

CRB Checks

Additional safeguards and, where applicable, CRB checks are required where one or more of the following conditions are met:

- the placement is for more than one day per week;
- longer than one term in any academic year;
- aimed at learners who may be vulnerable (those of compulsory school age and/or learning disability);
- one where the work place supervisor or a colleague will have substantial unsupervised access to the learner, because of the nature of the business; or
- one which has a residential component.

If any of the above conditions apply, additional safeguards should be put in place. The CRB check is normally arranged by the organisation setting up the placement i.e. home learning base/school/central placement organiser.

The Work Experience Co-ordinator **must** assess the general suitability of a placement in terms of whether or not additional safeguards are necessary, and if they are, whether a CRB check is required. The Work Experience Co-ordinator will be required to make a judgment in *each* case as to whether the individual working alongside the pupil meets the criteria for a CRB check i.e. if the individual is in a position where his/her normal duties include regularly caring for, training, supervising, or being in sole charge of a child.

CRB checks must be considered in all of the following cases:

- learners identified the home learning base/school as vulnerable for educational, medical, behavioural or home circumstances reasons;
- learners on placements lasting more than 15 days over an extended timeframe, especially where these involve:
 - regular lone working with an employer over long periods (rule of thumb would suggest anything over a half a day at a time);
 - placements located in particularly isolated environments with 1:1 working;
 - placements involving a high degree of travelling on a 1:1 basis
- placements which include a residential placement

The fact that a particular placement falls into one of the above categories does not necessarily mean that a CRB check will be required. Such a decision will depend on an assessment of the overall potential risks posed to a young person and will take into account any systems in place to minimise these risks.

A CRB Enhanced Disclosure may also be required for pupils on extended placements with a "buddy", coach or mentor whose main role is to provide additional support.

The Work Experience Co-ordinator is not expected to make such a judgement alone. The Work Experience Co-ordinator should contact the central placement organiser to discuss the placement and the need for additional safeguards including a CRB Enhanced Disclosure check. The Work Experience Co-ordinator **must** formally and record the decision and then pass this information to the DSP for noting and filing.

Once a decision has been made regarding the necessity of a CRB check the Work Experience Co-ordinator will need to arrange with the central placement organiser for a CRB Form to be sent to the employer and filled in by the individual designated to supervise the learner. This form must be then be returned to either the central placement organiser or the Work Experience Co-ordinator who **must** then send the CRB Form to their respective HR Department within CYPS.

The organisation and administration of the CRB check will be managed by the respective HR Department within CYPS. On receipt of the details of the CRB disclosure the Work Experience Co-ordinator should inform the DSP that no concerns were found.

Where the Work Experience Co-ordinator is not relying upon a central placement organiser to arrange suitable placements, the expectation is that, the Work Experience Co-ordinator **must** discuss the need for a CRB check with the DSP and their respective HR Department within CYPS. Again, there will be a need for the Work Experience Co-ordinator to formally record the rationale behind any decision made and then pass it to the DSP for noting and filing.

Information from a CRB check that is a cause for concern

There may be occasions where a CRB Enhanced Disclosure has been submitted and the information received is a cause for concern, in such circumstances HR will need to share these concerns with the DSP. The DSP **must** then contact their Safeguarding Unit to obtain advice as to how to proceed.

On receiving advice from the Safeguarding Unit, the DSP **must** formally record what has been discussed and agreed and then inform the Work Experience Co-ordinator. The DSP must then contact the placement provider and advise him/her of the decision made. A placement **must not** begin until information from the CRB check has been received and reviewed.

CRB checks on learners

Learners placed where they will be working with young children, the elderly or other vulnerable people groups e.g. adults with learning disabilities, adults with physical disabilities etc.

All work with young children is strictly regulated for their protection and for the protection of adults working with them. In accordance with these regulations, the following will apply to all learners, regardless of age on placement or work experience in any setting with young children.

Learners should be closely supervised during their placement and particular attention given to the following:

- on no account should they take children to the toilet or change nappies unless they are assisting a member of staff;
- learners may work alone with small groups of children as long as they can be overseen by a member of staff in the same room;

- learners should not leave the building with children unless there is a member of staff in charge of the group and an appropriate adult child ratio is maintained.

