



Safeguarding children

An evaluation of procedures for checking staff appointed by schools

The report sets out findings from a survey to investigate schools' and other education and care providers' systems for checking the staff they appoint. It identifies confusion about procedures and problems with record-keeping and guidance, but also includes examples of good practice.

Of particular interest to:

Schools, colleges, local authorities, parents, governors

Age group
0-16

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Executive summary

'Schools and colleges should create and maintain a safe learning environment for children and young people.'¹

The longest-established government guidance for safeguarding children is a document called *Working together: a guide to inter-agency working to safeguard and promote the welfare of children*. Despite its relevance and importance (and title) the first two versions of this document, issued in 1991 and 1999, were not issued to schools; the revised version (2006) is being made available to schools.

This is what the 2006 version says about the recruitment and selection of staff:

'To fulfil their commitment to safeguard and promote the welfare of children all organisations that provide services for children, or work with children, need to have in place:

- Clear priorities for safeguarding and promoting the welfare of children explicitly stated in strategic policy documents
- Recruitment and human resources management procedures that take account of the need to safeguard and promote the welfare of children and young people including arrangements for appropriate checks on new staff and volunteers.'²

Common features should include the following:

- Since its establishment in March 2002, checks with the Criminal Records Bureau
- Checks of lists maintained by the Department for Education and Skills (DfES), for example List 99
- Asking candidates to confirm identity through official documents.

Following public concern in the new year, and at the behest of the Secretary of State, Ofsted visited a representative sample of 58 schools and spoke to 16 local authorities, six teaching supply agencies and the Quality Mark assessor for supply agencies. In addition, evidence was gathered from seven inspections of colleges. The survey also included evidence from joint area reviews and the inspection reports of colleges, independent schools and day-care providers. This is what we found.

¹ Department of Health, Home Office, Department for Education and Employment, *Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children*, 1999.

² DfES, *Working together to safeguard children* (revised edition), 2006.

All those involved in the recruitment of staff express their commitment to safeguarding children, are highly motivated to make thorough checks, and almost always demonstrate good practice. But once staff are in place, hardly any of the schools surveyed take even the simplest of measures in terms of record-keeping: that is, to note against the name of each staff member whether they are who they say they are, whether they have the qualifications that they say they do, whether they have a criminal record, and when these things were last checked and by whom.

Everybody thinks that somebody else is doing this or it is somebody else's job, when in fact hardly anybody has secure evidence of when any of the simplest tasks were completed, or indeed that they have been done at all. Such practice lacks rigour and thoroughness and makes it appear that the 'world of education' does not take this aspect of the safeguarding of children seriously enough.

Checks on staff alone will not prevent harm coming to children. Indeed, as we know from recent findings, the checking process itself is not foolproof. However, checks on staff who work directly with children are part of the landscape of safe practices to ensure that children are kept safe. The recommendations of inquiries into the deaths of vulnerable children have repeatedly urged secure procedures and good record-keeping as the backbone of safeguarding such children. While it is highly likely that checks have been made, schools which do not have robust record-keeping in place cannot demonstrate that the safeguarding of children is secure. The local authorities **say** that they check staff against List 99, and with the Criminal Records Bureau (CRB) since 2002, but few of them have a secure list of checks made, with their dates and the names of those who have seen them.

All 58 schools we visited for this survey **think** that the local authority is carrying out those checks, but they do not **know** whether this is the case or not, and even when they do know, almost all of them do not record the date, timing or reference of the check in an orderly and accessible way. When employing supply teachers or teachers from abroad, these schools largely do not know whether or not such staff have been checked. Fifty-five out of 58 schools did not have a record on each member of staff that simply states whether their identity, qualifications or criminal records have been checked and if so, when and by whom. These schools should produce such a list, which is the minimum expectation.

Key findings

- ❑ Schools in the survey **say** that their staff are suitably checked, but do not have comprehensive evidence that this is so, whether relating to identity, qualifications or criminal records.
- ❑ Local authorities in the survey **say** that they check those staff they employ (in maintained schools), but they do not have comprehensive evidence

that this is so, whether relating to identity, qualifications or criminal records.

- ❑ Voluntary aided church schools in the survey, whose governors employ staff directly, do not have comprehensive evidence that they check staff's identity, qualifications or criminal records.
- ❑ Schools surveyed are not sure which staff, or others who have contact with children, to check; nor are they sure what to do when checks are 'pending'.
- ❑ Half of the schools and colleges in the survey are not aware of, and therefore not using, the range of advice and guidance available to them.
- ❑ The survey found misconceptions about the employment practices of supply agencies.

Recommendations

Schools and, where appropriate, colleges, should:

- establish and be secure in the identity of staff, or assure themselves that others who employ or supply staff have done so
- verify the authenticity of the qualifications of staff
- establish which staff require checking against List 99 and with the Criminal Records Bureau, and then ensure that this is done
- maintain an up to date record of staff which displays evidence that the three tasks above have been carried out, and when
- take advantage of the online training available from the National College for School Leadership for headteachers and governors, and be held to account for not doing so.

Local authorities, where they are the employer of staff, should:

- carry out all the above tasks and maintain matching records for staff they employ
- check that schools are secure in their procedures and record-keeping: they should insist on **seeing** evidence of these records regularly, not accept assertions that they exist.

The Department for Education and Skills should:

- provide clear guidance (defining with examples 'regular contact with children') as to who should be checked, against which lists, at what level, and how frequently
- make a clear and specific statement about checks on school governors
- provide clearer guidance regarding schools' responsibilities when employing staff from abroad, or through supply agencies

- provide guidance on suitable employment practices for those who are not checked, or are awaiting checks (if they are to be employed at all)
- speed up the handling of cases of misconduct that are reported to them
- be more assertive in influencing headteachers and governors to carry out the online training available from the National College for School Leadership.

The survey

1. Over a three week period Ofsted set out to answer a series of questions, agreed with the DfES, about practices relating to the employment of staff. The survey started with an examination of the legislation that governs employment in schools and colleges.

2. The Education Act of 2002 states that all schools (including independent and non-maintained schools) and colleges should give effect to their duty to safeguard and promote the welfare of pupils. In addition, schools, day care and colleges are expected to comply with the requirements of employers in the recruitment of all persons who will regularly work in education settings where there are children under 18 years of age. This includes persons being employed who will not come into regular contact with children as a result of their job. The recruitment process requires vetting procedures and specific evidence to be collated to check the suitability of the person to work with children. This includes checks of: identity, health, references, employment history, List 99, the Protection of Children Act List and, where appropriate, a CRB check.³

With this in mind, inspectors set out to answer the following questions:

- Are List 99 checks made on all those who work with children in schools?
- Have CRB checks been sought on those employed since 2002?
- How well do schools record information relating to checks on staff?
- How robust are interim safeguards while results of CRB checks are awaited?

