



## **Policy for CRB checks**

### **Background**

With effect from 12<sup>th</sup> May 2006, it is mandatory for schools to obtain CRB checks on :

- All new employees
- People who have a break in service of more than 3 months
- People who 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 regulations have been drawn up as a result of the List 99 review, conducted earlier this year, and student safety is clearly a very high priority.

### **Existing Staff**

All new appointments to the school staff will be required to undergo an enhanced CRB check either prior to appointment or as soon as possible after appointment. There will be no requirement to obtain a CRB check on existing staff in education. Employers will continue to have discretion to seek a CRB check where they have grounds for concern about the suitability of an existing member of staff with the persons consent.

This requirement extends to any peripatetic teachers and it is the responsibility of the Head of Department in which the peripatetic teacher is working to ensure a CRB disclosure is made.

### **Volunteers**

CRB checks are required on all volunteers who are working in the school. This includes Governors who are appointed from 12<sup>th</sup> May 2006. It is recommended by the DFES that a Standard form of disclosure is sufficient for all volunteers.

“A volunteer is person who is engaged in any activity which involves spending time, unpaid (except for travelling and other approved out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives’.

The CRB will issue a Disclosure “free of charge” if the person for whom a Disclosure is required satisfies this criteria

### **Use of recruitment or supply agencies**

Head teachers may ask supply teachers to produce their copy of the Enhanced Disclosure to provide assurance that the check has been made, and may ask agencies to confirm the validity of the document. Similarly, Heads may ask teachers who were checked under previous arrangements to produce the letter certifying that the person has been satisfactorily checked.

### **Students**

Pupils who undertake short periods of work experience that involve contact with children in other schools or education establishments need not be checked. However, students who are required to work with children as a necessary part of a training course, eg student teachers, nursery nurses, etc, will need to be checked when they are accepted onto the course.

### **Exam Invigilators**

People employed as examination invigilators, with more than a three-month gap between examination sessions, will need to be CRB-checked before each examination season. Clearly this presents onerous requirements on undertaking the checks as well as cost implications.

Best practice should be to hold refresher training sessions for all invigilators, using the training material supplied by the NAA once every three months. Whilst the school would have to pay each invigilator for an hour or two of training this would mean a continuation of their employment in the three-month period and do away with the need for further CRB checks. It is the responsibility of the Exam Officer team to ensure this practice is adopted.

In addition, this gives invigilators the chance to discuss any problems that the exams office had experienced over the summer exam series and the opportunity to brief invigilators about changes for the upcoming November and mock exams.

The Exam Officer should provide a list of all exam invigilators employed by the school to the Head Teacher evidencing the exam invigilator CRB status. The list should be regularly updated and maintained on a cost effective basis.

In relation to 2006 year's examination invigilators, the DfES have agreed that for the current examination season, there is clearly not time to CRB-check any invigilators who have not already been checked. Most of these people were offered the job before 12 May 2006, when the regulations came into force. The DfES advises that NAA guidance should be followed; in particular, that any decision not to undertake CRB checks is based on the professional judgement of the Head Teacher/principal, and that any invigilator who has not been CRB-checked will not under any circumstances be left alone with under-18s.

This problem is likely to remain for a year or two, after which a vetting and barring scheme will be in place. Under this scheme, an exam invigilator would, as a general rule, be engaging in regulated activity. This means that, once the individual is known to the vetting and barring scheme, the school/college would only have to do an online barred status check when they engage the invigilator.

1<sup>st</sup> June 2006

The following good practice guide for exam officers has been taken from the NAA website

## Good practice

- **Recruit invigilators well in advance** of exam dates, to leave plenty of time for training.
- **Produce a job description and arrange a training session**
- **Ensure all prospective external invigilators have had their identity, work history and references checked.** The decision to run a Criminal Records Bureau (CRB) check on a person lies with the centre. Where it is possible that the person may be in sole charge of a child under the age of 18 at any time, a CRB check would be advisable. Where a person is simply handing out and retrieving papers and will never be in sole charge of a child under the age of 18, it may not be necessary. For further guidance, you should consult the DfES documents: Child Protection: Preventing Unsuitable People from Working with Children & Young Persons in the Education Service & CRB: Managing the Demand for Disclosures
- **Ensure you recruit enough staff.** You may need several invigilators in a room to provide proper supervision. When recruiting staff, you will need to take emergency cover into account. Ensure there is cover where there is only a single invigilator in a room and be able to provide assistance to an invigilator who may need emergency help.
- **Think about producing an invigilators' toolkit** with everything they might need for the job. This toolkit could even contain those things candidates might need, for example tissues, bottles of water, spare rulers and pens.
- **Devise contact and location lists of heads of departments or other staff** available to help your invigilators should a discrepancy arise on a question paper. It might be helpful for invigilators to have access to a dedicated line manned by a member of staff ready to contact the relevant person.
- **Keep accurate diary records** of who invigilated when, the number of hours worked and a brief assessment of the quality of their work for future reference. A brief note of thanks for a job well done will always be appreciated.
- **Complete the Invigilation checklist**

