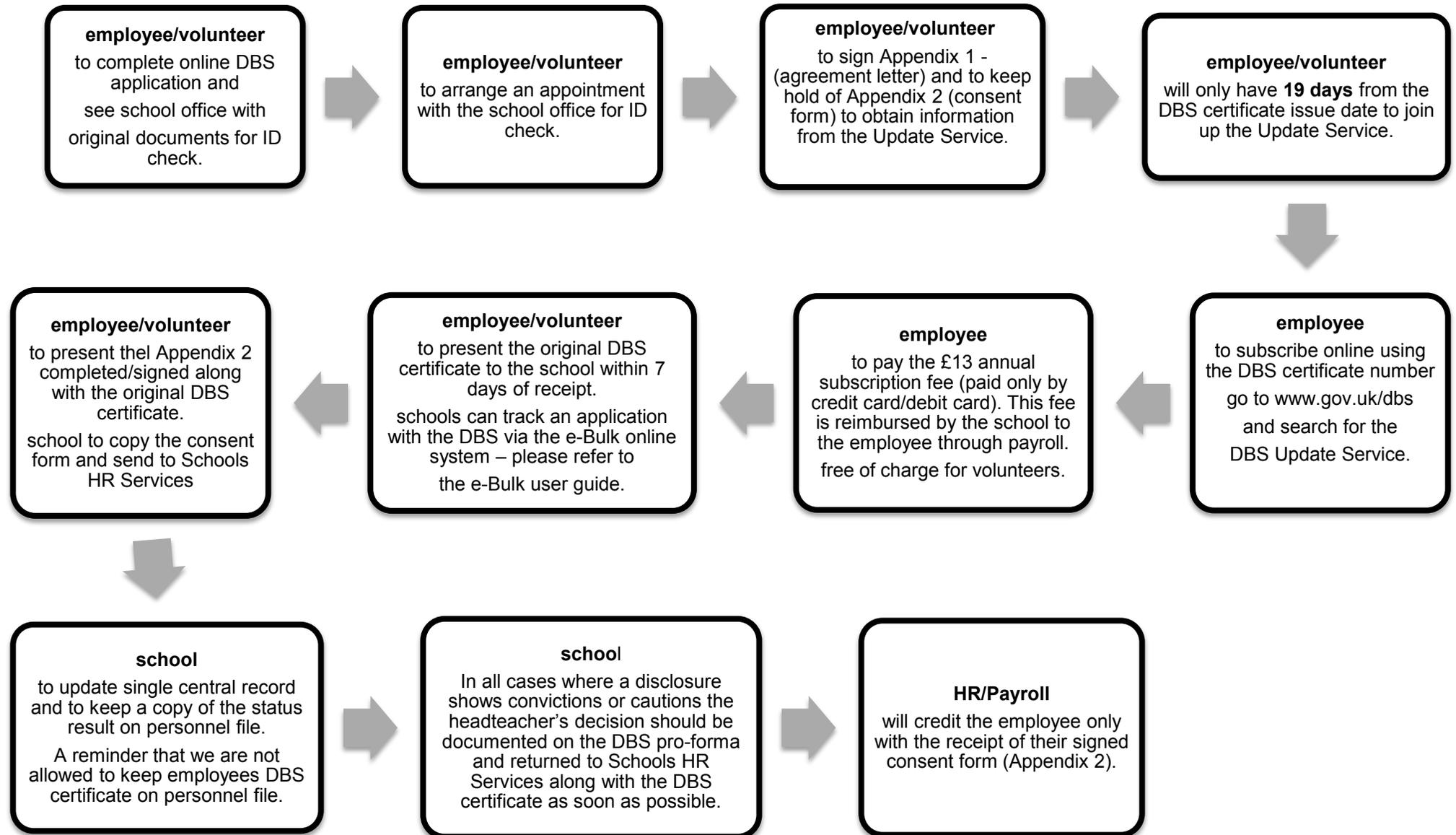
It is the employees/volunteers responsibility to disclose any unspent convictions, cautions, reprimands or warnings issued on their certificate or that may incur during their employment with the school, to their headteacher.

Failure to disclose a criminal record may lead to the withdrawal of volunteer/employment offer and if already an employee may lead to disciplinary action.

