

Disclosure and barring checks (DBS) for initial teacher training (ITT) trainees

Introduction & background

This leaflet addresses some of the most common questions about DBS and criminal record checks for teacher training students that are asked by schools, local authority staff and others. It reflects existing statutory requirements and guidance. The guidance is an update of previous versions produced in July 2010, September 2012 and March 2014. It does not represent a comprehensive explanation of the DBS and criminal records check requirements and should be read alongside relevant statutory guidance and advice.

ITT providers are responsible for ensuring that they do not admit applicants to training who are unsuited to work with children. Barred list and criminal record checks are one way of doing this. However, some unsuitable applicants will not have been convicted of any offence or barred from working with children. Vigilance will still therefore be required. Partnerships will also have to ensure that applicants have the intellectual, personal and other characteristics they will need in order to meet the teaching standards.

Responsibilities

All entrants to ITT programmes must by law be checked against the DBS barred list and subject to criminal record checks. DBS certificates will be issued to individual applicants and not, as in the past, to registered bodies such providers. ITT providers have a responsibility to ensure that entrants on all routes, including salaried School Direct programmes, have been subject to these checks, although how this is done for trainees on salaried routes does differ.

The responsibilities are:

- For trainees on routes other than School Direct salaried, the accredited provider such as an HEI or a SCITT is responsible for ensuring that checks have been completed by requesting sight of the original DBS certificate and keeping a record of the fact that it has been seen. Copies of the certificates can be requested, but not required, from the individuals concerned. Providers should confirm to schools that checks have been made.
- For trainees on salaried School Direct programmes, the employer is responsible for ensuring that checks have been completed by requesting sight of the original certificate and keeping a record. Schools can also request, but cannot require, permission to keep copies. Schools should confirm to accredited providers that checks have been made and providers should make a note of this.

For those training to teach in FE colleges, the ITT provider is responsible for ensuring that checks have been completed

in respect of pre-service trainees, while employers are responsible for those on in-service programmes. In each case the responsible organisation should confirm to the other that checks have been made.

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.

Sharing of information

It is an offence under the 1997 Police Act, and a breach of the DBS Code of Practice, for registered bodies to share copies of DBS checks, or any information contained in a trainee's disclosure, with a third party. Accredited providers must not therefore share information about fee-paying students with schools and schools must not share information about salaried School Direct trainees with providers. Organisations must not request information for which they have no legal entitlement from either providers or from trainees. This includes information about DBS numbers or the dates of DBS checks.

Childcare Disqualification Regulations

New regulations that require employees in childcare or early years settings to disclose to head-teachers details of any criminal convictions that they might have, or members of their households might have, do not apply to teacher training students unless: they are employed through salaried training routes; or they hold any form of direct managerial responsibility for the centres concerned.

Other key points

Other key things to take into account are:

- Trainees can, at the Head-teachers' discretion, go into school pending the completion of a criminal records check provided that checks have been made against the DBS barred lists and subject to normal recruitment procedures.
- There is no requirement to complete separate checks in respect of time spent in separate schools
- 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.
- Minor convictions or cautions from several years ago will not now be shown on enhanced DBS certificates. Providers, schools and colleges should not ask applicants about any such convictions or cautions.
- ITT tutors who only have occasional contact with pupils and do not carry out regulated activity do not require checks provided they are at all times accompanied by someone (e.g. a trainee) who has been checked.
- Overseas trainees should be subject to barred list and criminal record checks. Certificates of good conduct and references should also be requested for overseas trainees and those who have spent time living overseas
- Further checks should not be carried out on anyone entering training after completing a subject knowledge enhancement programme, provided they are continuing their training with the same provider and the gap between the ending of the enhancement programme and the beginning of the ITT is shorter than three-months.

Partnership agreements

Schools, colleges and providers within ITT partnerships should establish a common understanding of convictions that might pose a barrier to joining, or continuing with, a programme of ITT and the circumstances under which concerns about a particular trainee should be referred to the police. Agreement should also be reached on the extent to which trainees have access to sensitive information.

Further information

DFE guidance on the ITT requirements:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/294489/ITT_criteria_supporting_advice.pdf

Statutory requirements:

<http://www.homeoffice.gov.uk/publications/crime/disclosure-and-barring/>

On the filtering out of 'minor' convictions & cautions:

<https://www.gov.uk/government/publications/dbs-filtering-guidance>

UCET/NASBTT guidance on 2011 teaching standards: <http://www.ucet.ac.uk/4647>

UCET, January 2015