Checklist	Yes	Partly	No
Do you recruit enough invigilators well in advance?			
Do you complete CRB checks and deal with all employment issues?			
Do you produce job descriptions for invigilators and train and brief them in advance?			
Do you keep accurate invigilation records?			

## NAA Invigilation FAQs

### **Q. What examinations are included for external invigilators?**

A. All external examinations (for example National Curriculum Tests, GCSE and AS/A2 examinations). Also, where a school reorganises its timetable for 'mock' examinations to replicate the public examination process. Teachers may, however, be required to conduct practical and oral examinations in their own subject area and to help candidates to prepare. They also need to be involved in aspects of assessment, recording and reporting for external examinations that require the professional input of a qualified teacher.

### **Q. Who can invigilate external examinations from September 2005?**

A. Schools will need to find other suitably qualified people to invigilate their examinations. These people will have to be trained and familiar with the JCQ Instructions for the Conduct of Examinations (ICE). Schools should look at their existing support staff to explore their potential as exam invigilators. Where this is not possible, schools will have to recruit external invigilators to meet their needs.

### **Q. What will happen if my school continues to routinely use teachers as invigilators?**

A. Schools must remember that this contractual change is statutory and must be implemented in full by the given date. Failure to transfer these duties away from teachers would leave a school vulnerable to legal challenge, including through employment tribunals and industrial action.

**Q. Do external invigilators need to be checked by The Criminal Records Bureau (CRB)?**

A. When recruiting external invigilators, schools should adopt the same procedure as when recruiting any other new member of staff - ie check the applicant's identity, Professional and Character references and previous employment history.

The general rule is that it remains for Headteachers to decide whether a CRB check is required, and that decision needs to reflect the duties the person is expected to perform and under what circumstances. However, if there is a chance that the invigilator will be in sole charge of a child under the age of 18, then the expectation is that a Standard Disclosure will be required. If the invigilator is simply employed to hand out and retrieve papers in the examination hall where other invigilators are present, the Headteacher should use their professional judgement to decide whether a CRB check is required. It is also worth noting that people who have not been CRB checked may not be able to stand in for absent colleagues if their role necessitates the need to be in sole charge of a child under the age of 18.

Remember - It's good practice to allow at least 8 weeks for CRB to process your checks - these should be completed before the invigilator starts working for you.

For further information please consult the following documents:

- **DfES/0278/2002** Child Protection: Preventing Unsuitable People from Working With Children and Young Persons in the Education Service
- **DfES/0780/2002** Criminal Records Bureau: Managing the Demand for Disclosures

**Advertising a vacancy where CRB checks may apply**

Before a vacancy is advertised externally, you need to decide whether there is a need for a CRB check. Any description of a post that requires a Disclosure should state:

- that the successful candidate will be asked to apply for a Disclosure
- the level of Disclosure required for the successful candidate
- that further information about the Disclosure scheme can be found at <http://www.disclosure.gov.uk/> or on the information line 0870 90 90 811.

For further information on the services provided by CRB, how to apply for checks and current fees for disclosures, please contact:

Information Line: 0870 90 90 811

Welsh Language Line: 0870 90 90 223

Postal Address: Customer Services, CRB, PO Box 110, Liverpool, L69 3EF

Or visit: [www.disclosure.gov.uk](http://www.disclosure.gov.uk)

**Q. Are teachers going to be prevented from being present in the exam room for all of the time the exam is taking place?**

A. The principle underpinning the change is that invigilation does not require a teacher's professional expertise. It is worth remembering that the task of invigilation is being removed from teachers. They are not being divorced from the whole exam process. Certainly there may be a good reason for a teacher to be present at the beginning of an external exam in their subject area, to check the paper and to ensure that there are no problems with it. Invigilators should be made aware of the procedure for dealing with emergencies and for contacting the relevant teacher should any candidate raise a concern or problem with the paper that requires their professional judgement. It may also be appropriate for a teacher to be present at the end of an external exam to ensure its efficient conclusion.