In all cases where a disclosure shows convictions or cautions the headteacher's decision should be documented on the **DBS pro-forma** – [Appendix 12](#) and returned along with a copy of the individual's DBS certificate to schools Human Resources as soon as possible for final ratification. Depending on the contents of the certificate the Head of Schools Human Resources will also need approval from the Director of Targeted and Specialist Services.

For school governors where a disclosure shows convictions and/or cautions, the school should instruct the governor to show the DBS certificate directly to Governor Services at 020 7527 5572.

Appendix 10 - DBS The Update service flowchart



Appendix 11 - DBS schools' process for certificates with trace

1. How do I know if a certificate has returned with a trace?

- a. the school designated DBS e-bulk⁶ (online) user can click the tab 'DBS application complete' and verify if there are any certificates stating match (trace). If there is a trace, the following message will show: 'Please wait to view applicant certificate'.
- b. employee/volunteer must present the original DBS certificate to the school. At the ID verification stage, the school office should request that the employee/volunteer complete and sign the agreement letter (Appendix 1) – this document also reminds the employee/volunteer that they have to present the original certificate to the school within 7 days of receipt.

2. What should the headteacher do upon receipt of a DBS certificate with a trace?

The headteacher should meet with the employee/volunteer to discuss the convictions and/or cautions and to confirm that the convictions and/or cautions actually relate to the employee/volunteer and document any decision made.

For school governors where a disclosure shows convictions and/or cautions, the school should instruct the governor to show the DBS certificate directly to Governor Services, contact at 020 7527 5572.

3. What should the headteacher do after the decision has been made?

The headteacher's decision should be documented on the **DBS pro-forma** and returned along with a copy of the individual's **DBS certificate** to Schools Human Resources as soon as possible for final ratification. It depends on the contents of the certificate the Head of Schools Human Resources will also need approval from the Director of Targeted and Specialist Services.

4. What if the DBS certificate issued shows the same convictions and/or cautions for an existing employee/volunteer?

- a. if this is a three year re-check with convictions/cautions the headteacher is aware of, and an interview to discuss this had taken place previously, please indicate this, sign off the DBS pro-forma and return to Schools Human Resources.
- b. if there is a new conviction/caution or there are changes to duties following the three year re-check that may affect the final decision, a full interview should take place and the full DBS pro-forma completed, signed and returned to Schools Human Resources along with a copy of the individual's **DBS certificate** for final ratification. It depends on the contents of the certificate the Head of Schools Human Resources will also need approval from the Director of Targeted and Specialist Services.

⁶ The e-bulk service allows Disclosure and Barring Service (DBS) customers (Islington Council) to submit multiple electronic applications for DBS certificates and receive the results electronically.

Appendix 12 - DBS pro-forma for headteachers when DBS certificate gives cause for concern

GUIDANCE

If a DBS certificate reveals information that gives cause for concern, the headteacher, accompanied by a member of the Schools Human Resources team (if required) should arrange to meet with the individual to discuss the convictions/cautions and to confirm that the convictions/cautions under discussion actually relate to them.

Existing employees have the right to be accompanied by either a trade union representative or work colleague to this meeting.

If the individual has not disclosed the convictions/cautions, either on an application form or to their headteacher if employed by the school when the offence took place, s/he should be asked why they had not done so. It is a serious cause for concern that any applicant or employee has failed to provide this information when required to do so, or has provided false information. The DBS application form makes it clear that all convictions, cautions, reprimands or warnings, even if they are believed to be 'spent', need to be included.

If an individual denies that the convictions/cautions relate to them, the school should inform Schools Human Resources. The applicant will have to complete a dispute form, and possibly also the fingerprint consent form for the police to check the applicant's details against their records.

Factors to consider when making a decision

- the degree of risk the employee/volunteer represents to children and other members of staff
- the nature of the conviction/caution, when it took place and whether there is a possibility of further incidents together with the possible implications, if any, for the school employing this person
- the degree of remorse, or otherwise, expressed by the employee/volunteer and their motivation to change

In addition, the headteacher should consider:

- the individual's criminal record. This should be assessed in relation to the tasks they will be required to perform working with and around children, and
- the circumstances in which the work is to be carried out – what supervision is available and how readily?

