



***ST. THOMAS MORE HIGH SCHOOL  
ACADEMY***

**GUIDANCE SAFER RECRUITMENT POLICY**

This Policy should be read and acted upon in conjunction with “**Keeping Children Safe in Education- Statutory Guidance for Schools and Colleges, September 2024**”

Ratified by SLT on:	September 2023
Reviewed and Agreed by SLT	September 2024

Mr Daniel Cauchi  
Chair of the Governing Body

**The School’s Mission Statement**

To inspire,

To learn,

To achieve,

To keep our Catholic ethos at the centre of our lives,

To fulfil our educational potential, welcoming all and reaching out to the wider world,

To truly be God’s servant first.

# GUIDANCE SAFER RECRUITMENT POLICY FOR ST THOMAS MORE HIGH SCHOOL

## KEY CONTACTS WITHIN THE SCHOOL SEPTEMBER 2024

### DESIGNATED SAFEGUARDING LEAD

NAME: MR GEOFF MASON : Member of SLT

CONTACT NUMBER: 01702 606771

### DEPUTY SAFEGUARDING LEAD

NAME: MRS MICHELLE WALFORD

CONTACT NUMBER: 01702 606773

### CHAIR OF GOVERNORS

NAME: DANIEL CAUCHI

### NOMINATED GOVERNOR FOR SAFEGUARDING AND CHILD PROTECTION

NAME: LORRAINE MCCLEAN

### DESIGNATED LEAD FOR LAC

NAME: MRS ALISON LINDSAY : Member of SLT

CONTACT NUMBER: 01702 606712

### EMERGENCY OUT OF HOURS CONTACT FOR STAFF :

[gmason@st-thomasmore.southend.sch.uk](mailto:gmason@st-thomasmore.southend.sch.uk)

[mwalford@st-thomasmore.southend.sch.uk](mailto:mwalford@st-thomasmore.southend.sch.uk)

## KEY CONTACTS WITHIN THE DIOCESE OF BRENTWOOD

NAME: Mr Rob Simpson (Diocesan Director of Education)

CONTACT NUMBER: 01277 265284

## KEY CONTACTS WITHIN THE LOCAL AUTHORITY

<p><b>CSPOC</b>  <b>Children's Social Care,</b>  <b>Southend City Council:</b>            Where the school has concerns for the safety and welfare of a child or young person.</p> <p><b>OUT OF OFFICE HOURS:</b>            To make URGENT referrals</p>	<p>01702 215007</p> <p><a href="mailto:c-spoc@southend.gov.uk">c-spoc@southend.gov.uk</a></p> <p>0345 606 1212</p>
<p><b>SAFEGUARDING &amp; CHILD PROTECTION CO-ORDINATOR and LOCAL AUTHORITY DESIGNATED OFFICER (LADO):</b>            Where there are concerns/allegations in respect of people working with children</p> <p><b>SAFEGUARDING ADVISOR:</b></p>	<p>ALLISON FRANCIS            01702 534539  <a href="mailto:allisonfrancis@southend.gov.uk">allisonfrancis@southend.gov.uk</a></p> <p>SHARON LANGSTON            01702 534591  <a href="mailto:LADO@southend.gov.uk">LADO@southend.gov.uk</a></p>

# SAFER RECRUITMENT POLICY FOR ST THOMAS MORE HIGH SCHOOL

## Preamble to the Policy

- The school's mission statement firmly encompasses the principles of safeguarding and child protection and is interwoven into the Catholic Ethos of the school.
- St Thomas More High School is committed to providing a safe and secure environment for students, staff and visitors and to promoting a climate where children and adults feel confident about sharing any concerns which they may have about their own safety or well-being of others.
- The school's Safer Recruitment Policy draws upon the statutory guidance from the Department of Education issued under section 175, Education Act 2002.
- The Policy refers to the latest DfE Statutory Guidance for schools and colleges, ['Keeping Children Safe in Education'-Sept 2024](#) specifically with reference to part 3: Safer Recruitment.
- **Reference will be made throughout this Policy to sections from the new 2024 guidance**
- The Safer Recruitment Policy is closely linked to the school's other safeguarding policies including the Safeguarding and Child Protection Policy, Allegations of Abuse against Staff Policy, Health and Safety Policy and Equal Opportunities Policy.