Schools

This is what inspectors found:

- Schools where staff are employed by the local authority (LA) rely on the LA to make any necessary checks on those staff not directly employed by governors. Inspectors cross-referenced schools' statements about checks with those made by local authorities. The responses were consistent and pointed to good practice in carrying out the necessary checks when staff are employed. But there is poor practice in recording information about these checks and uncertainty about checks on staff employed prior to 2002. This poor practice and the confusion that exists undermine the security of procedures for safeguarding children.

³ Current legislation on employment practices and the safeguarding of children for LAs and governing bodies is set out in the Protection of Children Act (1999).

- Where the LA is the employer, enhanced CRB checks are sought on all staff that have direct contact with children. Not all schools and LAs have revised their procedures for CRB checks to reflect the wide range of extended provision offered at the beginning and end of the school day, and this is a major concern. Schools surveyed often accept staff from supply agencies on trust and this could compromise the way children are safeguarded. There are unacceptable practices in the approaches adopted to seek and act on CRB checks.
- In most schools there is poor recording of the checks that have been made on school staff, governors or volunteers. Records are very patchy and often non-existent for staff employed before 2002. Where records are kept, the information held varies in its precision and usefulness. Good practice does exist, but only in a very small minority of schools.
- Interim safeguards which headteachers say they use to cover the period while the results of CRB checks are awaited include robust measures, but they are not checked frequently enough and this could undermine their effectiveness.

3. All schools visited confirmed that mandatory List 99 checks are carried out by the LA, but very few of them had reliable records to demonstrate that staff employed prior to 2002 had List 99 checks. Only a small minority of headteachers were aware of which staff in their schools had been checked against List 99. Despite this, all schools tend to be cautious about those who have access to children. Fifty of the schools surveyed request List 99 checks on any volunteers they use regularly. All of the schools surveyed ensure that when List 99 checks have not been carried out on parent helpers or volunteers that they are supervised by vetted personnel and this is reassuring. The survey reveals that there is a lack of clarity in many schools about requirements for carrying out checks on staff who were already in post prior to 2002.

4. Headteachers are clear about the ramifications if a current employee is found to appear on List 99. The vast majority say that they would seek LA advice if this occurred, but all recognise that dismissal of the employee would be a potential outcome.

5. All schools surveyed confirmed that the LA carries out CRB checks on classroom staff. All except five confirm that these are at the enhanced level; these five schools were unaware of the different levels of CRB check. The survey found that 18 schools did not know whether checks were carried out on governors; a further 17 erroneously believed that checks were not carried out on governors. A third of schools in this survey were vague about the nature and extent of CRB checks on employees, governors and volunteers involved in their schools.

6. Schools say that they seek CRB checks on volunteer staff who work regularly in the school, including governors, but the criteria for defining 'regular'⁴ are unclear.
7. Most schools and LAs understood the importance of seeking evidence that appropriate checks had been carried out. Where schools offered education outside of the school day and governors had overall responsibility for this provision they understood the importance of seeking evidence that appropriate checks had been carried out. However, only four schools demonstrated good practice by asking to see CRB checks alongside evidence that public liability insurance was in place. This is a concern, given the range of out of hours provision most schools offer to children⁵.
8. Schools do not have sufficient knowledge about CRB checks and are not given clear information by their LAs about the range and nature of checks made, particularly on governors and volunteers. If a CRB check revealed that there were concerns about an individual, all except eight schools say they would seek and follow LA advice. Those that would not do this may not have staff or governors with enough knowledge and experience to make sound judgements.
9. If new information about the suitability of an existing employee came to light, all headteachers said that their primary consideration would be safeguarding the children. If the information related to an alleged offence against children, they would immediately suspend the employee. In other situations they would insist the employee worked under constant supervision until the matter was resolved. These actions described by schools show a clear understanding that the safety and well-being of children is paramount.
10. When schools used supply agencies, a third of them relied solely on the agency's assurances that the employee had been CRB-cleared. The over-reliance of the vast majority of schools on supply agencies' assertions, coupled with a lack of clarity about which checks supply agencies have carried out, leads to an insecure system. Only eight schools surveyed asked to see evidence of checks when hiring new supply staff. A third of schools used only LA supply

⁴ Paragraphs 28 and 29 of Guidance from the DfES, May 2002; ref: DfES/0278/2002.

⁵ On 12 May 2006, new regulations come into force which make it mandatory to obtain enhanced CRB disclosures for all new appointments to the school's workforce and for those who have been out of the workforce for more than three months. This change is part of an ongoing process by the Government to tighten current vetting and barring procedures to ensure that the system is as robust as possible. The regulations apply to all maintained schools and include local-authority-appointed staff. The school workforce covers anyone employed in a school, including those employed to deliver extended services. These changes apply to staff working in pupil referral units as well as in other settings.

agencies, as they felt more confident about the reliability of checks; however, they did not seek documentary evidence that these had been completed.

11. Records in most schools were inadequate, and in some cases non-existent. Of the 58 schools in the survey 32 did not keep any records of List 99 or other checks prior to 2002. This is unacceptable; it leaves schools in a vulnerable position in that they are not able to demonstrate clearly that appropriate checks on staff have been carried out.

12. In the three schools where practice was good, all List 99 and CRB information was held in one file, set up for that purpose. These schools have a clear overview of staffing as well as knowing the nature and date of the checks that have been made. More importantly, headteachers can see at a glance if and when further checks are needed.

13. Many schools held partial information, perhaps the date of the check, but not whether it was enhanced or standard. Additional poor practice, seen in 19 schools, included keeping copies of the certificates from CRB checks, which is in direct contravention of the CRB code of practice. In well over half of the schools headteachers were unaware of the fact that certificates from CRB checks had a unique reference number; they recorded the date the results of the check were received but not the number of the certificate. This made it impossible to match the person to the check and virtually impossible to judge if and when new checks were needed. Only half of the schools recorded whether CRB checks were standard or enhanced.

14. There were occasions when a CRB check expected in days took much longer. Twenty-four schools did not have secure procedures to deal with this effectively; they did not check that actions taken as a result of the initial risk assessment were still in place and serving their purpose.⁶ Seventeen schools did not record the eventual outcome of CRB checks, leaving interim risk assessment procedures in place when they were no longer required.