The fact that someone has a conviction or a caution should not necessarily prevent them from taking up or continuing in employment with the school, although serious consideration should be given to the information that has been received before a decision is made. **The decision should be documented for final ratification by the head teacher, governing body (personnel committee).**

Three year re-check

The DBS pro-forma is also applicable in situations where the same convictions/cautions appear, following the three year re-check:

- If this is a three year re-check with convictions/cautions the headteacher is aware of, and an interview to discuss this had taken place previously, please indicate this, sign off the pro-forma and return to the appropriate Schools Human Resources Adviser.
- If there is a new conviction/caution or there are changes to duties following the three year re-check that may affect the final decision, a full interview should take place and the full pro forma completed, signed and returned to the appropriate Schools Human Resources Adviser.

Employee/Volunteer Name:

School:

new starters/volunteers: If new starter/volunteer, were you aware of the conviction /caution prior to this disclosure information, was it declared on the application form?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	------------------------------	-----------------------------

three year re-check: Has an interview previously taken place? If there has been no new offences, please go straight to the end of this document and sign.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
--	---	-----------------------------

What is the nature of the contact the individual has with children?			
Frequent direct contact <input type="checkbox"/>	Frequent indirect contact <input type="checkbox"/>	Infrequent indirect contact <input type="checkbox"/>	Intensive <input type="checkbox"/>

Decision and rationale taking into account risks (please follow the guidance):

Headteachers' signature:		Date	
Governing Body Sign Off: (if appropriate)		Date	
Head of Schools HR signature:		Date	
Director of Targeted and Specialist Services Signature: (if appropriate)		Date	

Comments of Head of Schools Human Resources:	Comments of Director of Targeted and Specialist Services (if appropriate):

Appendix 13 – Role of the school designated safeguarding lead

The broad areas of responsibility for the designated safeguarding lead are¹:

Managing referrals

- refer all cases of suspected abuse to the local authority children's social care and:
 - the local authority designated officer (LADO) for child protection concerns (all cases which concern a staff member)
 - Disclosure and Barring Service (cases where a person is dismissed or left due to risk/harm to a child); and/or
 - police (cases where a crime may have been committed)
- liaise with the headteacher to inform of issues, especially on-going enquiries under section 47 of the Children Act 1989 and police investigations
- act as a source of support, advice and expertise to staff on matters of safety and safeguarding and when deciding whether to make a referral by liaising with relevant agencies

Training

The designated safeguarding lead should receive appropriate training carried out every two years in order to:

- understand the assessment process for providing early help and intervention, e.g. through locally agreed common and shared assessment processes such as early help assessments
- have a working knowledge of how local authorities conduct a child protection case conference and a child protection review conference and be able to attend and contribute to these effectively when required to do so
- ensure each member of staff has access to and understands the school's child protection policy and procedures, especially new and part time staff
- be alert to the specific needs of children in need, those with special educational needs and young carers
- be able to keep detailed, accurate, secure written records of concerns and referrals
- obtain access to resources and attend any relevant or refresher training courses
- encourage a culture of listening to children and taking account of their wishes and feelings, among all staff, in any measures the school may put in place to protect them

Raising awareness

- ensure the child protection policy is reviewed annually. Procedures and implementation are updated and reviewed regularly, and work with governing bodies regarding this
- ensure the child protection policy is available publicly and parents are aware of the fact that referrals about suspected abuse or neglect may be made and the role of the school in this
- link with the Local Safeguarding Children Board (LSCB) to make sure staff are aware of training opportunities and the latest local policies on safeguarding
- where children leave the school ensure their child protection file is copied for any new school as soon as possible but transferred separately from the main pupil file

¹ Department for Education Keeping children safe in education – statutory guidance for schools and colleges (April 2014). Available at <https://www.gov.uk/government/publications/keeping-children-safe-in-education>

Appendix 14 – Annual Report to Governing Body

Annual Report to Governing Body on Safeguarding Children

School:

For academic year:

This document serves two purposes:

To provide a report to the Governing Body on safeguarding practice that enables the Governing Body to monitor compliance with Sections 175/157 Education Act 2002 and Section 11 Children Act 2004, and to identify areas for improvement. The report supports the Governing Body in undertaking its responsibilities in accordance with 'Keeping Children Safe in Education'. A copy of the completed document should be shared in Part Two of a full Governing Body meeting.