## Definition of Safeguarding

The definition of safeguarding as adopted by Ofsted from the Children Act 2004 and the DfE **'Keeping Children Safe in Education'-Sept 2024** can be summarised as follows:-

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- Providing help and support to meet the needs of children as soon as problems emerge
- protecting children from maltreatment, whether that is within or outside the home, including online
- preventing the impairment of children's mental and physical health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best outcomes

St Thomas More High School takes its responsibility for the safety of its staff and students seriously and the safer recruitment and effective vetting of all its employees is meticulously undertaken following DfE guidelines.

## Commitment and Objective

This Safer Recruitment Policy has the particular focus of ensuring that suitable safeguarding arrangements for the students of the school have been made.

To achieve this objective, the school will put in place procedures and systems to ensure:-

- Unsuitable people are prevented from working with students or coming into contact with them
- That safe practice is established within school and an ethos of safeguarding is promoted
- To ensure incidences where concern for a student's welfare are identified and appropriate action to keep them safe taken
- To allow effective partnership/agency working between all those involved with providing services for our students

### **Role of the Governing Body**

The Governing Body has a responsibility to ensure that the Headteacher and Senior Leadership team has in place safer recruitment procedures and good practice which follows latest statutory guidance from the DfE. The School will appoint a member of the Governing Body to act as Link Governor for Safeguarding and Child Protection which includes responsibility for safer recruitment. The Link Governor will report back to the Governing Body and Headteacher at regular intervals on matters relating to safer recruitment and safeguarding generally.

The Safer Recruitment Policy will be reviewed annually by the Governor's sub committee prior to re-adoption by the Full Governing Body in the Autumn term of the academic year.

### **Staff Safeguarding Training**

The School has a commitment to train all its staff, whether Governors, teaching or support staff to at least Level Two.

The School ensures that every interview panel has at least one member of staff, whether a Governor, Senior Teacher or support staff who has successfully completed Local Authority or on line '**Safer Recruitment Training**'.

This training is refreshed every two years.

A record of all staff Child Protection and Safeguarding Training is kept on a central safeguarding training log spreadsheet.

### **Recruitment, Selection and Pre-Employment Vetting**

The school will endeavour to ensure that the appropriate checks are made for any individual working in any capacity at, or visiting, the school.

All prospective employees will be assessed with regard their suitability based on checks and evidence including:-

- Criminal record checks (DBS checks)
- Barred List checks
- Prohibition checks

- Along with references and interview information

The level of DBS certificate required, and whether a check for any prohibition, direction, sanction, or restriction is required will depend on the role that is being offered and duties involved.

As part of the shortlisting process the school will carry out an online search as part of their due diligence on shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school might want to explore with the applicant at interview.

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

- will be responsible, on a regular basis in the school, for teaching, training instructing, caring for or supervising children; or
- will carry out paid, or unsupervised unpaid, work regularly in the school where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

In a school, a **supervised** volunteer who regularly teaches or looks after children is not in regulated activity. When schools are considering which checks should be undertaken on volunteers, they should have regard to the guidance found in Annex E of the 'Keeping Children Safe'. Schools may choose to carry out an enhanced DBS check, without barred list information, in certain circumstances.

In addition to obtaining any DBS certificate as described above, any member of staff who is appointed to carry out teaching work will require an additional check to ensure they are not prohibited from teaching. For those engaged in management roles an additional check is required to ensure they are not prohibited under section 128 provisions.

### **Regulated activity**

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced a Factual note on regulated activity in relation to children:

Regulated activity includes:

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

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

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:

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

## Types of Check

Disclosure and barring service (DBS checks)

The DBS is responsible for administering three types of checks

- **Standard:** this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the [Rehabilitation of Offenders Act 1974](#). The law allows for certain old and minor matters to be filtered out;
- **Enhanced:** This provides the same information as a standard check, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed; and
- **Enhanced with barred list check:** where people are working or seeking to work in regulated activity with children, this allows for an additional checks to be made as to whether the person appears on the children's barred list.

