



**Safeguarding young
people on Work-Related
Learning including
Work Experience**



Work experience – what does DCSF and Ofsted guidance say?

While DCSF legislation does not contain any statutory duty which requires that a school must obtain a Criminal Records Bureau (CRB) check on an adult who works with a pupil on work experience, it does contain a statutory duty which requires that a school must have regard to DCSF guidance in this area. That guidance¹ recommends CRB checks, in limited circumstances, on certain adults working with pupils on work experience. Ofsted inspects compliance by schools with the duty to “have regard” to that guidance.

The new Ofsted inspection framework sets out how schools can demonstrate to Ofsted their compliance with the above statutory duty, and Ofsted² safeguarding guidance to schools.

When inspecting a school’s safeguarding arrangements, Ofsted will inspect how the school has complied with its duty to have regard to the above DCSF guidance. The normal way for a school to demonstrate that is by showing that it has followed the recommendations in the guidance.

DCSF guidance recommends CRB checks only in limited cases on certain people offering work experience to young people

- Around 550,000 work experience placements take place each year, and **we would expect that CRB checks take place for just one per cent of these.**
- DCSF guidance recommends a CRB check only in limited cases on certain staff who come into contact with a student on placement. DCSF recommends that placement organisers should require a CRB check only on a member of staff with **day-to-day responsibility** for the student as part of their job description. This could be the manager, a supervisor or a mentoring employee (but in many cases, no-one).
- In the **vast majority** of placements, where the employer/employees involved will not have regular **unsupervised** access to young people at work, **DCSF does not recommend** that the school should require CRB checks on any of those staff.

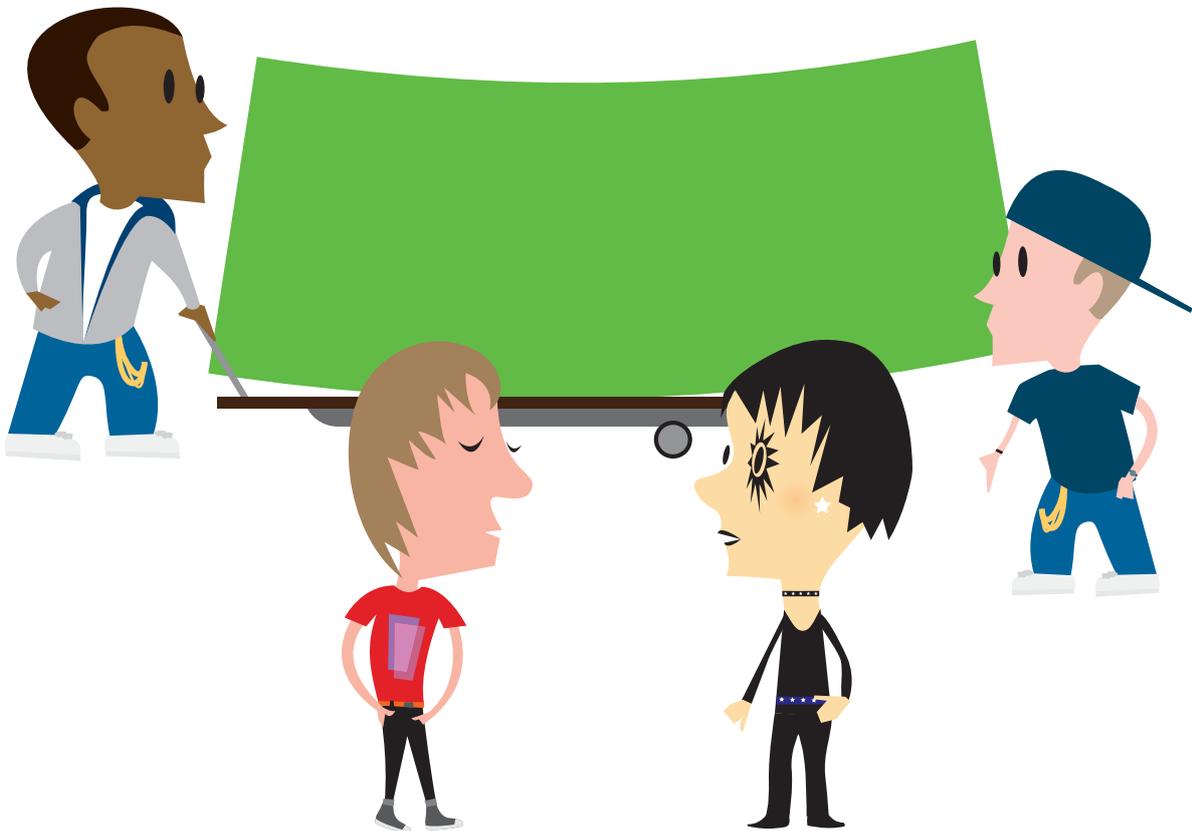
1 In *Safeguarding Children and Safer Recruitment in Education*, Annex A, para 2-7, at: www.dcsf.gov.uk/everychildmatters/resources-and-practice/IG00175

