Example Single Central Record – Ofsted inspected schools

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NB s128 column should be completed for all management posts in Independent schools, academies and free schools, including the proprietor, trustees and / or governors

In maintained schools, s128 is only required for governors: there is no statutory duty to record governor checks on the SCR.

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Applicants from overseas

**Keeping Children Safe in Education 2020**

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

The DfE does not issue guidance on which circumstances require these overseas checks, stating that it is for schools to determine.

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges. In addition, schools and colleges 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.

**NOTE** In cases where an overseas criminal record check or certificate of good conduct is not possible, particular care must be taken with the other required checks, especially those of identity and qualifications, and obtaining satisfactory references.

**Safer Recruitment Consortium / Delegate Workbook 2020-21 sets out guidance regarding applicants from overseas and confirms the guidance in ‘KCSIE’**

It is for schools to decide when to do overseas checks.

Many independent schools (those inspected by ISI) go back 10 years because that was a recommendation from ISI following the Southbank International School inquiry.

For other schools, the DfE and Ofsted express no view at all.

(In the old guidance it was three years.)

Points to consider:

* Person arrived back from Spain 3 years ago and is currently employed in a school. KCSIE states that it should be assumed the current school has undertaken the relevant overseas checks – there is no need to repeat
* If the person arrived from Spain and has been working in a non-education setting – overseas checks should be done
* Person was a teacher in the UK , went to teach in America for a year and now coming back to UK - new school would take up police check from the USA and a reference from the American school plus the last UK school they were employed in.

Rather than an absolute rule it might be better for schools to adopt a policy of, for example "we undertake additional overseas checks where necessary; this would be determined on a case by case basis but would generally apply to anyone that has lived or worked overseas for more than 3 months in the last 5 years." or something similar.

The crux of the discussion should be:

* "has lived or worked" - suggests being settled in one place for a period of time so any policy would need to be time limited. For example, anyone that has lived or worked overseas for more than 3 months in the last 3 years, or 3 months in the last 10 years
* Not expected that schools do multiple overseas checks on someone who travelled / backpacked through many countries but didn't settle to work in any one place for a significant period
* An inspector might want to know (if a school policy was 3 months in the last 5 years, for example) “why are you doing it for someone that arrived here 5 years ago, but not for someone who arrived 5 years 1 month ago?” It is about having a rationale for whatever policy you adopt
* Overseas checks might include references instead of / as well as police certificates.

NB Not to be confused with separate guidance for applicants being recruited from outside the EU to take up a teaching / SLT post or other tier 2 professions such as nursing. To get a visa from the Home Office, they must have an overseas police check if they have lived abroad for more than 12 months in the last 10 years. There is info on this on the Home Office website.

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**Annual staff declaration of suitability**

As part of our duty to safeguard and promote the welfare of children and young people and to ensure that staff are suitable to work with vulnerable groups , it is necessary for all staff to complete this declaration of suitability in addition to the declaration you made on your original application form relating to convictions, cautions or pending court cases.

**Please complete all sections of the form below, sign it and return it to the HR department.**

If you are unsure whether or not to disclose a piece of information, please speak to the Principal / HT / HR in confidence to gain more information or look at the relevant legislation

|  |  |  |
| --- | --- | --- |
| **NAME:** | **ROLE:** | |
| Please circle one option for each question | | |
| In the last 12 months, have you been cautioned, reprimanded, given a warning for or convicted of any offence? | | Yes / No |
| In the last 12 months, have you been cautioned, reprimanded, given a warning for or convicted of any offences in another country? | | Yes / No |
| In the last 12 months, has there been any other change in your personal circumstances that may affect your suitability to work with children or adults at risk? | | Yes / No |
|  | | |
| If you have answered **YES** to any of the above, please provide details below. If you wish to provide this information separately and in confidence then please arrange to meet with the Principal. | | |
| **Details of the order, restriction, conviction, caution** | **Details of the relevant Court /Body** | |
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| Please provide a copy of the relevant order (s), caution(s), conviction(s) etc | | |
| **Declaration** | | |
| Signed: | **Date:** | |

Excerpt from DBS code of practice

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/474742/Code_of_Practice_for_Disclosure_and_Barring_Service_Nov_15.pdf>

