

SCHEDULE 1

PART 4

Suitability of staff, supply staff, and proprietors

- 20.**—(1) This paragraph relates to the suitability of supply staff at an independent school.
- (2) The standard in this paragraph is met if—
- (a) a person offered for supply by an employment business to the school only begins to work at the school if the proprietor has received—
 - (i) written notification from the employment business in relation to that person—
 - (aa) that the checks referred to in paragraph 22(3)(a) to (c), (e) and (f) have been made;
 - (bb) that it or another employment business has made an enhanced criminal record check or has obtained an enhanced criminal record certificate in response to such a check made by it or another employment business; and
 - (cc) if the employment business has obtained such a certificate before the person is due to begin work at the school, whether it disclosed any matter or information, or any information was supplied to the employment business in accordance with section 113B(6) of the Police Act 1997; and
 - (ii) a copy of any enhanced criminal record certificate obtained by an employment business before the person is due to begin work at the school, and where it discloses any matter or information, or where any information was provided to the employment business in accordance with section 113B(6) of the Police Act 1997, a copy of the certificate;
 - (b) a person offered for supply by an employment business only begins work at the school if the proprietor considers that the person is suitable for the work for which the person is supplied;
 - (c) before a person offered for supply by an employment business begins work at the school the person's identity is checked by the proprietor of the school (irrespective of any such check carried out by the employment business before the person was offered for supply);
 - (d) the proprietor, in the contract or other arrangements which the proprietor makes with any employment business, requires the employment business—
 - (i) to provide the notification referred to in paragraph (a)(i); and
 - (ii) if any enhanced criminal record certificate which the employment business obtains contains any matter or information, or if any information was supplied to the employment business in accordance with section 113B(6) of the Police Act 1997, to provide a copy of the certificate,in respect of any person whom the employment business supplies to the school; and
 - (e) except for those persons to whom sub-paragraph (4) applies, in the case of supply staff who care for, train, supervise or are in charge of boarders, the proprietor checks that the relevant parts of Standard 38 of the National Minimum Standards for Boarding Schools or where applicable, Standard 27 of the National Minimum Standards for Residential Special Schools are complied with.
- (3) Except in the case of a person to whom sub-paragraph (4) applies, the certificate referred to in sub-paragraph (2)(a)(i)(bb) must have been obtained not more than 3 months before the date on which the person is due to begin work at the school.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (4) This sub-paragraph applies to a person (“P”) who has worked in—
- (a) a school in England in a position which brought P regularly into contact with children or young persons;
 - (b) a maintained school in England in a position to which P was appointed on or after 12th May 2006 and which did not bring P regularly into contact with children or young persons; or
 - (c) an institution within the further education sector in England in a position which involved the provision of education or which brought P regularly into contact with young children or young persons,
- during a period which ended not more than three months before P is due to begin work at the school.