Day-care providers

This is what inspectors found:

- Inspection reports state that day-care providers effectively implement robust vetting procedures for their staff. There are

⁶ Headteachers may use discretion in allowing a person to start work pending the result of a CRB check, provided that other pre-employment checks have been carried out and they have implemented arrangements to ensure that no risk to children could arise. See *Criminal Records Bureau: managing the demands for disclosures*, DfES, 200 (ref. DfES 0780/2002); Criminal Justice and Court Services Act 2000; Section 4 of the Education (Prohibition from Teaching or Working with Children) Regulations 2003.

isolated incidents of unacceptable practice, but providers are generally assiduous in their efforts to safeguard children.

15. Overall procedures for checking the suitability of staff who worked with children in day-care settings are good. The small amount of poor practice identified included one case where an unchecked member of staff was frequently left in unsupervised contact with children, even taking them to the toilet unaccompanied. Failure to check staff on temporary contracts also occurred.

Independent schools

This is what inspectors found:

- Inspection reports state that procedures to check the suitability of staff employed in independent schools are robust in most of the schools in this survey. In a fifth of schools, inspectors had concerns about procedures and these were followed up by the DfES.

16. In the majority of cases procedures for checking staff were judged to be secure in 'non-association' independent schools inspected under section 163 of the Act by Ofsted between 2003 and 2005. For a variety of reasons, about a fifth of schools had either not started or had not completed the necessary CRB checks. Where schools fail to comply with legislation or requirements specific to registration, the DfES follows this up. In the cases mentioned above, all the schools, except for the few that closed, quickly took appropriate action to remedy deficiencies in procedures relating to CRB checks.

Colleges

This is what inspectors found:

- The colleges in the survey have robust procedures in place to carry out checks on teaching staff who normally come into contact with students. However, this is not always the case with non-teaching staff. In this very small sample of college inspections and the analysis of inspection reports there were examples of poor practice in terms of record-keeping.

17. All seven colleges surveyed comply with current recruitment checking requirements by seeking enhanced CRB checks for all staff with 'substantial' or 'specific' contact with children and young adults, including teaching staff and learner support assistants. With respect to non-teaching staff the practice varies, depending on the degree of contact with children and vulnerable adults. In a few of the independent specialist colleges (ISC) and general further education (FE) colleges in the survey, all non-teaching staff have enhanced CRB checks. In the case of governors, two out of seven colleges do not check them

because they say that they do not have unsupervised contact with children. Most colleges demonstrate clear arrangements for securing the safety of 14–16-year-olds.

18. Each college in this survey keeps a note on personnel files or systems of the date of the CRB check, its reference number and at least the outcome of the check. Some colleges have a list that enables them to see information about the whole staff at a glance, and this is good practice. Some keep copies of the CRB certificates, which contravenes the CRB code of practice. Overall, although there is some good practice, the procedures adopted by most of the colleges to record information about checks carried out on staff are inappropriate and do not comply with the CRB code of practice.

Local authorities

Inspectors set out to answer the following questions:

- Are List 99 checks made on all those who work with children in schools?
- Have CRB checks been sought on employment since 2002?
- How well do schools record information relating to checks on staff?

As employers, LAs are subject to the same legislation as schools.⁷

- All LAs in the survey said they carried out mandatory List 99 checks on all teaching and non-teaching staff before these took up employment in schools. Almost all of them also carried out this check on governors, but schools were not always aware of this.
- Some LAs were slow to follow up the late arrival of checks.

19. All LAs surveyed say they carry out List 99 checks on all staff working with children in schools where the LA acts as employer, and all but two of them say they carry out similar checks on governors. Schools are not usually made aware that governors have been checked. There are unacceptable variations in practice in relation to checks on governors and volunteers. All but three of the LAs surveyed carry out List 99 checks on governors and, if the governors work in the school, enhanced CRB checks are also sought. Two LAs report that all governors have either a CRB standard or enhanced check, and one authority makes no checks on governors, although some schools in this authority do. Schools are left to decide what checks to make on volunteers.

⁷ Specific expectations for the employment of staff, including the responsibilities of LAs, are set out in *Safeguarding Children: Safer Recruitment and Selection in Education Settings*, DfES, 2005; ref.DfES/1568/2005.

20. The recording of List 99 checks undertaken before 2002 is inconsistent across the LAs in the survey. In the best instances, payroll information is used to keep an up to date check on which staff work where; when checks have been carried out; the nature of those checks; when staff move schools; and when new checks are required. Ten of the 16 LAs have integrated systems which enable them to cross-reference checks with payroll and contract details. This allows clear tracking of all checks made on employees in schools that are served by the LA for administrative personnel services, but not in other schools, such as voluntary aided schools. Six LAs were unable to track the checks made on employees in this way because they outsourced functions such as payroll to another provider. Procedures for transferring this information when a teacher moves from one authority to another, or when authorities reorganise, are not clear.

21. All of the LAs check that teachers they intend to employ are registered with the General Teaching Council (GTC), established in September 2000.⁸ From June 2001 the GTC took over the responsibility of checking teachers' qualifications and giving new teachers their unique teacher number. Very few LAs said that they had reliable records regarding the veracity of teachers' qualifications prior to 2001.

22. Where they are the employer, all LAs in the survey say they carry out enhanced CRB checks on classroom and other staff who have direct contact with children, including those employed centrally. Only six LAs carry out enhanced level CRB checks on all staff, no matter what their contact with children, but a further five LAs state that from now on they intend to do so and have advised schools to carry out enhanced CRB checks on all staff.

23. All the LAs surveyed give guidance that is in line with or stricter than that from the DfES for vetting school staff. Nearly all have sent reminders recently to schools to reaffirm headteachers' responsibilities. This practice is clear and straightforward.

24. LAs send a letter, mark computer files, send an email or give oral confirmation that they have carried out checks. Schools confirm that this is the case. However, there are no checks by the LAs to see what, if anything, schools do with this information.

⁸ By law qualified teachers may only carry out 'specified work' in maintained schools, non-maintained special schools and pupil referral units if they are registered with the General Teaching Council, in line with the Education (Specified Work and Registration) (England) Regulations 2003. The GTC has an online service that allows employers to check the register themselves. It enables them to check the qualification, induction and registration status of all teachers either currently working for them or applying for a teaching post.

25. Most of the LAs sanction the deployment of staff once checks have been completed for List 99, and confirmation of checks on identity, qualifications (post-2002) and references have been received; they do not wait for the results of the CRB check. LAs expect the headteacher and governors to decide whether or not to employ someone when a CRB check has been applied for, but has not arrived.

26. Two of the LAs say they do not allow schools to deploy new staff until CRB checks are complete, although this is not required by the DfES. Seventeen of the schools say that as a matter of principle they do not deploy classroom staff prior to receiving notification of a completed check.