More information is available on the DBS website.

The DBS maintains 'barred lists' of individuals who are unsuitable to work with children and vulnerable adults. Where barred list information is requested, and 'children's workforce independent schools' is specified in the parameters for that check, the certificate will also detail whether the applicant is subject to a direction made under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002. Such a direction prohibits an individual from taking part in the management (including governors if the governing body is the proprietor body for the school) of independent educational institutions in England and/or Wales respectively, see paragraphs 124-127. A person prohibited under section 128 is also disqualified from holding or continuing to hold office as a governor of a maintained school.

Once the checks are complete, the DBS will send a certificate (the DBS certificate) to the applicant. The applicant must show the original DBS certificate to their potential employer before they take up post or as soon as practicable afterwards.

Where a school allows an individual to start work in regulated activity before the DBS certificate is available, they should ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.

**If a school knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work.**

## Prohibitions, directions, sanctions and restrictions

### Secretary of State teacher prohibition, and interim prohibition, orders

Teacher prohibition, and interim prohibition, orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited must not be appointed to a role that involves teaching work.

Teacher prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so. The TRA's role in making prohibition orders and the process used to impose them are described in more detail in its publication *Teacher Misconduct: The Prohibition of Teachers*.

### **Secretary of State Section 128 direction**

A section 128 direction prohibits or restricts a person from taking part in the management of an Academy School. A person who is prohibited is unable to participate in any management of an Academy school such as:

- a management position in an academy school as an employee;
- a trustee of an academy or governor
- a governor on any governing body in an academy school, that retains or has been delegated any management responsibilities.

### **All new appointments**

- Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, must be conditional on satisfactory completion of the necessary pre-employment checks.
- When appointing new staff, schools must
  - verify a candidate's identity. Identification checking guidelines can be found on the GOV.UK website;
  - obtain (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity);
  - obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
  - verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role;
  - verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website;
  - if the person has lived or worked outside the UK, make any further checks the school or college consider appropriate and
  - verify professional qualifications, as appropriate.

In addition:

- schools must ensure that a candidate to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012; and

- academies must check that a person taking up a management position as described at paragraph 125 is not subject to a section 128 direction made by the Secretary of State.