To inform the local authority so that safeguarding practices in schools can be monitored by the local authority, and areas for support identified. Reports should be emailed to ews@islington.gov.uk or sent to Soola Georgiou, Education Welfare Service, Municipal Offices, 222 Upper Street, London N1 1XR by _____. Any difficulties in completing and submitting the report on time, please call 0207 527 5833.

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Whole School Safeguarding issues

a. Summary of safeguarding training undertaken by school staff

- Designated Staff and Whole School Training – while there is a 2 year **minimum** requirement for Designated Safeguarding Leads and 3 year **minimum** requirement for the rest of the staff, Keeping Children Safe in Education states “it should be regularly updated”.
- School governors should attend Safeguarding Training for Governors which is run termly at Laycock Professional Development Centre.

Roles	Name	Number of staff trained	Date Of Training	Course name And Level	Course Provider
Designated Member of Staff (DMS)					
Deputy DMS(s)					
Head Teacher					
Nominated Safeguarding Governor					
DMS for Looked After Children					
Other Staff (Learning mentors, School Home Support, Counsellors etc.)					
Teaching staff					
Teaching assistants					
Mealtime supervisors					
Administrative staff					
Premises Manager					
Cleaning Staff					
Technicians					
Temporary Staff					
Volunteers					
Governing Body					

a. Safeguarding induction of new staff, including school safeguarding policies and Staff Code of Conduct

Role	Number	Date of safeguarding induction	Safeguarding induction includes CP Policy and Staff Code of Conduct (yes/no)	Safeguarding Children training arranged (yes/no - date if available)
Teachers				
Support Staff				
Volunteers				

Safer Recruitment

The school maintains a Single Central Record and complies with requirements to ensure that all staff and volunteers are appropriately checked and recruited. **When we conduct interviews for staff, there are people on the interview panel who have attended Safer Recruitment training.**

The Single Central Record was last checked on by

Safer Recruitment training has been attended by:

Head Teacher.....Whole Day/Half Day Date

GovernorWhole Day/Half Day Date

GovernorWhole Day/Half Day Date

GovernorWhole Day/Half Day Date

OtherWhole Day/Half Day Date

Safeguarding Procedures

“Keeping Children Safe in Education” is now in force. It is statutory guidance which means that schools and colleges must have regard to it when carrying out their duties to safeguard and promote the welfare of children and sets out the legal duties with which schools, academies and colleges must comply. Your safeguarding policies should have been updated to comply with the guidance. All staff should read Part I “What School and College Staff should Know and do” (8 pages).

How do you ensure that staff have read part 1 of “Keeping Children Safe in Education”?

.....

Safeguarding policies and procedures	Last review date	Date shared with staff	Next review date
Anti-bullying			
Attendance			
Child protection and Safeguarding (including managing concerns, role of DMS, confidentiality and information sharing, record keeping/transfer and safe storage of records, managing disclosures, managing allegations)			
Children Looked After			
Complaints			
Drugs and substance misuse			
Equality and diversity			
Extended schools			
First aid and Administration of Medicines			
Health and safety (including school security)			
ICT including E-safety			
Pupil Discipline or Behaviour			
Safer Recruitment and selection			
Safeguarding statement in school prospectus			

Staff code of conduct			
Use of appropriate physical restraint			
Whistle blowing			
Toileting and Intimate Care			
Site security			
Insert any additional safeguarding policies			

**Is a record maintained to evidence that all staff/volunteers have access to the above?
Yes / No**

Record Keeping

(a) It is the role of the designated safeguarding lead to ensure proper safeguarding records are kept on each child protection file:

- (1) Separate from the child’s education record
- (2) Clear, comprehensive records to include dates of actions taken/contacts made and identity of persons with whom information is shared
- (3) Includes a chronology
- (4) Signed and dated

(b) The designated safeguarding lead should send original records to the transferring school, keeping a copy in the original school. The last school should keep records until the child is aged 25, (35 for a child with SEN).

