

Stop press - document to be updated after a meeting on 13 November

School exchanges – the new safeguarding laws

I must admit to having struggled to obtain a full understanding of the new child safeguarding legislation and its requirement to check parents who host foreign exchange pupils. This brief article summarises the essentials as I understand them to be at the time of writing (21st Sep 2009). There is nevertheless some lack of clarity: detailed information on our specific case is hard to come by because exchanges are, in some respects, the unintended 'victims' of broader legislation. I have nevertheless checked with the ISA (Independent Safeguarding Authority) that the content of this article is in line with its understanding of the current situation.

Why are host parents included in this legislation?

The **Vetting and Barring Scheme** determines that anyone who provides care and accommodation for children under 18 will be engaging in **regulated activity** and will need to be registered with the ISA. It will be the responsibility of the exchange's organising body to check that host families are ISA registered and it will be a criminal offence for anyone to engage in regulated activity of this kind if they are not registered with the ISA or are barred from it.

Who exactly needs to be checked?

- From 26th July 2010, for any hosting arrangement of **less than 28 days** (i.e. most exchanges), **one** parent present in a household hosting an exchange student must **register with the ISA and** undergo an **Enhanced CRB check**. Although the **Vetting and Barring Scheme** will be launched on 12th October 2009, there is **no legal requirement** to submit parents to an Enhanced CRB check and ISA registration until 26th July 2010. There will therefore be no effect on exchanges being organised during the current academic year.
- There is **no requirement** to check all those over the age of 16 in a household unless the visiting child is staying for more than 28 days; a check on one parent is sufficient.
- ISA registration need only be done once, no matter how many times a parent is involved in hosting, as the individual's record will be updated in the case of any information coming to light about his/her unsuitability to work with children.

How much does it cost and how long does it take?

- From 28th June 2010, a new single form will need to be completed for the Enhanced CRB check **and** ISA registration.

- The individuals must apply themselves; schools cannot do so on their behalf.
- I am assured by the ISA that, although employers will have to pay to register their permanent staff, registration for volunteers (and parents hosting pupils are classed as such) will be free. (Having been told this by two ISA employees, I cannot, however, find written confirmation on the ISA website.)
- Although ISA registration should usually take only seven working days (schools can thereafter check that individuals are registered via the ISA-online service), an Enhanced CRB check will continue to take up to eight weeks. Exchange arrangements will therefore have to be in place in good time to enable checks to be carried out before the arrival of students.

Is this the end of my exchange?

Not necessarily, but ML departments that believe that the traditional reciprocal exchange is far superior as a linguistic and cultural experience to the study visit will have to fight for their exchanges, by bringing forward planning deadlines, but more importantly by communicating clearly with parents and partner schools to ensure that all parties understand not just the legislation but also the steps that we take to ensure our pupils' safety when they go abroad. I would suggest the following:

- The school (i.e. Headteacher) should communicate with parents during the current academic year to explain the requirement for vetting of host families whilst restating the school's commitment to exchanges and asking for parental support.
- It is inevitable that parents will ask what measures are in place to check the suitability of the families that will host their children. DCSF guidelines (not legislation) advise that exchange organisers should "*be clear about procedures in the relevant country for vetting the suitability of host families including criminal background checks insofar as these are available.*" Communication must therefore take place with partner schools urgently, in order to ensure that they understand the parameters under which we are working. Exchanges can only survive if our partner schools work with us. Ultimately, an individual Headteacher will have to be convinced that the measures taken by partner schools to vet families are sufficiently robust: it may indeed be possible for an *extrait de casier judiciaire* to be obtained for French parents, but if the *directeur / proviseur* is unwilling to consider this option, will our school management teams will satisfied with less formal assurances?

I believe that exchanges are worth fighting for, even with the added bureaucracy that these measures entail, and I hope that this article gives the information required so that strategies can be developed to enlist the support of school management and parents as we move towards July 2010.