

Dear colleague

Re: DBS and Safeguarding Arrangements for Initial Teacher Education (ITE) Students

I am writing to provide an update on Liverpool Hope University's official position regarding DBS and Safeguarding arrangements for students on ITE courses. As we receive a significant number of enquiries from individual schools on this topic, to enable us to manage this situation effectively we request that you use the information supplied in this letter as satisfactory evidence of our procedures. A list of frequently asked questions is attached.

The single central record: trainees on traditional and non-salaried (fee-funded) School Direct routes

Schools are required to have confirmation that trainee teachers have been DBS-checked. However, please note that it is *not* mandatory for DBS details for non-salaried trainees to be included in the single central record. Confirmation of the DBS check is provided by Liverpool Hope University as part of the email communication from Partnership Administration and Support informing you of a student placed with you. This will confirm the student's DBS certificate number and date of issue of the certificate.

Please note that the University is not able to ask trainees to show their DBS certificate to a school, nor is it good practice for schools to ask to see trainees' DBS certificates; schools simply need confirmation from the University that the DBS check has been done:

'Schools should obtain written confirmation from the training provider that these checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children. There is no requirement for the school to record details of fee-funded trainees on the single central record'. (DfE 2015, no. 79, pp.33-34)

Whilst we appreciate that many schools do wish to see the DBS certificate and whilst we advise our students that this may be the case, this is not in fact required by Ofsted. According to the DBS Code of Practice, any information revealed through the DBS check process should be confidential between recruiter and candidate. The University is responsible for the recruitment decision, as part of which any such information is fully and seriously considered.

Further detail on this process is provided in the attached FAQs, number 3.

Liverpool Hope University Compliance with Ofsted

Liverpool Hope University is compliant with all relevant legal, statutory and regulatory requirements relating to its students carrying out placements as part of their course of study*.

Please note the following keypoints:

- All teacher training students except for those on salaried School Direct routes are DBS-checked by Liverpool Hope University. Checks for salaried trainees are the responsibility of the employing school.
- All DBS checks are at Enhanced Certificate level and complete prior to registration.
- Students not in receipt of DBS clearance by the start of placement remain unregistered until clearance has been received.
- Schools will be informed of any students for whom we have not received DBS clearance at this stage.
- At the discretion of the Headteacher, students can begin placement pending issue of their DBS certificate.
- The University complies with all DfE; Ofsted and DBS requirements.

I hope that this reassures you that the University has rigorous procedures in place to ensure the safeguarding of children.

Yours sincerely
Dr. Jane Moore
Head of ITE

*As regards ITE students, such guidance comes from the DfE's 'Keeping children safe in education' (July 2015); the NCTL's Initial teacher training criteria supporting advice, June 2015; and the Universities' Council for the Education of Teachers (UCET) & National Association of School-Based Teacher Trainers (NASBTT) Updated guidance, July 2015

1. Can we allow a student to start placement pending issue of their DBS certificate?

Yes. Guidance from the DfE states: *'Where a school or college allows an individual to start work in regulated activity before the DBS certificate is available, then they should ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed'*. [DfE 2015, no. 58.p.26]

UCET confirms this position for trainee teachers and states that, *'Trainees can, at the Headteacher's discretion, go into school pending the completion of a criminal records check provided that checks have been made against the DBS Barred Lists and they have been subject to normal recruitment procedures'*. [UCET/NASBTT July 2015]

2. Are all students checked against the relevant Barred Lists as part of the DBS check?

Yes. Liverpool Hope University submits all its student DBS applications to include a check of the Children's Barred List and of the list of people stated under Section 142 of the Education Act 2002 as being unsuitable to work with children (what used to be called 'List 99').

3. Does a student being DBS-cleared by Liverpool Hope University mean that their DBS certificate is 'clear' (shows no criminal record or other information)?

No. A very small number of students may have convictions or other entries on their record. Any such will have been through Liverpool Hope University's established DBS Clearance Procedure, and cleared to commence or continue the course. This means that appropriate staff in the University have approved that student as suitable for a teacher training course: this can involve the submission of additional explanatory information from the student; the taking-up of character references; and in some cases an interview with the University's DBS Clearance Panel, which consists of senior members of staff.

It is important to note that Liverpool Hope University, as the recruiter of the students, is responsible for making the clearance decision and undertaking the risk assessment that is an integral part of this. In doing this, we are bound by the DBS's Code of Practice to act fairly and to make a decision that is as objective as possible, and made only after full communication and discussion with the applicant and seeking supporting information where necessary. It must also be informed by consistency of approach across different cases.

Ofsted does **not** require that a school is aware of any offence(s) that may be on a DBS check; just that the school has evidence that a check has been done and was satisfactory. The University does appreciate however that some schools do have concerns in this area, and that schools are responsible for ensuring the safety of their pupils. We ask that schools please bear in mind that the University does have a well-tested clearance procedure in place, and it should go without saying that we would never accept someone onto an ITE course who was thought to be a potential risk to children or otherwise professionally unsuitable.

The University is committed to partnership working and consults with partnership schools on its DBS clearance procedures. Review meetings are held to discuss relevant issues. Matters concerning this also go annually before our Partnership Steering Committees. School-based members of these committees and lead school senior leaders may have a role in assisting with the consideration of DBS issues so that we can be sure our processes take into account school perspectives.

