

Questions & Answers

Please note: In February/March 2023, the department released a series of webinars around the statutory safeguarding guidance Keeping children safe in education (KCSIE). These webinars were well received, and we are releasing FAQ documents for each webinar. Due to the volume of questions submitted, we are not able to answer each one individually. Care has been taken to select those most frequently asked.

Should you wish to submit any further questions, you can contact the Department using the following link [Contact the Department for Education - Contact type - DFE Online Forms](#)

Completion of the SCR

Q: Can the DfE share a Single Central Record (SCR) template, which can be used as good practice?

A: *Part three of [Keeping children safe in education](#) clearly sets out the statutory and non-statutory requirements for schools and colleges in relation to completion of the SCR. This includes what ‘must’ be included (legal requirements) and what ‘could’ be included (non-statutory information). Schools and colleges are best placed to decide on the format of their own template, as this will enable them to meet their own local requirements.*

Q: What date should be recorded on the SCR, the date the evidence was seen (e.g. DBS certificate) or the date of issue, and does the name of the person who has made the checks need to be included?

A: *The statutory requirement is to record the date the certificate was obtained by the school or college, i.e. the day the certificate was presented to them by the individual and the information on it considered.*

However, as set out at paragraph 273 of KCSIE, schools can, if they wish, also record any other information they deem relevant. This could include the date that the certificate was issued by DBS and details of the individual who undertook the check.

Q: Should any gaps on the SCR, for staff who have worked at a school for many years, be undertaken retrospectively?

A: *A requirement in maintaining the SCR is that it should be up to date at all times. This means that the details of **all** staff who are working at the school or college should be included. The SCR should include evidence that all checks required at the time the individual was appointed were completed.*

Q: **When should the details of those who leave a school be removed from the SCR, and is a ‘leavers’ tab required?**

A: *The requirement that the SCR is up to date at all times means that the details of staff who no longer work at the school should be removed when they leave. Any personal information retained will need to comply with the Data Protection Act (DPA) and GDPR requirements.*

Q: **Is there a requirement to include the date online checks were conducted on the SCR?**

A: *Paragraph 221 of KCSIE sets out that schools and colleges should consider carrying out an online search as part of due diligence on shortlisted candidates. However, **there is no statutory requirement to include the date the check was made on the SCR but schools and colleges can do so if they wish.***

DBS Checks

Q: **How often are DBS checks required?**

A: *There is no requirement for schools to re-check the DBS status of staff unless they have moved from a position that means they will now be working in regulated activity, or where the school/college has concerns about an individual’s ongoing suitability to work with children, or where there has been a break in service of 12 weeks or more.*

Q: **Should a copy of the DBS certificate be retained?**

A: *Schools and colleges do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the SCR (KCSIE paragraph 276). When a school or college chooses to retain a copy, there should be a valid reason for doing so, and it should not be kept for longer than six months. Further information on handling DBS information can be found on [Handling of DBS certificate information - GOV.UK \(www.gov.uk\)](http://www.gov.uk)*

Q: **Can a recent DBS check from another school be accepted?**

A: *KCSIE paragraphs 233-234 set out that there is no requirement to undertake a further DBS check where an individual has worked in a school or college within three months prior of their new appointment. However, schools and colleges should carefully consider if it would be appropriate to request a further DBS check to ensure they have up to date information (KCSIE paragraph 235).*

Overseas Checks

Q: How far should we go back when considering undertaking an overseas check?

A: *KCSIE does not specify any minimum period of time that a person must have lived or worked abroad before an overseas criminal record check is required, this will be a decision for the school/college/recruitment body. Further guidance on criminal records checks for overseas applicants can be found at: <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>.*

Q: Are overseas checks required for governors/volunteers who have worked or lived overseas?

A: *The [Governance Handbook 2019 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk) sets out the checks which are required for school governors; academy members; trustees and individuals on any Multi Academy Trust Local Governing Body. If schools and trusts are uncertain, they should seek their own legal advice.*

Paragraphs 305-312 of KCSIE outline the checks that are, or may be, required for volunteers. The nature of voluntary roles can vary, so schools and colleges are required to use their professional judgement when deciding what checks, if any, are required, whilst considering the various aspects of the volunteering role, including whether the role will be supervised. Under no circumstances should a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Section 128 Checks

Q: Do governors (school type not specified) require a Section 128 check?

A: *Schools and colleges are required to carry out checks for Section 128 directions for management roles in independent schools, academies and free schools as set out in paragraphs 256-257 of KCSIE. This includes, but is not limited to, those on your senior leadership team (regardless of teaching status), middle leaders and anyone else who is line managing a person, or managing a budget, as they are likely to be considered in management too.*

Section 4.1.2 of the [Governance Handbook 2019 \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk) sets out the 'requirements' for Section 128 checks for independent schools, academies and free schools.

Maintained schools should also check if a person proposed to be a

governor is disqualified under Section 128.

Maintained schools are not legally required to conduct Section 128 checks on individuals in management positions unless they hold office as a governor.

A section 128 direction does not prohibit a person working or being a governor of a non-maintained special school.

Q: How is a Section 128 check obtained?

A: Schools and colleges with a Department for Education Sign-in account can use the free Teaching Regulation Agency 'Employer Access' service which is available via the TRA's web page [Teaching Regulation Agency \(education.gov.uk\)](http://www.teachingregulation.gov.uk).

Q: Are Section 128 checks included on the SCR?

A: Yes. With regards to independent schools, including academies and free schools it is a statutory requirement (i.e. mandatory) that the Section 128 check is included on the SCR, see KCSIE paragraph 271 for further information.

In the case of maintained schools, the Section 128 check, if required, can be recorded under the non-statutory information. This is because recording checks completed against Governors is not a requirement. Where a staff member also sits on the Governing body, recording the Section 128 check date is required.

Prohibition Checks/Right to Work Checks

Q: Who requires a 'prohibition from teaching' work check?

A: These checks must be made to ensure that any applicant to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State, see KCSIE paragraph 253 for further information. A person who is prohibited must not be appointed to a role that involves teaching work.

Q: Who requires a Right to Work check?

A: All employers in the UK have a responsibility to prevent illegal working. You do this by conducting simple right to work checks before you employ someone, to make sure the individual is not disqualified from carrying out the work in question by reason of their immigration status. Further details: [Employer's guide to right to work checks \(publishing.service.gov.uk\)](http://www.publishing.service.gov.uk). Schools and colleges must verify a person's right to work in the UK, see KCSIE paragraph 232.

Contractors/Third Parties/Agencies

Q: What checks should be undertaken for contractors, and are they included on the SCR?

A: Part three of KCSIE describes in detail those checks that are, or may be required. Information about checks for 'Contractors' can be found at paragraphs 290-295 of KCSIE. Under no circumstances should a contractor, in respect of whom no checks have been obtained, be allowed to work unsupervised or engage in regulated activity.

There is no requirement for contractors to be included in the SCR. Schools and colleges should have their own policy and procedures for ensuring that contracting staff to work at the school are suitable, checked and monitored.

Q: When a school hires their premises to another organisation (e.g. after school clubs), do employees need to be added to the SCR?

A: Instructors and coaches who run after school activities, supplied by third parties/agencies, who are not school staff, do not need to be included in the SCR. There is separate statutory guidance for after school provisions: [Keeping children safe during community activities, after-school clubs and tuition: non-statutory guidance for providers running out-of-school settings - GOV.UK \(www.gov.uk\)](#).