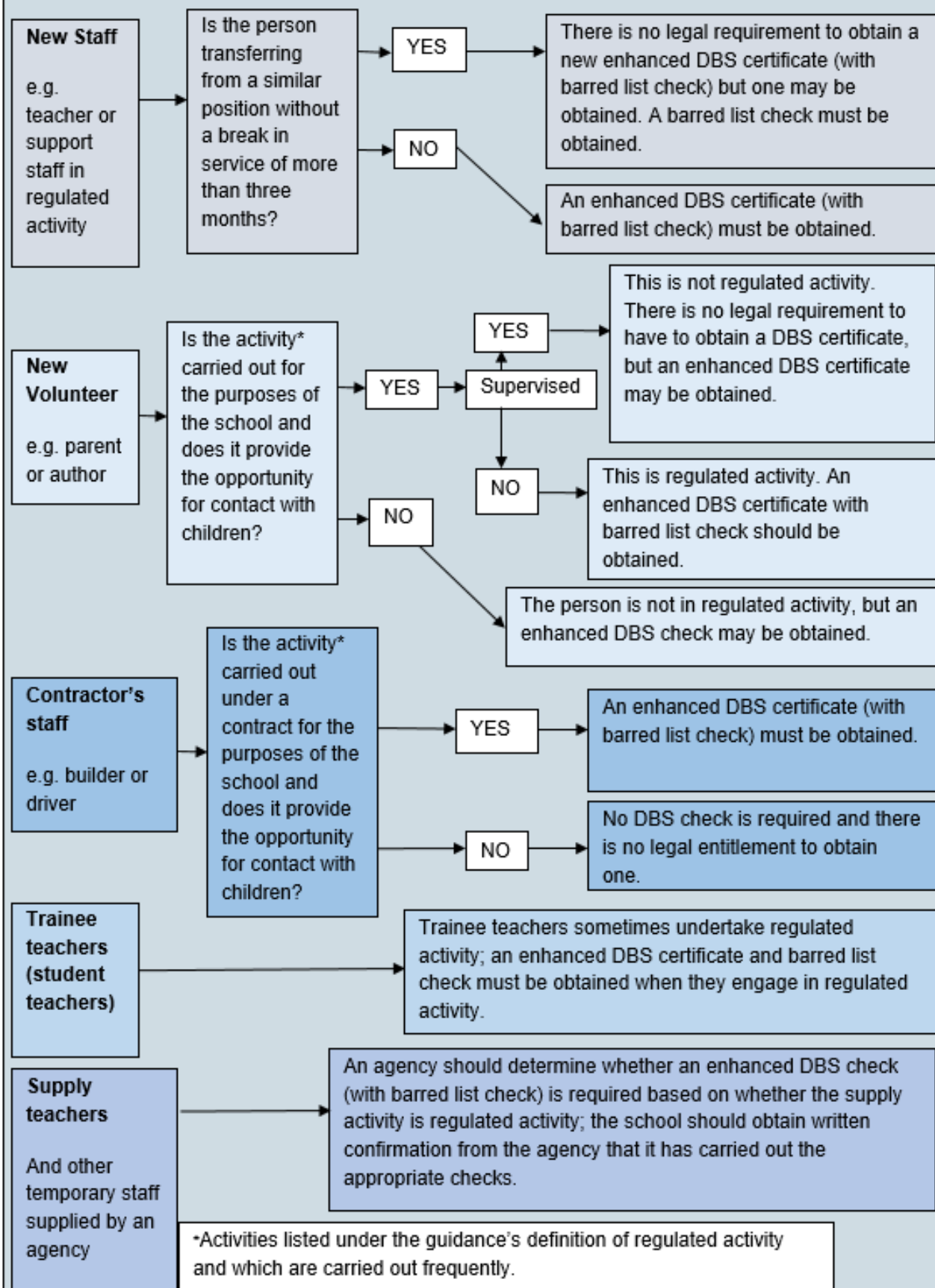
A DBS certificate must be obtained from the candidate before or as soon as practicable after appointment. Alternatively, if the applicant has subscribed to it and gives permission, the school may undertake an online update check through the DBS Update Service. Individuals can join the DBS Update Service when applying for a new DBS check; this will allow them to re-use this check when applying for similar jobs. With the individual's consent, their employer can go online and carry out a free, instant check to see if a new certificate is required: [www.gov.uk/dbs-update-service](http://www.gov.uk/dbs-update-service).

**The school will always carry out an enhanced DBS check and other appropriate employment checks on any new member of staff (Teaching and Support Staff), Governor or Volunteer.**

A school may not request an enhanced DBS check with barred list check for anyone working in the school who is not in regulated activity, but will request an enhanced DBS check without a barred list check.



# **FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS**



## **Employment History and References**

The School will always ask for written information about previous employment history and check that information is not contradictory or incomplete. If a candidate for a teaching post is not currently employed as a teacher, the school will check with the school, college or local authority at which they were most recently employed, to confirm details of their employment and their reasons for leaving.

The purpose of seeking references is to obtain objective and factual information to support appointment decisions. References will always be obtained, scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed. They will always be requested directly from the referee and the school will not accept an open reference, for example in the form of 'to whom it may concern' testimonials.

Ideally, references will be sought on all short-listed candidates, including internal ones, before interview, so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview.

On receipt, references will be checked to ensure that all specific questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate: for example if the answers are vague. They will also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies should be taken up with the candidate.

Any information about past disciplinary action or allegations will be considered carefully when assessing the applicant's suitability for the post (including information obtained from the Employer Access Online checks referred to previously).

## **Single Central Record**

The School maintains a single central record. The single central record must include the following people:

- all staff, including teacher trainees on salaried routes agency and third party supply staff) who work at the school. This means those providing education to children; and
- In the case of academies, this means the members and trustees of the academy trust.

The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- an identity check. Identification checking guidelines can be found on the GOV.UK website;
- a barred list check;
- an enhanced DBS check/certificate;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK this would include recording checks for those European Economic Area (EEA) teacher sanctions and restrictions
- a check of professional qualifications, where required; and

- a check to establish the person's right to work in the United Kingdom.