(1) Do you use a chronology at the front of all child protection files to record all telephone calls, e mails/ letters sent/received and actions taken where there are safeguarding concerns?
Yes/No

(2) Name and role of who is responsible for maintaining that record and transferring files:

Name..... Role

Information about School Community – Neglect, Referrals to CSCT, CP Conferences/Reports and Learning from Serious Case Reviews

a. Neglect

Neglect is one of the most enduring and damaging experiences for a child or young person. It can result in permanent reduced functioning which has a lifelong impact on the child’s health and development. The Islington Child Neglect Toolkit is designed to assist you in identifying and assessing children who are at risk of neglect. It is to be used when you are concerned that the quality of care of a child you are working with suggests that their needs are being neglected. It will help you to reflect on the child’s circumstances and will help you put your concerns into context and identify strengths and resources.

- i. Did you use the Neglect Toolkit to identify need and to support your referral to CSCT? Y/N
- ii. If so how many referrals did you make supported by the neglect toolkit?

b. Number of referrals made to Children’s Social Care:

Nature of referral made	Number of children referred	Number of Referrals actioned
Physical		
Sexual		
Emotional		
Neglect		
Total		

c. Particular issues about our experience of making CP referrals to CSCT:

d. School participation in Child Protection Conference process (school should be part of any CP conference and must submit a report – a template is available on www.islingtonscb.org.uk

Number of Child Protection Conferences held	Number attended	Number of reports submitted	Number of Core Group meetings held	Number attended

Please provide the following:

Number of Children with CP Plan	
Number of Children with CIN Plan	
Number of children looked after	
Number of children with SEN statements	
Number of allegations against staff	
Number of CAF assessments	
Number of bullying incidents dealt with and recorded	
Number of incidents reported relating to equalities (e.g. discrimination, harassment in relation to gender, sexual orientation, gender, ethnicity)	

Learning from Serious Case Reviews

In the Coventry Safeguarding Children Board Serious Case Review for Daniel Pelka, the following recommendations were made regarding schools:

- Head teachers to ensure the views and feelings of all children are always ascertained and where English is an additional language, particularly for very young children, use the translation service if necessary.
- Head teachers should put in place procedures to log formally all contact with parents and external agencies and any logs should be kept on the child's confidential file. This should include written logs of any meeting arranged with parents and any follow up work needed as a result, or if the meeting is rearranged.
- Head teachers should put in place procedures to ensure contact with external services such as health services are always formally logged by the school and letters of concern sent directly to the appropriate professionals and not via the parent.

- (a) What methods does your school use to ascertain the wishes and feelings of the child?
- (b) Do you use a chronology to log all contact with parents and external agencies? Yes/No
- (c) Do you send letters of concern directly to the appropriate professionals and not via parents?
YES/NO
- (d) How do you ensure staff use the Escalation Procedure
(<http://www.islingtonscb.org.uk/Pages/What-to-do-if-you-are-worried-about-a-child.aspx>) if there is disagreement about the way in which a case is being dealt with?

Addressing the Issues

The Home Safe DV Prevention Education Programme for Schools aims to meet the objectives of the Islington DV Strategy, including recognising the needs of and giving support to children affected by DV. The programme also addresses wider, gender-based violence and includes staff training, pupil lessons, parent workshops and targeted work with children and young people at risk of experiencing abuse.

- a) Please outline the issues you have addressed (e.g. child sexual exploitation, trafficking, female genital mutilation, private fostering, gang involvement, substance misuse, domestic violence, forced marriage):

Issue	Action Taken	Support Required

Domestic violence legislation now covers anybody from the age of 16 (lowered from 18 in April 2013).

- b) Would you like to arrange some DV or Anti Bullying prevention workshops in your school?