27. All of the LAs have an established system for following up outstanding checks, but the time lapse allowed before contacting the CRB varies from three weeks to six months. Waiting for six months is unacceptable.

28. All of the LAs advise schools to carry out a risk assessment before deciding whether to employ someone while waiting for the outcome of a CRB check to arrive. Headteachers say they are clear about what they should do. They rely on LA advice for individual cases, but anyone working in the school while awaiting the outcome of the check will always work under the close supervision of an adult who has been fully checked.

The Department for Education and Skills

- The guidance provided on procedures for the employment of staff does not cover important areas and this leads to confusion. For example, where the LA is not the employer, it has no way of ensuring that recommended vetting procedures have been adhered to. The LA's responsibility in relation to foundation, voluntary aided or any other schools buying personnel administrative services from elsewhere is unclear.
- Also, three LAs have experience of schools disregarding their recommendation not to appoint where there have been safeguarding concerns. Guidance does not make it clear to LA officers what action they can take in such circumstances.
- The guidance issued on safe employment procedures by the DfES is clear, but not as comprehensive as it could be. Recent communications from government clouded matters relating to CRB and there is some confusion. Guidance is not sufficiently comprehensive to give LAs and schools a clear steer about their respective responsibilities.

29. Most schools in the survey rely on their LA to carry out the necessary checks on staff in their schools. Schools expect LAs to pass on the outcomes of

the checks. Headteachers in the survey are aware that they should record some information about the checks the LA makes, but they are confused about what to record and how to record it. There is also confusion between school and LA about who should take the responsibility for record-keeping. All LAs except one provide schools with a hard copy of confirmation of suitability for employment following CRB checks. LAs assume schools keep these letters of clearance, but in the schools surveyed this was not common practice. There is a distinct lack of unequivocal guidance about the records schools should keep.

30. The majority of LAs think guidance issued by the DfES is clear, but report that recent publicity surrounding this issue confused schools. This was only partly alleviated by an explanatory letter from the then Secretary of State. In her letter of 19 January 2006 (see Annex E), she wrote:

'Schools... must do more than check list 99... I expect an enhanced disclosure to be obtained for all teachers, other staff and volunteers whose job involves regularly caring for, training, supervising or being in sole charge of children under 18 years of age.'

Many LAs thought this meant that, suddenly, CRB checks had become mandatory, and that 'all teachers' included those in post before 2002. This was followed by a DfES letter of 25 January 2006 (see Annex F) from the Director of the Safeguarding Children Group, stating that procedures had not changed:

'Firstly, I want to be very clear that there has been **no change** in our expectations of when and in what circumstances a CRB Disclosure should be obtained.'

The above correspondence did little to clarify procedures.

31. All of the LAs surveyed are clear that they do not need to check staff employed prior to 2002 with the CRB unless that person has been out of the workforce for three months or is causing concern. The survey found that 18 headteachers were not familiar with DfES guidance on safe recruitment, while a further 14 felt the guidance was unclear.

32. Most of the headteachers understand that checks must be carried out when they employ staff, but rely too heavily on the LA to take responsibility for this.

33. Some LAs feel there is a lack of clarity regarding the criteria for barring staff from working in schools. Similarly, there is inconsistency in the sharing and recording of 'soft information'.

34. All LAs are clear about when to report teachers' misconduct to the DfES. However, those who had done so expressed concerns about the length of time before decisions were made, pointing out that in the interim the teacher could be working with children elsewhere. Each situation is unique, and therefore the

time taken to bring cases to a conclusion varies. However, no matter how long it takes to resolve a case, it is not acceptable to leave children in a vulnerable position.

35. LA officers want more information about the criteria for placing an individual on List 99, and how this decision is made. Seven LA officers interviewed were concerned that there was a minority of teachers they would not want to employ who might not be placed on List 99. However, the fact that someone is not placed on List 99 does not automatically make them suitable for a post in a school. The onus is on all schools and LAs as employers to make recruitment decisions, drawing on a range of information.

Effectiveness of training

- Training helps to promote good practice, but in few of the schools have the relevant people completed the training made available to them.

36. The headteacher and one governor from every maintained and independent school have access to online training in safe recruitment practices; LAs have also been allocated two places each. At the time of this survey, 19,603 out of approximately 50,000 eligible people had registered to do the training and 2,595 had accessed it, but only 847 had completed the training. This small number is a concern, especially as those who had completed or accessed the training had established better practice in their schools and had a wider understanding about the issue.

37. Five of the LAs are offering local training to complement the online package; they also know which schools are not taking up the training. There is an anomaly in that chairs of governors can access the secure online training without needing to have been CRB-checked.

Annex A. Supply agencies

Inspectors set out to answer the following key questions:

- What vetting procedures do you have in place for checking teaching staff on your register and, if appropriate, for non-teaching staff?
- What systems do you have for passing on information to schools about checks on supply staff?
- If you had concerns about someone's suitability, what would you do?
- Are there any obvious omissions or inconsistencies in the guidance?

Anyone can set up a supply agency as long as they comply with the legislation governing agencies (Employment Agencies Act 1973). They also have to abide by the Conduct of Employment Agencies and Employment Businesses Regulations 2003. Employment law requires, for example, that agencies take all reasonable actions to ensure that anyone they recommend for employment has the necessary qualifications for employment. They seek proof of qualifications and independent references, and are expected to take 'reasonable practicable steps to confirm that the work-seeker is not unsuitable for the position concerned'. In addition, the supply agency must also meet any requirements of the 'hirer', in this case schools. If an agency receives information that gives it 'reasonable grounds' to believe that the work-seeker is unsuitable to work for the hirer, it must without delay inform the hirer and end the supply of that work-seeker. It is not obliged to tell the DfES or other supply agencies if they have done so. The Department for Trade and Industry (DTI) says that 'very few supply teachers have been withdrawn from schools'. There are no other requirements. This means that in effect, agencies do not have to carry out CRB checks on staff unless schools request that they do. This is not tight enough, nor is it acceptable that different and more stringent regulatory standards should be applied to the permanent staff of a school than to supply staff (see p. 7, note 5). In practice, those agencies that are known about do carry out CRB checks.

The standards required of supply agencies that are members of the Recruitment and Employment Confederation (REC) include good procedures for vetting staff. The minimum standard set by the DfES to reach the Quality Mark (QM) also includes good procedures for checking staff. There are not enough checks in place for those agencies that are not members of REC and too few agencies have been awarded the QM.

- All six supply agencies interviewed claimed that robust checks, which included enhanced CRB checks, were made on the staff they offered to schools, but they confirmed that supply staff were rarely asked by schools to provide evidence that checks had been made.