In addition:

- schools must record whether the person's position involves 'relevant activity', i.e. regularly caring for, training, supervising or being solely in charge of persons aged under 18; and
- a section 128 check

For agency and third party supply staff, schools must also include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS certificate check has been provided in respect of the member of staff.

The single central record must be kept in paper or electronic form.

MATs must maintain the single central record detailing checks carried out in each academy within the MAT. Whilst there is no requirement for the MAT to maintain an individual record for each academy, the information should be recorded in such a way that allows for details for each individual academy to be provided separately, and without delay, to those entitled to inspect that information, including by inspectors.

Details of the records that must be kept are set out in the following Regulations:

- academies: Part 4 of the Schedule to the Education

Schools do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. To help schools and colleges comply with the requirements of the **Data Protection Act 2018**, when a school chooses to retain a copy, it should **not be retained for longer than six months**. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications should be kept for the personnel file.

### **Individuals who have lived or worked outside the UK**

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools. In addition, schools must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. The Home Office guidance on criminal records checks for overseas applicants can be found on GOV.UK. These further checks should include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the TRA Teacher Services' system. Although restrictions imposed by another EEA regulating authority do not prevent a person from taking up teaching positions in England, schools and colleges should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

The department has issued guidance on the employment of overseas - trained teachers. This gives information on the requirements for overseas-trained teachers from the EEA to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the United States of America.

## **Agency and Third-party staff**

The School will obtain written confirmation from any agency, or third-party organisation they use, that the organisation has carried out the checks on an individual who will be working at the school that the school would otherwise perform. This will include, as necessary, a barred list check, prior to appointing that individual. The School will also check that the person presenting themselves for work is the same person on whom the checks have been made.

## **Trainee/Student Teachers**

Where applicants for initial teacher training are salaried by the school, the school will ensure that all necessary checks are carried out. As trainee teachers can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and barred list check will be obtained. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks. The school will get written confirmation from the Provider that has carried out all pre-appointment checks that the school would otherwise be required to perform. There is no requirement for the school to record details for fee-funded trainees on the single central record.

## **Existing Staff**

When the school has concerns about an existing staff member's suitability to work with children, the school will carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the school moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity will be carried out. Apart from these circumstances, the school is not required to request a DBS check or barred list check.

**Schools have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:**

- **the harm test is satisfied in respect of that individual;**
- **the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and**
- **the individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.**

The DBS will consider whether to bar the person. Referrals will be made as soon as possible after the resignation or removal of the individual. Guidance on referrals can be found on GOV.UK

When the school ceases to use the services of a teacher because of serious misconduct, or would have dismissed them had they not left first, the school may consider whether to refer the case to the Secretary of State, as required by sections 141D and 141E of the Education Act 2002. The Secretary of State may investigate the case, and if s/he finds there is a case to answer, must then decide whether to make a prohibition order in respect of the person. – Please refer to the Schools Allegation of Abuse Against Staff Policy.

## **Volunteers**

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Volunteers who, on an unsupervised basis teach or look after children regularly, or provide personal care on a one-off basis in schools, will be in regulated activity. The school should obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity. Existing volunteers in regulated activity do not have to be re-checked if they have already had a DBS check (which includes barred list information). However, schools may conduct a repeat DBS check (which should include barred list information) on any such volunteer should they have concerns.

There are certain circumstances where schools and colleges may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK. Employers are not legally permitted to request barred list information on a supervised volunteer as they are not considered to be engaged in regulated activity.

The school should undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity. In doing so they should consider:

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

Details of the risk assessment should be recorded.

It is for schools to determine whether a volunteer is considered to be supervised. In making this decision, and where an individual is supervised, to help determine the appropriate level of supervision schools must have regard to the statutory guidance issued by the Secretary of State. This guidance requires that, for a person to be considered supervised, the supervision must be:

- by a person who is in regulated activity;
- regular and day to day; and
- “reasonable in all the circumstances to ensure the protection of children.”

The DBS cannot provide barred list information on any person, including volunteers, who are not in, or seeking to engage in regulated activity.