These guidelines are offered in order to:

- keep all children and adults safe;
- provide a worthwhile and valuable placement experience for those undergoing training;
- give senior staff within the placement provider a clear view of their role and responsibilities in accepting a learner (it may be appropriate that providers let parents know that they take work experience learners and their children will come into contact with such learners).

Home learning bases/schools have a responsibility to check learners who are seeking a placement working with children or vulnerable adults. Work Experience Co-ordinators will need to consider the following when making judgements about the suitability of individual learners for these kinds of placements:

- a number of learners from the home learning base/school may have a placement where they are working with young children. These placements are not just in primary schools and nurseries, they may be in sports/leisure centres, libraries and various other places of work;
- learners who are working with younger children or vulnerable adults will not always be strictly supervised by the employer. Everyone involved in work related learning has a duty of care for the above mentioned vulnerable groups;
- once a placement has been considered, reasons why a learner would not be suitable e.g. previous convictions, involvement with child abuse, known drug use/addictions, history of violent behaviour must be formally recorded.

DfES circular 337 currently advises that a CRB check where supervision of a young person forms part of an employee's role. Moreover, there is the assumption that, learners working with children do not need to be CRB checked assuming all the safeguards are in place. However, young people working with children as part of a Post 16 Training course e.g. Nursery Nurse training will need to be CRB checked.

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The Independent Safeguarding Authority (ISA)

The Government's response to the second round of consultation regarding the operation and implementation of the ISA has identified the fact that, at present people employing individuals whose normal duties include caring for young people in employment who are under 16 or for whom a substantial part of their normal duties include the training, teaching or supervision of under 16s during the course of those young people's employment, are eligible to obtain a CRB Enhanced Disclosure, but there is no requirement upon them to do so.

A person who is on the barred list is committing an offence if they offer to do such work, and obtaining an Enhanced Disclosure including a check of the current barred lists is the only way an employer can be sure that the individual is not barred.

Neither the bar nor the ability to obtain Disclosures applies in respect of those working with 16 and 17 year olds in employment (except in the case of those training children in the armed forces).

The Government has proposed that in the case of young people in employment aged under 16, including those in work experience, an employer would commit an offence if they knowingly used a barred person to instruct, train or teach such young people where there are arrangements in place (whether in a job description or otherwise) for the employee to do this; and a barred person would commit an offence if they put themselves forward for such an activity. However, there is no mandatory requirement currently on anyone in the setting to be ISA registered. The Work Experience Co-ordinator in conjunction with the placement provider will need to consider who should be checked. At present, in the case of work experience, the decision is taken on a risk-based approach.

CRB Checks

Below is an aide memoir that summarises the main activities to be completed. The aide memoir does not have to be completed for every learner. A Work Experience Co-ordinator may wish to photocopy the aide memoir and use it when batch placements are organised. If an individual is new to the role of Work Experience Co-ordinator, s/he may wish to use the aide memoir for each placement being organised.

When organising a placement, has the following been done by the:
Work Experience Co-ordinator

A judgement made regarding whether the individual supervising the learner requires a CRB check i.e. if the individual is in a position where his/her normal duties include regularly caring for, training, supervising or being in sole charge of a child	<input type="checkbox"/>
The judgement has been made in consultation with either: (a) the placement organiser or (b) DSP (where the home learning base/school organises its own work experience placements/work-related learning opportunities)	<input type="checkbox"/>
The rationale behind the judgement has been recorded and given to the DSP to file and note	<input type="checkbox"/>
The completed CRB Enhanced Disclosure form is sent to the Local Authority CYPS HR Department to forward to the Criminal Records Bureau	<input type="checkbox"/>
Information regarding the CRB Enhanced Disclosure Form has been received from the Local Authority CYPS HR Department and shared with the DSP where there is a cause for concern	<input type="checkbox"/>

Where information from a CRB check is a cause for concern, has the following been done by the:

CYPS HR Department

Discuss the results of the CRB with the DSP and details of the discussion are recorded	<input type="checkbox"/>
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DSP

Discuss the results with CYPS Safeguarding Unit and record decision made	<input type="checkbox"/>
Discuss final decision with Work Placement Co-ordinator	<input type="checkbox"/>
Make contact with the employer explaining the decision made regarding the placement	<input type="checkbox"/>