2 under ‘supplementary ... zip file’, at: [www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Education-and-skills/Schools/Main-inspection-documents-for-inspectors/\(language\)/eng-GB](http://www.ofsted.gov.uk/Ofsted-home/Forms-and-guidance/Browse-all-by/Education-and-skills/Schools/Main-inspection-documents-for-inspectors/(language)/eng-GB)

DCSF recommends that schools should consider CRB checks for the employer in all of the following cases:

- 1) Students identified by the school as vulnerable for educational, medical, behavioural or home circumstance reasons.
- 2) Students on placements lasting more than 15 days over an extended time-frame, especially where these involve:
 - regular lone working with an employer over long periods (i.e. anything over half a day at a time);
 - placements located in particularly isolated environments; and
 - placements involving a high degree of travelling.
- 3) Placements which include a residential element.

But the fact that a particular placement falls into one of the above categories **does not necessarily mean that the school should require a CRB check.** 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.



DCSF recommends that schools should consider CRB checks for 14-19 year olds themselves in the following cases:

- If the young person might have unsupervised access to children or vulnerable adults, e.g. a young employee or a student in a vocational training placement in a nursery, school or elderly people's homes.
- It is possible that young people with a juvenile offending record may be unsuitable to undertake work experience placements in these circumstances.

DCSF recommends that schools should not normally require work experience students under the age of 16 to apply for a CRB disclosure.

Vetting and Barring Scheme and Work-Related Learning, including Work Experience

What is the aim of the Vetting and Barring Scheme?

The aim of the Vetting and Barring Scheme (VBS) is to prevent people who pose a known risk of harm from doing certain specified work with children and vulnerable adults, known as 'regulated activity'. Anyone who wants to do such work frequently or intensively will, over time, have to apply to become registered with the Independent Safeguarding Authority (ISA). In the great majority of cases (i.e. providing they are not already barred), the applicant will then receive an ISA-registration number. In any cases (likely to be relatively rare) where the ISA receives information which leads it to become minded to bar the applicant, it will inform any registered employer and invite the applicant to respond. Where the ISA then decides a person does pose a risk to children or vulnerable adults, it will bar that person from 'regulated activity' with the relevant group. The ISA will work closely in partnership with the CRB to deliver the new Scheme.

Will the law require you or your people to ISA-register if you offer work experience to young people?

No. VBS legislation will not require you to register with the ISA just because you offer work experience placements for young people.

It continues to be an offence by an employer if, when offering work experience, they knowingly use a person barred from that type of activity with children, e.g. frequently supervising or having sole charge of a child. A similar offence was previously in place in relation to people barred under preceding legislation from such work with children.

DCSF recommends that employers should use a risk-based approach to decide whether safeguards for young people need to be put into place in relation to those supervising or training young people, and if so, what safeguards these should be.

From November 2010, if a placement organiser would have chosen to require a CRB disclosure on someone newly entering such work, DCSF recommends that they should choose to require the person to apply* for ISA registration and a CRB check at the same time.