### **School Governors**

An enhanced DBS check is carried out on all School governors.

The Chair of Governors will ensure that enhanced DBS certificates are obtained for the other members of the Governing Body and that identity checks are completed before, or as soon as practicable after, any individual takes up their position. Further checks as the Chair of Governors considers appropriate should be undertaken where, by reason of the individual's living or having lived overseas, obtaining an enhanced DBS check is not sufficient to establish his or her suitability to work in a school.

In the case of an academy trust, the trust must require enhanced DBS checks on all members of the academy trust, individual charity trustees, and the chair of the board of charity trustees. Academy trusts, has a responsibility to request enhanced DBS certificates for permanent and supply staff. Where an academy trust delegates responsibilities to any delegate or committee (including a local governing body), the trust must require DBS checks on all delegates and all member of such committees. Academy trusts must also check that members are not barred from taking part in the management of the school as a result of a section 128 direction.

### **Contractors**

The School has arrangements in place with contractors to ensure that the contractor, or any employee of the contractor, working at the school has been subject to the appropriate level of DBS check, if any such check is required (for example because the contractor is carrying out teaching or providing some type of care for or supervision of children regularly).

Contractors and contractors' employees for whom an appropriate DBS check has not been undertaken should be supervised if they will have contact with children.

If a contractor working at a school is self-employed, the school will obtain the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

The School should always check the identity of contractors and their staff on arrival at the school reception.

### **Visitors**

The School does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children's' relatives or other visitors attending a sports day). All visitors will be escorted and supervised whilst on the school site by a safeguarded member of school staff.

### **The Adults who Supervise Children on Work Experience**

The School organising work experience placements will ensure the placement provider has policies and procedures in place to protect children.

Barred list checks by the DBS might be required on some people who supervise a child under the age of 16 on a work experience placement. The school will have to consider the specific circumstances of the work experience, in particular the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary. These considerations would include whether the person providing the teaching/training/instruction/supervision to the child will be:

- unsupervised; and

- providing the teaching/training/instruction frequently (at least once a week or on more than three days in a 30 day period, or overnight).

If the person working with the child is unsupervised and the same person is in frequent contact with the child, the work is likely to be regulated activity. If so, the school may ask the employer providing the work experience to ensure that the person providing the instruction or training is not a barred person.

The School is not able to request an enhanced DBS check with barred list information for staff supervising children aged 16 to 17 on work experience.

If the activity undertaken by the child on work experience takes place in a 'specified place', such as a school or college, and gives the opportunity for contact with children, this may itself be considered to be regulated activity. In these cases and where the child is 16 years of age or over, the work experience provider should consider whether a DBS enhanced check should be requested for the child/young person in question. DBS checks cannot be requested for children/young people under the age of 16.

### **Children Staying with Host Families (Home Stay)**

The School may make arrangements for their children to have learning experiences where, for short periods, the children may be provided with care and accommodation by a host family to which they are not related. This might happen, for example, but not only, as part of a foreign exchange visit or sports tour. Such arrangements could amount to "private fostering" under the Children Act 1989 or the Safeguarding Vulnerable Groups Act 2006, or both. 'Keeping Children Safe in Education' - Sept 2024.

Schools and colleges arranging for their children to stay with families overseas should be aware that the DBS cannot access criminal records held overseas. Host families in other countries, therefore, cannot be checked in the same way by local authorities as schools and colleges in this country when children stay abroad. Schools and colleges should work with partner schools abroad to ensure that similar assurances are undertaken prior to a visit. If they wish, local authorities and schools can contact the relevant foreign embassy or High Commission of the country in question and find out if similar checks can be done in that country.

### **Private Fostering**

Private fostering occurs when a child under the age of 16 (under 18, if disabled) is provided with care and accommodation by a person who is not a parent, person with parental responsibility for them or a relative in their own home. A child is not privately fostered if the person caring for and accommodating them has done so for less than 28 days and does not intend to do so for longer. Such arrangements may come to the attention of school staff through the normal course of their interaction, and promotion of learning activities, with children.

The school should then notify the local authority to allow the local authority to check the arrangement is suitable and safe for the child.