4. Will we be told in advance about a student having a criminal record, where this is the case for a student due to come to us on placement?

No – this is not permissible. UCET (Universities' Council for the Education of Teachers) sums up the position on this as below:

'It remains an offence under the 1997 Police Act, and a breach of the DBS Code of Practice, for registered bodies such as ITT providers to share copies of DBS certificates, or any information contained in a trainee's disclosure, with third parties such as schools or colleges.' [UCET/NASBTT, July 2015]

The ITE provider's responsibility is to carry out the DBS check at the necessary (Enhanced) level and inform the school when this has been done. Whilst the provider is not obliged to share information relating to the issue date or certificate number of DBS checks with schools, Liverpool Hope University has elected to do so, with the consent of trainees. We cannot, however, share information about the content of DBS certificates in terms of criminal record information. The only exception to this is for School Direct non-salaried trainees where, owing to the shared nature of the recruitment decision, information is passed on with the explicit consent of the trainee.

5. How can we be assured about the robustness of the University's DBS/Safeguarding procedures?

We have very well-established DBS clearance procedures that are audited by the DBS and Ofsted and informed fully by discussion with partnership colleagues from schools and Local Authorities. The clearance procedure is overseen by senior University staff.

Our DBS Policy and Procedure can be viewed as part of our admissions policy at:

<http://www.hope.ac.uk/undergraduate/howtoapply/recruitmentandadmissionspolicy/>

6. Should we or the local authority ever need to do our own check?

No. All the guidance makes clear that the ITE provider is responsible for the DBS check.

'Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks.' [DfE July 2015, no. 79, p.33]

This applies whether the student is on placement within the same local authority as the ITE provider that requested the check, or outside it.

There is no official requirement to support the position that a local authority should demand its own check: *'Further checks should not be made by providers, schools or colleges if they have received notification from the responsible organisation that a satisfactory enhanced check has been obtained.'* [UCET/NASBTT, July 2015]

7. How old can the student's DBS check be?

This will vary according to the particular programme and year of study of the student. DBS checks are obtained by Liverpool Hope University prior to course start or as soon as practically possible after admission, and not repeated unless the student takes time out from their course or a new issue arises. For instance, a student on a one year PGCE will have a DBS check that is relatively recently dated, but a student completing the final year of a four year undergraduate course will have a DBS/CRB check dated around four years ago.

This is still an acceptable check, and students are required to inform the University of any incidents that occur during their course of study.

DBS checks have no formal period of validity and as such cannot expire. They can only ever be a 'snapshot in time'; a basis on which to make a recruitment decision, and should not be used as a substitute for robust overall recruitment practices and the need for student teachers to be appropriately supervised.

In practice, they are deemed valid for as long as that employer/recruiter deems them valid, according to

their individual policy. Contrary to popular belief, there is no statutory requirement to repeat a DBS check after three years. In the case of ITE students, the University is the recruiter, and we base our policy on UCET's guidance, which states that:

'Additional checks are not required during the course of programmes, including those lasting for more than three years. Requests for repeat disclosures should be refused unless there is cause for concern'.
[UCET/NASBTT, July 2015]

8. In cases where a student has a CRB check and not a DBS check are further checks necessary?

No. In 2012 the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) were absorbed into the Disclosure and Barring Service meaning that, although the terminology 'CRB Check' is now defunct the Criminal Records Bureau clearance is still a criminal records check, and can be referred to as such. However further changes introduced in 2013 to the filtering of minor and older convictions may mean that an older style CRB would in effect, have been subject to a greater level of check because convictions would not have been filtered.

9. In cases where the student has lost their copy of the DBS certificate but school policy is that we need to see it, can't the student get a copy from the university or the DBS?

No – neither of these is possible. The Registered Body that requested a DBS check no longer receives a copy of DBS certificates: we receive an electronic record of the DBS result and retain only a summary of the key detail on the student database. The DBS will not issue copy certificates.

10. Should we retain the student's DBS certificate or a photocopy of it?

No. Retention of more information than the DBS certificate number and date of issue (which will be provided in the Partnership Administration and Support office email) is unnecessary and is not good practice, as the handling of DBS information is closely prescribed by the DBS Code of Practice. Schools should not be retaining paperwork which, for some students, will contain highly confidential information, possibly for months after that student has left that placement.

Under no circumstances should a school retain the trainee's original DBS certificate as this is their property; they have paid for this check; and they cannot obtain a copy certificate.

11. Is the University carrying out checks of its trainees against the list of those prohibited from teaching?

Yes – we have acted on the new 2015 requirement to check that trainees are not subject to a prohibition order issued by the Secretary of State, for all current trainees.

12. What about the Childcare Disqualification Requirements?

Students on all ITE programmes have been asked to declare whether they might be covered by the Childcare (Disqualification) Regulations 2009, or whether they might be disqualified 'by association' due to the circumstances of someone in their household.

13. Are there any other types of information we need to request from the university?

No. Some schools in the past have asked about a variety of checks, including qualifications and right to work in the UK.

Ofsted does not require schools to have this information for ITE students, as this is the responsibility of the ITE provider.

14. What are the procedures for students who have spent time overseas?

All non-UK students are DBS-checked, as well as providing a 'Certificate of Good Conduct' or equivalent police clearance from their home country. UK students who have spent significant amounts of time outside the UK are also asked to obtain a 'Certificate of Good Conduct' or equivalent.