For children/young people	YES/NO If yes, dates proposed
For parents	YES/NO If yes, dates proposed
For staff	YES/NO If yes, dates proposed

The Voice of the Child

The following systems are used to enable the voice of the child to be heard

Creating opportunities to tell us how safe they feel	
Children helped to understand all staff have a duty to safeguard and protect them	
Staff enable children to speak or communicate their worries and concerns Using the curriculum to safeguard children	
Working relationships with partner agencies to support safeguarding	
We ensure that parents/carers are aware of school CP Policies and our duty to refer in appropriate cases	

The school has robust and proactive systems in place to support and monitor the progress of children who:

- are living in situations that increase their vulnerability
- have disclosed abuse or neglect
- have poor attendance or who are missing education

For example: use of CAF, attendance meetings, recording and monitoring systems, pastoral care meetings

What we do	How we do it

Report author :	
Name /Signature of Head Teacher:	
Name of Designated Senior Member of Staff:	
Deputy Designated Members of Staff:	
Name/Signature of Chair of Governors:	
Name of Nominated Safeguarding Governor:	
Date this report was returned to the EWS:	

Appendix 15 – Childcare disqualification requirements – model note to all staff

School staff disqualification requirements declaration guidance

In October 2014, the DfE (Department for Education) published a supplementary advice to the [Keeping children safe in education](#) statutory guidance. This advice details a requirement for childcare disqualification checks to be carried out on relevant staff working in schools.

These checks arise from the [Childcare \(Disqualification\) Regulations 2009](#) and the [Childcare Act 2006](#) which prohibit anyone who is disqualified themselves under the Regulations, or **who lives in the same household as a disqualified person**, from working in a relevant setting, including in schools which have pupils under the age of 8, or in childcare facilities or before or after school clubs etc. on the school site.

There is now a DfE requirement, therefore, for schools to check the following categories of staff in nursery, primary or secondary school settings who are covered by the Childcare (Disqualification) Regulations 2009.

- staff who work in early years provision up to the age of 5 (up to 1st September following their 5th birthday - including teachers and support staff working in school nursery and reception classes)
- staff working in later years childcare settings for those up to the age of 8 (including breakfast clubs, after school clubs and crèche facilities)
- staff who are directly concerned in the management of such early or later years provision

The Regulations refer to employing a person “in connection with” these provisions. The check will apply to all staff employed in these settings who come into regular contact with children at these ages:

- in nursery and Infant school settings - all staff should be covered
- primary schools - all staff should be covered unless they are always **exclusively** working with those over the age of 8
- secondary schools - will need to undertake checks on relevant staff (including managers) where any services are provided where under 8s may be in attendance e.g. childcare facilities, before or after school clubs

Who is disqualified?

A person may be disqualified if any of the following apply:

- they have been cautioned for or convicted of certain violent or sexual criminal offences against children and adults
- they are the subject of an Order, direction or similar in respect of childcare, including orders made in respect of their own children
- they have had registration refused or cancelled in relation to childcare or children’s homes or have been disqualified from private fostering

- they live in the same household where another person who is disqualified lives or works (disqualification by association)

Full details of what constitutes “disqualification” are in the schedules to the Regulations <http://www.legislation.gov.uk/uksi/2009/1547/contents/made>

All staff should be aware that this will affect you if you work in a relevant setting.

What happens now?

- All relevant staff in relevant settings must complete a declaration as soon as possible, affirming that they are not disqualified by completing and signing a declaration form. **You have been identified as being covered by these regulations and I would therefore ask that you complete the attached declaration form and return it to me by no later than -**
.....
- If the school is told by a member of staff that they are disqualified, or the school receives a positive declaration regarding any member of a staff’s household then we will seek advice from our HR provider.
- Under the requirements of the DfE, any employee who is disqualified (including by association) will need to be immediately removed from the relevant setting and Ofsted must be notified within 14 days.
- Ofsted may grant a full or partial waiver, including a waiver that would allow an individual to work in a relevant school setting, for an employee who is disqualified. While a waiver application is under consideration the individual must not continue to work in these settings. Where a waiver is not granted, the employee’s employment will need to be terminated unless redeployment options are available.

As you can see this is a very important matter for schools and their staff. The local trade unions have been informed on this requirement.

Please be assured that this school understands that this is a sensitive issue. We have never in the past been asked to make this sort of check on our staff and their household. If any member of staff has concerns then they may wish to speak to me in confidence. We must, however, apply the DfE requirements.

Yours sincerely,

Headteacher

Appendix 16 – Childcare disqualification requirements – declaration form

Childcare Disqualification Requirements Declaration Form

Please refer to the accompanying letter for detailed information about the requirement for you to make this declaration.