[*In time, some people when newly entering such work will be already ISA-registered from previous work in 'regulated activity'. DCSF is currently reviewing guidance on CRB checks for people who are already ISA-registered.]

Who does VBS legislation require to be ISA-registered?

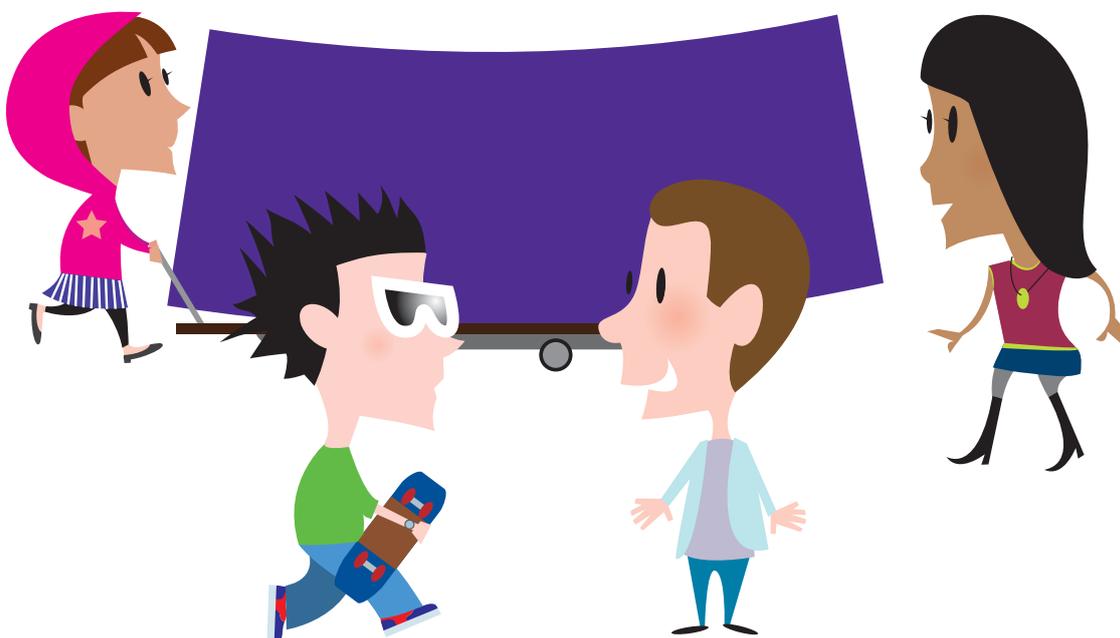
VBS legislation will require, from November 2010 onwards, that any individual who seeks newly to enter paid work or unpaid volunteering in 'regulated activity' with children or vulnerable adults must be ISA-registered before starting that activity. This includes teaching in a college, or any work in a school. They can apply from July 2010. Those already in such work at July 2010, who remain in it with the same employer, must also register by 2015. The VBS legislation will not require employees who instruct or supervise children who are in employment to register with the ISA. A placement organiser can require employees to go through ISA-registration if they so choose.

Useful documents

These can be ordered or downloaded at www.teachernet.gov.uk/publications

- *The Work-Related Learning Guide (Second Edition)*, DCSF 2009
- *Building on the Best*, DCSF 2007
- *Safeguarding Children and Safer Recruitment in Education*, DCSF 2006.

Further information on the VBS is available at www.isa-gov.org.uk



A commitment from
The Children's Plan



You can download this publication
online at: www.teachernet.gov.uk/publications
Search using the ref: DCSF-00371-2010

PPBHP/(4322)/0410

© Crown Copyright 2010

The text in this document (excluding the Royal Arms and other departmental or agency logos) may be reproduced free of charge in any format or medium providing it is reproduced accurately and not used in a misleading context.

The material must be acknowledged as Crown copyright and the title of the document specified.

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

For any other use of this material please contact the Office of Public Sector Information, Information Policy Team, Kew, Richmond, Surrey TW9 4DU or e-mail: licensing@opsi.gsi.gov.uk

75% recycled

This publication is printed
on 75% recycled paper



When you have finished with
this publication please recycle it