

FAO Schools and Care Facilities Managed by Devon
County Council

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FAO – Schools and Care Facilities Managed by Devon County Council

Dear Sirs,

RE: Contractors – CRB Requirements

Last October, the launch of the Independent Safeguarding Authority (ISA) introduced greater coverage of CRB requirements to include all those in 'Regulated Activity'. However this caused much media hype and concerns by parents that the requirement for checking was not set at the right level and so a review was undertaken by Sir Roger Singleton.

The outcome of the review was published in January and we are writing to notify you about the impact this has made on Contractors coming onto your premises.

The new requirements are set out below and relate to the expected regularity of visits to a 'Regulated Establishment' (e.g. schools, care homes, children's centres etc):

- once a week or more, on an on-going basis (or once a month or more for those in certain health or personal care services)
- 4 or more times in a 30 day period
- or overnight between 2am – 6am

In addition, the above triggers only apply to people attending **the same establishment** on this basis e.g. at the same school for 4 days in a 30 day period.

Individuals who are expected to meet these triggers will need to undergo a satisfactory Enhanced level CRB check therefore managers of schools and care facilities need to carefully consider the length and timing of works and identify if CRB checked Contractors staff are required to undertake any services or works.

In compliance with the requirements for CRB checks it is DCC's policy to **only** insist that CRB checked staff are requested to be provided by the Contractor when the above triggers are met and **not** in any other situations.

Managers of schools and care facilities requesting Contractors to deploy CRB cleared staff will require evidence that the Contractors staff have CRB clearance in place before allowing them to carry out the works. Contractors have been told that Premises Managers will require the Contractor to evidence that their staff are CRB cleared prior to arriving on

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site or for the staff to provide evidence of this on arrival. This can be provided for example by a certified letter, the actual CRB Disclosure does not need to be shown. Where CRB checks of Contractors staff are required **it is the responsibility of the Premises Manager to validate** that the CRB checks are in place prior to allowing the works to commence. In the event that any contractor's staff cannot evidence this CRB clearance Contractors have also been told that they are likely to be refused access to the premises. The above requirements in terms of CRB checking also apply to any subcontractors that the contractor may employ to undertake any elements of the work on their behalf.

If you are selecting Contractors from Devon County Council's Maintenance Panel Agreement (MPA) or the Standing List of Approved Contractors (SLoAC) then the database used for the selection process (www.devon.gov.uk/pcd) clearly identifies Contractors who are able to offer CRB cleared staff. Contractors have been advised that they ideally will need to ensure that some of their staff are suitably cleared to allow them to take up all contract opportunities offered. If they do not have suitably cleared staff then the opportunities available to them will be reduced. If Premises Managers require that CRB checked staff are deployed they must clearly specify they require CRB checked staff when they initially contact the contractor and confirm this when the order is placed for works or services.

We are aware that the circumstances explained above may change when the ISA safeguarding standards come into force. We will write to you again to advise of any changes to the above requirements in due course.

Yours faithfully

Jon Williams
Performance & Contracts Manager
DCC Business Transformation Unit