- All but one of the supply agencies interviewed gave schools a good range of information. They listed all the checks that had been carried out. One agency had no procedures for doing this and, inappropriately, relied solely on its local reputation.
- The supply agencies have a clear understanding of the actions they should take if they are concerned about an individual. DfES investigations are too slow.
- The guidance given by the DfES and the REC is clear but does not go far enough in providing the range of advice most supply agencies need. The QM is not as rigorous as it should be. It expects the supply agency to inform schools if checks have not been completed, but it does not set a clear expectation that all checks on supply staff should be completed before they are allowed to work in schools.

The exact number of teacher supply agencies is not known, but one official from the DfES estimates the number to be 300 and another estimated it was 1,500; the DTI suggests it is 'in the hundreds rather than thousands'. About 10% of agencies are checked by the DTI annually on the basis of a risk analysis and complaints received.

One hundred and fifty of the supply agencies are members of the REC, which sets its own standards for registration.

Schools which took part in this survey were not aware that as hirers they have the right to make specific requirements of supply agencies; it is therefore unlikely that they would make a specific request for staff who have had CRB checks. Given the legislation in place, the risk of an agency supplying someone without such checks is low, but it is nevertheless a risk, especially as this survey has revealed that schools rarely ask supply agency staff for proof that CRB checks have been carried out.

All of the agencies except one provide schools with an information pack, usually marketing the firm and its services. The agencies include information about the recruitment and selection of staff and the checks that are made, and details of complaints procedures, together with their contract. This information, which is also available on the website, is clear and helpful. In the case of supply staff who are new to the school, CVs and background information are also provided. One company, which works in one area and claims to be well known to local schools that use its supply staff, sends nothing to schools.

All of the supply agencies said they would investigate immediately if they had concerns about any supply staff. One agency stated that there would be a thorough assessment of the person's work and further checks would be carried out.

The agencies said that if there was a genuine problem they would inform the DfES. They were, however, concerned about the length of time it takes the DfES to deal with individual cases. This issue was also raised by schools. Two of the agencies said that because of these delays they would pass on any concerns about an individual to other local agencies, but they had no formal mechanism to do this. They were conscious of the need to treat this matter carefully because of employment legislation. The procedures for reporting and investigating concerns about individual staff should be reviewed to ensure that children are not inadvertently put at risk while investigations are being carried out.

The guidance from the REC is judged by all six agencies to be very helpful. One agency said there was not enough guidance from the CRB. Another pointed out 'grey areas' about what action to take when checks show there is a problem.

One agency would have liked the DfES to say that agency staff should not be sent to schools until all checks had been fully cleared.

The QM is voluntary and only 56 agencies (not all members of the REC), three LAs and one education institution have applied for it. One REC member who had not applied complained of the cost (between £250 and £3,000 depending on the level of work needed to reach the standard) and the fact that the assessment was carried out by the REC and, therefore, was not external. Two out of the six agencies interviewed still allowed staff to go to schools when CRB checks had not been returned. The QM is a good way to encourage agencies to set a minimum standard, but some agencies that were awarded the QM stated that they did not carry out all of the checks prior to sending a teacher into a school and this is not good practice.

Teacher supply agencies' websites

- All of the supply agencies set out their procedures clearly on their websites. The procedures described are robust and match what the agencies claimed to do during their interviews with inspectors.

Scrutiny of 20 teacher supply agencies' websites reveals that most set out their procedures clearly. Some sites make a virtue of REC membership and QM status; on others it is difficult to tell whether or not they are members. They all list what teachers need to do to register; they also state that face to face interviews will be required, as well as enhanced CRB checks and proof of identity. These agencies claim to have adequate procedures in place when they employ staff.

Annex B. Employing overseas staff

Are appropriate checks carried out on teachers from overseas who work in schools and colleges?

- Appropriate checks are sought on teachers from overseas, but some LAs are concerned that the assurances given by police in some countries are not robust.
- Schools take all the precautions available to them to ensure that candidates are suitable, but are concerned about the veracity and validity of 'certificates of good conduct'.

The LAs surveyed provided guidance on the employment of overseas staff in line with that from the DfES. They usually added a small amount of extra guidance relating to local circumstances. Most schools said that they adhered to the guidance, but were not always sure that checks based on 'certificates of good conduct' were sufficiently robust. Sometimes their concerns were well founded. Anecdotal evidence from two LAs included cases where they had discovered that staff they employed had committed serious crimes that had not been revealed by the original checks.

Of the 58 schools surveyed, 13 had experience of employing teachers from overseas. All of the schools state that they took advice from the LA if in doubt about the authenticity of information submitted by a candidate. All but one were aware of the specific guidance, and all made personal contact with referees before they appointed. All of the schools said they erred on the side of caution: if in any doubt, they would not appoint.

Annex C. Information from the CRB

- Schools and LAs are confused about what action they need to take about existing staff members. The messages from the CRB, via the DfES, are not making the situation clear. Supply agencies are not able to give schools information about the outcomes of CRB checks on individuals who work for them without obtaining that individual's permission.

Officers from the CRB are not aware of any specific problems with CRB checks on staff in schools. They highlight that schools are unclear about, or are ignoring, government advice about not needing to repeat checks on existing staff members.

Some local authorities have decided to recheck all staff, and the CRB officers are concerned about their capacity to deal with such a volume of checks. Three LAs not in the survey have indicated publicly their wish to do this, and CRB officers are to visit them to find out more about their plans.

CRB officers point out that, in common with other registered and umbrella bodies, supply agencies may not share the results of CRB checks with schools. However, if an individual freely consents in writing, a supply agency **can** share CRB disclosure information with a school (section 124[6] of the Police Act 1997). When an agency receives information that gives it reasonable grounds for believing that a worker may be unsuitable, it has an obligation under regulations to inform a school.

A supply agency is able to state that checks have been carried out on the person they are sending into a school. That person, if asked, is at liberty to show the outcomes of the check to the school. Most of the supply agencies in the survey expect their staff to carry their CRB certificates with them.

