

Handout Safer Recruitment

On 1st December, 2012, the government merged the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) into the Disclosure and Barring Service (DBS).

School governors must have regard to HM Govt. guidance "Keeping Children Safe in Education" April 2014

However, the Protection of Freedoms Act 2012 has made a number of changes to the requirements and reduced the scope of the definition of regulated activity.

It is still a requirement for schools to maintain a single central record of the recruitment checks they have made on their own staff. However, the Act has removed the requirement for schools to carry out a DBS check on governors simply because of their office.

PLEASE NOTE: NYCC CRB unit has confirmed that all paid staff (including caretakers & cleaners) & school governors will be requested to obtain enhanced DBS checks.

The Act has also removed the requirement to routinely carry out DBS checks on all volunteers, even where they regularly work with children. Instead, the Act introduces the concept of supervision of volunteers. Where a school is satisfied that it can provide an adequate level of supervision by a suitably checked person, for example someone who is defined as working in regulated activity, it is not required to check the volunteer (please refer to statutory guidance on the supervision of volunteers:

<http://www.education.gov.uk/aboutdfe/statutory/g00213977/supervision-guidance>

All those who **employ** people to work regularly in schools must carry out specified recruitment and vetting checks on intended new appointees, particularly identity and qualification checks, and where relevant, checks, barred list checks, and right to work in England checks. There is no requirement for schools to carry out retrospective checks on current staff – the necessary checks are those that were in force at the time the appointment was made. There has never been a statutory requirement for CRB disclosure certificates to be renewed, and the DfE is renewing and strengthening its guidance to deter schools from such routine re-checks which are considered to be a poor use of resources.

Schools are required to maintain records of the recruitment checks they make in a single central record (SCR). This duty is not removed under the Protection of Freedoms Act 2012. However, there is no prescribed format or layout for the SCR, as long as it shows the nature of the checks made, the date on which they were made and the identity (for example, function or job title) of those making the checks or entering the details in the record.

It is a criminal offence for employers to:

- take on an individual in *regulated* activity such as schools or childcare provision **whom they know to have been barred** from such an activity
- not refer to the Disclosure Barring Service details of anyone who is permanently removed from regulated activity (or who leaves while under investigation) for allegedly causing harm or posing a risk of harm.