

Education settings must create a safe culture, using recruitment procedures that help deter, reject or identify people who might harm children.

Checks are required for **any** individual that is working (paid or unpaid) at the setting.

Governing bodies/proprietors must make reasonable decisions about the suitability of prospective employees based on [Disclosure & Barring Service](#) DBS, barred list & prohibition checks, identity verification, references, interview information etc.

When appointing staff, settings must:

- Verify candidate's identity e.g. via birth certificate, their mental & physical fitness, right to work in UK & qualifications (see later)
- Ask for written information about previous & current employment, scrutinise references and resolve concerns satisfactorily
- Obtain a barred list check (where all other relevant checks have been carried out) only:
 - For newly appointed staff in regulated activity, awaiting an Enhanced DBS
 - Where the individual came less than 3 months ago from a school or college post with regular child contact
- Get a DBS check before appointment where possible (see above) or ensure employee is supervised whilst DBS check is completed
- Request [Childcare Disqualification Declaration \(Childcare \(Disqualification\) Regulations 09\)](#) where relevant (see [Safeguarding in schools, Sept 18](#))
- Check they are not subject to a prohibition order (if a teacher) or section 128 direction (if in a management or governing role in any school)
- Use the [DBS Update Service](#) only with consent

It is an offence to allow a barred person to work in regulated activity.

Use the [Single Central Record](#) for all:

- **School** staff (including supply) and volunteers (including Governors) in regular contact with children/young people in the setting
- **College** staff & volunteers providing education to or in regular contact with someone under 18
- Members of the proprietor body in independent, free schools & academies

You can only keep a copy of an employee's DBS certificate with their consent & to comply with [Handling of DBS certificate information, July 2018](#).

[ID checking guidelines](#) apply to all applications for standard or enhanced checks. **Contact your HR provider for more information.**

Agency & third party staff: you must obtain written notification from the agency that they have carried out all required checks on an individual & a photograph to confirm that this is the same person who is presenting at the setting.

Trainee/student teachers: you must ensure that all necessary checks (including an enhanced DBS certificate & barred list check) are carried out if you are the employer; if fee-funded, you should obtain written confirmation that the initial teacher-training provider has carried out the required checks.

Overseas applicants (Europe & rest of world): must have the same checks as other staff including barred list & enhanced DBS for those in regulated activity even if they have never been to the UK.

Further appropriate checks to consider relevant events that occurred outside the UK may include:

- [Criminal records check for overseas applicants](#) DfE 21
- A letter (via applicant) from relevant professional regulating authority where the applicant has worked confirming that they are not aware of any reason why they may be unsuitable to teach
- If unavailable, consider alternative suitability checks e.g. a risk assessment
- More information available at: [Pre-appointment vetting checks, regulated activity and recording information](#), KCSIE, DfE 2021

Alternative Education Providers: you should obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment

You are in '[regulated activity](#)' if through directly or contracted, paid or unpaid work you regularly (e.g. once a week or more, 4+ days in a 30 day period, or overnight), dependent on activity:

- Unsupervised & responsible for teaching, training, care, supervision of students; or
- In a 'specified place' (e.g. schools & colleges) with the opportunity for contact with children and young people under 18 years old (unless you are a supervised volunteer – see below); or
- Drive a vehicle only for children; or
- Provide advice & guidance wholly or mainly on children's well-being

Regulated activity also includes:

- Personal care e.g. helping a pupil, for reasons of age, illness, or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing
- Health care provided by or under the direction of a health care professional

Settings **must** make a referral to the DBS for anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where the harm test (that they may harm or put at risk of harm a child or vulnerable adult) is satisfied, & the individual:

- Has been convicted or cautioned for a relevant offence or there is reason to believe they have committed a listed relevant offence, and
- If they have been removed from paid or unpaid work in regulated activity, or would have been removed had they not left

All volunteers and governors:

- Who are engaged in 'regulated activity' must have enhanced DBS and barred list checks?
- Who are not engaged in 'regulated activity', but may regularly come into contact with children should have an enhanced DBS check not including barred list information (required for maintained school governors)
- Can work pending receipt of a DBS certificate if they have been risk assessed and are not left unsupervised with a student
- Cannot teach or care for a pupil unsupervised, without an enhanced DBS, barred list checks and, where relevant, a childcare disqualification declaration

In addition, a section 128 check must also be made for governors, as well as proprietors of independent schools, academies, free schools and alternative provision academies

Supervised volunteers & governors are **not** in regulated activity, but their supervision **must**:

- be properly checked
- **always** be regular, day to day & ongoing
- protect pupils & reflect:
 - their ages, vulnerability, group size
 - number of workers & volunteers involved, their child contact & level of supervision

Settings need to complete a **risk assessment** for:

- The nature of the work with children
- What the setting knows about the volunteer
- Whether volunteer has other voluntary activities or employment to advise on suitability, and
- Whether role needs an enhanced DBS check

Contractors:

- **Must** have appropriate DBS checks if engaging in regulated activity or in regular contact with children
- Without checks who have contact with children **must** be supervised, and **must not** engage in regulated activity

- Identity should always be checked on arrival

If the contractor is self-employed & cannot obtain a DBS check the school or college should consider doing this on their behalf.

Family or other visitors:

Settings cannot request DBS or barred list checks for relatives or community members; escort onsite; do not leave unsupervised with other children.

Host families:

Short term accommodation with another family of pupils under 18 for learning experiences could be regulated activity and/or '[private fostering](#)'. The setting making the arrangement is the regulated activity provider and should request a DBS Certificate with barred list check.

Host families abroad cannot be DBS checked - work with partner settings abroad to understand & agree arrangements & contact their foreign embassy or High Commission to find out if similar checks can be done.

Work experience:

A barred list check should be requested from the employer if the person supervising or working with the young person is in regulated activity and the young person is under 16 years.

If the young person is 16 years old or over & on work experience in a 'specified place' (e.g. school) the work experience provider should consider obtaining an enhanced DBS check for them.

Independent schools, academies, free schools & alternative provision academies:

The Secretary of State will confirm the identity & complete an enhanced DBS & other checks before an individual becomes:

- the proprietor or chair of a body of people which is the proprietor of an independent school, or
- the chair of the governing body of a non-maintained special school.

For more information contact your HR and follow these links:

- [Disclosure and Barring Service](#)
- [DBS Barring Referral guidance](#)
- [Keeping Children Safe in Education, DfE 2020](#)
- [Disqualification under the Childcare Act 2006](#)
- [Guidance for safer working practice - education settings and Covid19 addendum](#)