Annex D. Examples of good practice

- Some LAs maintain a database which cross-references payroll, contract details, List 99 and CRB check information.
- One LA carries out a personnel review every two years to check that schools are keeping correct personnel information. This is not a formal monitoring role and is presented as a supportive role within its general service-level agreement with the schools. Schools welcome the support from the LA. It means that the LA and schools are able to raise any issues they need to discuss through this approach and can monitor the implementation of their policies.
- There is some good practice among supply agencies. For example, all of the agencies interviewed ensure that all supply staff have photographic identity on their badges, that there are regular monitoring visits to the schools by agency managers, and that references are sought on a termly basis for all supply staff. Two agencies always seek reasons if a school states that it does not want an individual to return.
- The headteacher and chair of governors in one school are linking with other local schools to organise safe recruitment training and to agree a joint and consistent approach to recruiting and vetting staff in schools.
- One LA has recently sent each school a list of staff confirming that they have been CRB-checked and stating the nature of the check they have had since 2002.
- The most effective LA application forms make it clear that the school reserves the right to contact the previous employer if it has not been selected as a referee by the applicant.
- Some LAs offer training that is complementary to online DfES training run by the National College for School Leadership.
- The best reference forms are detailed and ask specific questions, for example, 'Has the candidate ever been under investigation?' There is then less likelihood that referees will omit to provide key information.
- Tight induction procedures include early training to ensure that employees are clear about their responsibility for safeguarding children, and what is appropriate and inappropriate behaviour with children.

Annex E. Letter from the Secretary of State

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19th January 2006

To all:

Local Authorities
Governing Bodies of maintained schools
Governing Bodies of non-maintained special schools
Proprietors of Independent Schools
Head teachers of all schools
Employment Agencies and Businesses that provide staff to schools
Corporations of Further Education Institutions
Principals of FE Institutions

Dear colleague

SAFEGUARDING CHILDREN – REVISED ARRANGEMENTS

In a statement today to Parliament I reported on the review I had asked my Department to conduct about arrangements for safeguarding children.

A copy of my statement, and the accompanying review document, are available at <http://www.teachernet.gov.uk/educationoverview/briefing/news/>.

I know that you take as seriously as I do the importance of having effective safeguarding arrangements for children. I have told Parliament that I deeply regret the worry and concern that has been caused to parents over the last few days and that, with your continued help and vigilance, I am determined to do everything I can to ease their concerns. The purpose of this letter is to:

- appraise you of the main outcomes of the review;
- advise you of further legal changes I intend to bring before Parliament;
- alert you to some strengthening of the existing arrangements, that will apply pending such legal changes;
- seek your continued vigilance in ensuring that children are protected to the utmost of our individual and joint abilities and that we achieve maximum public confidence in the safeguarding arrangements.

Main outcomes of the review

The key findings of the review, building on those of the Bichard inquiry, are that:

- a. The interface between List 99, the Sex Offenders Register, Department of Health lists and other sources of relevant data must be simplified to secure better alignment;
- b. Data transfer at national and local levels, including DfES, police, local authority and school data, needs to be handled more effectively while honouring data protection requirements;
- c. More decisions need to be made by reference to mandatory criteria, and fewer left to individual discretion and judgement;
- d. Where judgements do need to be exercised, they should be based on the decisions of an independent body of experts drawn from a wide range of relevant disciplines, including child protection, and should not be made by Ministers.
- e. Future arrangements should be based on a new set of principles, as set out in the body of today's review document, which put child protection first and are rigorous enough to command widespread public confidence.

Proposed legal changes

The issues of alignment will be dealt with in full by the new Bichard Vetting and Barring Scheme (BVBS). I intend to introduce a Bill to give effect to this at the end of February. There is, however, a significant lead time before the new system can be operating effectively, which is likely to be 2008. So, while the new scheme will help in the longer term to remove much of the current complexity, we need to take action now to ensure that our children and young people are fully safeguarded.

That is why I shall be going to Parliament as soon as possible with revised Regulations made under existing legislation. These will go a long way in formally aligning List 99 with other sources by naming all qualifying offences which result in an individual being placed on the Sex Offenders Register automatically identified as being barred on List 99, subject to appeal. In future, not only those convicted but those cautioned for sexual offences against children will be automatically barred, whether an individual is on the sex offenders register or not (subject to appeal).

I also propose to amend staffing regulations to make CRB checks compulsory for all new appointments to the school workforce (i.e. appointments of individuals who have not worked in a school, further education institution or local authority education service in the last 3 months). There will be a parallel requirement that all staff employed through agencies must have a CRB disclosure.

I have today also formally commissioned Ofsted to conduct a survey looking specifically at vetting practices in a sample of schools to report to me in the spring. It will be in addition to existing inspection arrangements and will help to ensure compliance with the regulations, as well as helping schools to identify areas for improvement in their current practices.

On issues of data transfer, the information provided by police in respect of List 99 cases is critical in ensuring that appropriate decisions are taken. My colleague Charles Clarke is writing separately today to all police forces setting out clearly how they are expected to participate in and co-operate with the decision-making process.

As to the issue of an independent decision-making body, I propose a two step process. For the longer term, I propose to take powers in the forthcoming Bill so that a body fully independent of ministers will exercise the functions which currently reside with my office. Ministers will have no role in making decisions on individual cases.

In the shorter term, I propose to establish a panel under Sir Roger Singleton, which will include experts from the police, child protection organizations and other relevant areas. Panel advice will form the basis of future Ministerial decisions pending implementation of the new independent statutory body. I have told Parliament that I cannot envisage any circumstances where we would not take the panel's advice. I will consult stakeholders – including parents – on the composition of the panel.

Strengthened interim arrangements

Because of the seriousness of these child protection issues, I do not think we can wait even for the revised regulations as above. I propose some immediate changes.

I am asking all those making appointments to schools to ensure that CRB checks are in place on all relevant staff. Schools already understand that they must do more than check List 99, which only covers those working in education at the time they commit an offence. A school's decision on whether or not to appoint an individual to its workforce should also include a criminal record check from the CRB, in addition to the standard previous employer references, qualifications and General Teaching Council for England registration.

I expect an enhanced disclosure to be obtained for all teachers, other staff and volunteers whose job involves regularly caring for, training, supervising or being in sole charge of children under 18 years of age. This includes applicants for teacher training courses, trainee teachers and those employed through supply agencies.

Where staff are recruited from countries outside of the UK, neither the CRB nor List 99 may be appropriate, particularly when they are newly arrived. It will therefore always be good practice for employers to make enquiries of the authorities in the countries from where these teachers come as to whether they

have records of any factors that would make them unsuitable to work with children and young people. It is important that the checks we have in place for overseas teachers are as effective as we can make them, and I will be reviewing the current processes for vetting overseas teachers.

I am also overturning the established guidance that no checks will usually be needed where a teacher moves schools within a local authority area. I now expect schools to seek such checks even in these circumstances.

I recognise that these strengthened arrangements may cause some increase in applications to the CRB. We will work with CRB to ensure that the system has the capacity to cope with these additional checks. This point will be of great importance to Heads, who will recall the difficulties in 2002.