In accordance with the legislation you are required to sign the declaration below confirming that you are not disqualified from working in, or being concerned in the management of, the above settings.

If you fail to complete and return the form, this will be regarded as a disciplinary matter for staff, which may result in dismissal, and, in the case of volunteers, will mean that you can no longer work at this establishment.

A disqualified person is not permitted to continue to work in the above settings unless they apply for and are granted a waiver from Ofsted.

Reference: <http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcare-providers>

Section 1 – Orders or other restrictions	
Have any orders or other determinations related to childcare been made in respect of you?	YES / NO
Have any orders or other determinations related to childcare been made in respect of a child in your care?	YES / NO
Have any orders or other determinations been made which prevents you from being registered in relation to child care, children's homes or fostering?	YES / NO
Are there any other relevant orders, restrictions or prohibitions in respect of you as set out in the Schedule 1 of the Regulations? Available at the link below: http://www.legislation.gov.uk/ukxi/2009/1547/schedule/1/made	YES / NO
Are you barred from working with Children (Disclosure and Barring (DBS))?	YES / NO
Teachers only - Are you prohibited from teaching?	YES / NO
Section 2 – Specified and statutory offences	
Have you ever been cautioned, reprimanded, given a warning for, or convicted of:	
• Any offence against or involving a child? (A child is a person under the age of 18)?	YES / NO
• Any violent or sexual offence against an adult?	YES / NO
• Any offence under the Sexual Offences Act?	YES / NO
• Any other relevant offence?	
Available at the links below: http://www.legislation.gov.uk/ukxi/2009/1547/schedule/2/made http://www.legislation.gov.uk/ukxi/2009/1547/schedule/3/made	YES / NO

Have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country?	YES / NO
Section 3 – Disqualification by Association	
To the best of your knowledge, is anyone who lives or works in the same household* where you live disqualified from working with children under the Regulations? *household – includes family, lodgers, house-sharers, household employees This means does anyone in your household have an Order or Restriction against them as set out in Section 1 or have they been cautioned, reprimanded, given a warning for or convicted of any offence in Section 2.	YES / NO
Section 4 – Provision of Information	
If you have answered YES to any of the questions above you should provide details below in respect of yourself, or, where relevant, the member of your household. You may supply this information separately if you so wish, but you must do so without delay.	
Details of the order, restriction, conviction, caution or other ground for disqualification under the Childcare (Disqualification) Regulations 2009 etc.	
The date(s) of these	
The relevant court(s) or body(ies) and the sentence (if any) imposed	
You should also provide a copy of the relevant order, caution, conviction etc. In relation to cautions/convictions a DBS certificate may be provided.	
Section 4 - Declaration	
In signing this form, I confirm that the information provided is true to the best of my knowledge and that: <ul style="list-style-type: none"> • I understand my responsibilities to safeguard children • I understand that I must notify the headteacher immediately of anything that affects my suitability including any cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that would render me disqualified from working with children 	
Signed	
Print Name	
School	
Date	

Appendix 17 – Childcare disqualification requirements – frequently asked questions

- 1. For existing staff, is the advice that a self-declaration is sufficient or is any declaration expected to be verified wherever possible, for example by viewing a current DBS check or obtaining a new one, and are employers expected to verify the absence of any orders or restrictions?**

There is no requirement to check DBS certificates for existing staff and there is no evident process for verifying if someone has a childcare order or other restriction against them. It seems that self-declarations are acceptable. For new staff, the employee should sign a declaration and the DBS certificate should be checked against the list of offences in the Schedules. Of course, other offences may also lead to non-employment under normal DBS assessment processes.

- 2. How can we do checks on “householders”?**

It is not the employer’s role to carry out a check on individuals other than those they employ, however employers should have effective systems in place to ensure that staff are suitable to work in childcare. Employees who work in the specified early and later year’s provision should be asked to provide the necessary information about any person who lives or works in the same household as them.

- 3. Is it a requirement for the school staff to ask their householders if they are disqualified?**

We do not believe there is any requirement for this. The staff are required to declare “to the best of their knowledge” and schools can accept declaration at face value.