Vigilance and public confidence

I recognise that recent levels of public concern over safeguarding will have shaken every school that is applying established good practice in its recruitment exercises. I know that the vast majority of schools have been exemplary over these matters. I have also reiterated to Parliament today that there have been some shortcomings in particular cases in what we have done at the Department and I have taken full responsibility for these.

The priority now is to work together towards the new arrangements I have summarised above; and in the meantime to be as vigilant as we can in applying the strengthened interim arrangements, to restore public trust.

I know that some of the changes I describe will give you and your staff extra work. At annex A I reiterate all the sources of support and guidance currently available through the Department. I will also be discussing with representatives of the school workforce in the coming days whether there is more I can do to ensure you have the support you need to help carry out your responsibilities: responsibilities which are vital in ensuring our vetting and barring arrangements are the toughest they have ever been and carry the full confidence of pupils and parents.

RUTH KELLY

Communications regarding this letter should be directed to info@dfes.gsi.gov.uk, or DfES, Sanctuary Buildings, Great Smith Street, London SW1P 3BT, tel: 0870 000 2288.

ANNEX A

LINKS TO ADVICE AND GUIDANCE

Subject to the new provisions in this letter, this annex provides a link to current Departmental advice and guidance on child protection.

DfES Guidance - Dealing with Allegations of Abuse Against Teachers and Other Education Staff was issued on 21 November 2005

www.teachernet.gov.uk/childprotection

Child Protection: Procedures For Barring or Restricting People Working With Children in Education – revised September 2005

<http://www.teachernet.gov.uk/docbank/index.cfm?id=4778>

DfES Guidance - Safeguarding Children in Education was issued in September 2004

www.teachernet.gov.uk/childprotection

DfES Guidance - Safeguarding Children: Safer Recruitment and Selection in Education Settings was issued on 4 July 2005

www.teachernet.gov.uk/childprotection

Safer Recruitment – an online training site that has been developed by the DfES in partnership with the National College for School Leadership was launched on 4 July 2005

http://www.ncsl.org.uk/managing_your_school/safer-recruitment/index.cfm

DfES Guidance – Extended Work Experience and Child Protection: Safeguarding Children in Education – Supplementary DfES Guidance for Work Experience Organisers was issued on 21 December 2004

<http://www.teachernet.gov.uk/childprotection>

DfES Guidance 09/04 – Checks on Supply Teachers was issued in September 2004.

<http://www.teachernet.gov.uk/supplyteachers/schoolsdetail.cfm?&id=16>

DfES Guidance 2002/0278 Child Protection: Preventing Unsuitable People from Working with Children and Young Persons in the Education Service was issued in September 2002

<http://www.teachernet.gov.uk/docbank/index.cfm?id=2172>

DfES Guidance 0780/2002 – Criminal Records Bureau: Managing the Demand for Disclosures was issued in December 2002

<http://www.teachernet.gov.uk/docbank/index.cfm?id=3334>

DfES Circular 4/99 – Physical and mental fitness to teach of teachers and of entrants to initial teacher training

http://www.dfes.gov.uk/publications/guidanceonthelaw/6_99/circa148.htm

DfES Circular 7/96 – Use of Supply Teachers was issued in June 1996
<http://www.teachernet.gov.uk/supplyteachers/schoolsdetail.cfm?&id=16>

Annex F. Letter from the Director, Safeguarding Children Group

Directors of Children's Services
Chief Executives
Chief Education Officers
Directors of Children's Learning
Local Authority Education Personnel Officers

26 January 2006

Dear Colleague,

Obtaining CRB Disclosures For People Seeking Work In Schools

A number of authorities have sought clarification of the position in regard to CRB Disclosures in light of the Secretary of State's statement to Parliament and her letter to Local Authorities, head teachers, schools and other organisations last Thursday about List 99 and checks on staff.

I am writing to clarify the position and to explain the steps the Secretary of State has decided to take straight away to improve protection for children. This letter should be read in conjunction with the Secretary of State's earlier letter, which provides further detail.

Firstly, I want to be very clear that there has been **no change** in our expectations of when and in what circumstances a CRB Disclosure should be obtained. We have made it clear in successive **guidance** that CRB checks are **strongly recommended** as part of the appointment process for new staff working in schools, FE institutions and LEA education services. The change announced by the Secretary of State is that these existing arrangements are to become **compulsory**, through Regulations made under sections 35 and 36 of the Education Act 2002 (and s.72 of the School Standards Framework Act (SSFA) 1998) – currently the School Staffing (England) Regulations 2003.

There will continue to be **no requirement to obtain a Disclosure on existing staff**. Employers will continue to have discretion to seek a Disclosure where they have ground for concern about the suitability of an existing member of staff, and where the member of staff consents. Otherwise, as now, people should only be checked when they seek a new appointment, or have a break in service of more than 3 months, or if they have not previously been eligible for a Disclosure and move to work that involves significantly greater responsibility for children than in their present position.

The guidance in the Department's Circulars "Child Protection: Preventing Unsuitable People From Working With Children in the Education Service" (issued in May 2002) and "Criminal Records Bureau: Managing the Demand for Disclosures" (issued in December 2002) remains in force. We also propose to maintain the arrangement whereby head teachers are able to exercise some discretion in allowing people to start work pending the result of a CRB check, provided that they are confident that 2 other pre-employment checks (e.g. List 99) have been carried

out, and they have implemented arrangements to ensure that no risk to children could arise.

A summary of the other measures announced by the Secretary of State is annexed.

Yours Sincerely

Althea Efunshile

Director

Safeguarding Children Group

ANNEX

SUMMARY OF MEASURES TO IMPROVE SAFEGUARDS FOR CHILDREN IN SCHOOLS ANNOUNCED BY THE SECRETARY OF STATE ON 19 JANUARY 2002

CRB Disclosures

- Regulations will be introduced to require mandatory Criminal Records Bureau checks for all newly appointed school employees. This will also require that teaching agencies ensure their teachers have a Criminal Record Bureau check.
- Ofsted will carry out an urgent survey of existing vetting practice in a sample of schools to report to the Secretary of State in the spring.