- 4. Where a care order was put in place in respect of someone’s children because of the actions of their partner, and the care order is no longer in place or the partner is no longer living in the household – is this covered by the regulations?**

If the care order has been removed or the partner is no longer living at the household then these individuals would not be covered by the regulations. If the partner moved back into the household then the regulations would apply again.

- 5. Where are the disclosable offences set out?**

The relevant offences are listed in Schedules 2 and 3 in the Schedules to the Regulations - although it is appreciated that these are complex to understand. The key offences are those that result in a caution (**including** reprimands/ warnings/ youth cautions) issued post 2007 (see below) or conviction and relate to:

- any offences by an adult against or involving children
- any sexual offence by an adult or a child against an adult or a child
- murder, manslaughter, kidnapping, false imprisonment, actual bodily harm (ABH) or grievous bodily harm (GBH)

The DfE have clarified that anyone who was issued with a relevant caution (including reprimands/warnings) before 6 April 2007 is **NOT** disqualified.

6. The reference to Burglary in Schedule 2 seems anomalous – why is it there?

This refers to Burglary under the 1968 Theft Act which was actually Burglary involving rape so would only be applicable if someone was charged with this specific offence – which in turn comes under key offences outlined above.

7. What if a person is not sure whether they have a relevant offence?

We would advise declaration of anything that they think may be relevant and schools can check with the DfE (mailbox.disqualification@education.gsi.uk) or schools can seek advice from HR.

8. The DfE guidance refers to “staff who work in the relevant provision” - does this include all staff employed e.g. including the caretaker or only those directly involved in care and supervision? If the latter, in a primary/junior school, does this include the year 6 teacher/LSA who may or not teach under 8s but may at any time be involved in their care or supervision (e.g. trips, playground duty etc.)?

The DfE says: The Childcare Act stipulates that a disqualified person should not be employed in connection with early or later years childcare and that they should not be directly concerned in the management of that provision. A person who sometimes works in the relevant childcare provision would be included in this definition.

9. What constitutes childcare outside of the normal school day?

Child care includes breakfast clubs, homework clubs, nursery and crèche provision provided by the school.

Where activities are run by other providers on school premises but not managed by the school (e.g. lettings, football clubs), these are not covered as they are not child care provision.

10. How long will it take to process an application for a disqualification waiver?

It is a matter for Ofsted who have the responsibility for granting a waiver or not. The time it will take to process a waiver application will undoubtedly vary from case-to-case; whilst many should be straightforward, others will unfortunately be more complex and take time to resolve.

11. What should we do with the declaration forms once an employee has returned it?

These forms should be placed on the employee's personal file as these are kept in a secure place. If required for volunteers, these forms should be retained in the same single central location that you store all the other papers.

12. How do these Regulations sit with the Data Protection Act, particularly in respect of sensitive personal data relating to someone not employed in the school (e.g. a householder) and the school passing information to Ofsted?

The DfE indicates that information must be processed in accordance with the Data Protection Act. The Childcare (Disqualification) Regulations require employers to pass information to OFSTED and such statutory duties are allowed under the Data Protection Act. Schools must handle and store all information in school carefully, in accordance with normal Data Protection rules.

13. Does this check need to be on the single central record (SCR)?

There is no statutory requirement that the check should be recorded on the single central record. Ofsted inspectors are not expected to make enquiries as to whether anybody on a school's staff is disqualified. However inspectors should ask what steps the school is taking to ensure that it knows that no existing or new staff working in the early or later years, or concerned with the management of such provision, are disqualified. Inspectors will ascertain what action the school has taken in light of any relevant disqualification known to the school.

14. Why has this advice only just been issued when the Regulations have been in force since 2009?

The DfE have not provided a satisfactory answer to this – they simply said “The Department was asked to clarify what the position was for schools and it became clear that some supplementary advice to sit alongside the Keeping children safe in education guidance would be helpful for schools.”

15. Why has it only just been decided to apply these Regulations in schools?

We understand that the Regulations were designed for child care organisations – aimed at protecting children e.g. where people are doing child care in their home. The DfE has identified that some supplementary advice would be helpful for schools. It is for this reason that they have issued guidance now and the expectations on schools became clearer.