List 99

- Regulations will be introduced to automatically enter on List 99 anyone who is convicted or cautioned in future for a sexual offence against a child or any of a range of other serious sexual offences against adults. The Secretary of State undertook to consult widely on the detailed implementation of this measure.
- A panel of independent experts, chaired by Sir Roger Singleton, the former head of Barnados will be appointed to oversee the whole List 99 process.
- The panel's role will be to ensure the quality of the process and advise the Secretary of State on any future List 99 cases that need to be decided. They will draw on expertise from the police and child protection specialists. The Secretary of State said that while she would not fetter her discretion on individual cases, she could not envisage the circumstances in which she would not follow the panel's expert advice.
- The expert panel will also review cases determined before 1997. The panel will examine cases which, had the Sex Offenders Register existed, would have resulted in the individual's inclusion on the Register and all cases involving a sexual offence or allegation which resulted in a decision not to include on list 99 or in a restriction or partial bar. The aim of this review will be to establish whether any individual poses a risk of harm to children and if any action should be taken.
- DfES staff who are part of the vetting process will continue to receive appropriate training, support and advice in child protection issues.

Longer Term Changes

- The legislation to implement Sir Michael Bichard's recommendation for a new vetting and barring scheme for people seeking work with children, which was promised in the Queen's speech, will be brought forward in February. In particular this legislation will bring together List 99 and the Protection of Children Act List into a single register of those barred from working with children.
- That legislation will also give independent experts the final decision on who should be barred. This will have the effect of removing from Ministers the responsibility for taking barring decisions. Decision making will be transferred to a statutory body which will be the holder of the new combined register and will take all decisions about who should be barred. Individuals will retain the right to appeal.

In her statement to Parliament the Secretary of State emphasised that the system must command public confidence and it must be accountable whilst being fair to individuals, and giving rights of appeal. She also stressed the need to avoid any witch-hunts against hard working teachers and ensure there is protection against false or malicious allegations.

Notes

Schools

Fifty-eight schools were visited from a range of 46 local authorities (LAs) across England. Forty-two of these are community or voluntary controlled schools where the LA is the employer; 15 act as their own employers, as they are foundation or voluntary aided schools. Fourteen secondary schools, three special schools and 41 primary schools were inspected. Schools were given approximately one hour's notice of the visit by telephone. The telephone call explained the purpose of the survey and asked the school to prepare for the visit. Inspectors were asked to review staff records as well as ascertain how well informed key staff were about their roles and responsibilities in ensuring that suitable personnel worked at their school.

Local authorities

Nineteen LAs were contacted and interviews by telephone were arranged with representatives of 16 to discuss their policies and practices. The LAs ranged in size from one that provided services for over 640 schools to one that provided services for 88 schools. Three LAs had no one available to provide the information required within the eight day inspection period. A further 11 LA websites were scanned for references to checks made when staff are employed. Two local authorities were contacted following concerns raised from school inspections in their area. Eleven joint area review reports were analysed, of which six were found to have references to checks on staff during the employment process.

Independent schools

Inspection reports from 274 'non-association' independent schools inspected under section 163 of the Act between 2003 and 2005 were reviewed.

Day-care providers

Ofsted has responsibility for registering and inspecting day-care providers and childminders for children under the age of eight. Until 3 October 2005, Ofsted was responsible for determining the suitability of day-care providers, nursery managers and all other persons living or working on day-care premises.

On 3 October 2005 the law was changed to place greater responsibility on employers to establish that their staff are suitable to be in contact with young children. Since that date, day-care providers have been responsible for determining the suitability of all staff who work in their nursery, except for the nursery manager. Day-care providers are also responsible for establishing the suitability of other persons who live or work on the premises. Ofsted retains responsibility for checking the suitability of the day-care provider and their manager.

Day-care providers have access to subsidised CRB checks for their staff through three umbrella bodies appointed by the DfES. They are expected to have robust vetting and recruitment practices in place. During inspection, childcare inspectors will look at these practices by examining policies, procedures and records in relation to individual staff. Where there are issues about the robustness of the systems for vetting staff, the inspector will comment on these in the inspection report and, where appropriate, make recommendations for improvement. In addition, Ofsted issues clear guidance to all providers to make it clear that they must comply with the DfES National Standards, and where relevant checks are awaited on staff members, must ensure that the unchecked staff are never left alone with children. The principle is that children should always be within sight and sound of a checked person.

The reports on 149 registered day-care settings inspected between 3 October 2005 and 31 January 2006 contained a total of 152 recommendations relating to vetting and employment practices. Of these, 22 reports were given detailed scrutiny for this survey.

Colleges

Inspectors of seven colleges and two independent specialist colleges inspected in the week beginning 27 February 2006 asked additional questions related to CRB and safeguarding young people. This sample included five general further education (FE) colleges, one sixth form college and one independent specialist college. Information from the FE college database for autumn 2005 and spring 2006 was reviewed. This gave evidence from the 31 inspections that had been undertaken during that period.

Supply agencies

Inspectors had discussions with six supply agencies, the Quality Mark assessor for supply agencies and the Department for Trade and Industry. In addition, a web search of teaching supply agencies was conducted.

Agencies ranged in size and location from one that has 33 offices around the British Isles, supplying 4,000 teachers or teaching assistants on any one day and supplying staff for between 1,200 and 1,500 schools each week, to another that works from an office at home and supplies about 100 days of teaching each week.

Other interviews

Other discussions were held with the Criminal Records Bureau, the Department of Trade and Industry, the Recruitment and Employment Confederation and the Department for Education and Skills.

Further information

Department of Health, Home Office, Department for Education and Employment, 1999, *Working together to safeguard children: a guide to inter-agency working to safeguard and promote the welfare of children*.

ISBN 011 322309 9

DfES, revised edition, 2006.

DfES March 2002, *Guidance for teacher employment agencies and businesses: criminal record and List 99 checks via the CRB*.

DfES, May 2002, *Child protection: preventing unsuitable people from working with children and young persons in the education service*. Strongly recommended.

Ref: DfES/0278/2002

DfES, December 2002, *Criminal Records Bureau: managing the demand for disclosures*. Strongly recommended.

Ref: DfES 0780/2002

DfES, September 2004, *Safeguarding children in education*. Strongly recommended.

Ref: DfES/0027/2004

DfES, June 2005, *Safeguarding children: safer recruitment and selection in education settings*. Strongly recommended.

Ref: DfES/1568/2005

DfES, November 2005, *Safeguarding children in education: dealing with allegations of abuse against teachers and other staff*. Strongly recommended;

Ref: DfES/2044/2005

DfES September 2005, *Child protection: procedures for barring or restricting people working with children in education*; revised September 2005.

DfES, 19 January 2006, 'Improving recruitment practices, safeguarding children', press notice (2006/0006) of announcement by Ruth Kelly.

The Police Act 1997, section 115(3).

The Exemptions Order to the Rehabilitation of Offenders Act 1974.

Useful websites

www.dfes.gov.uk

www.teachernet.gov.uk

www.crb.gov.uk

www.governornet.co.uk

www.homeoffice.gov.uk

www.carestandardtribunal.gov.uk