

DIARY DATES

Safeguarding Conference
April 20 2016

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Focus on: Right to Work Checks

By Emma Hughes

When it comes to right to work documentation, there are strong guidelines that need to be followed to ensure that the procedure is completed efficiently and correctly. (Please note that the documents have to be checked when the applicant is present).

Key points

- Purpose of the Immigration, Asylum and Nationality Act 2006
- Make it harder for people with no right to work in the UK to gain or keep employment
- Put the responsibility onto employers to prevent illegal working
- Make it easier for the Home Office to sanction employers who employ illegal workers
- Provide employers with a statutory excuse against sanction

Right to work checks have to be done for all nationalities and assumptions should never be made of a person's nationality on the basis of name, race, appearance etc.

Consequences of not complying with the law:

- Impact on Tier 2, Tier 5 and Tier 4 (student) sponsor licences
- Licences withdrawn - all sponsored workers and students required to leave the Trust and UK
- Licences downgraded - may retain current visa holders but not sponsor new visa holders
- Prevent the recruitment of international talent (students and employees)
- On-the-spot fines of up to £20,000 for each illegal migrant
- Up to 2 year prison sentence and/or an unlimited fine
- Financial and reputational loss

A breach from a single academy (including those who do not have any Tier 2 or Tier 5 sponsored migrants) = potentially serious consequences for the entire Trust.

What to do?

Right to work checks must always be completed prior to an employee's start date. Employees must not be permitted to start duties until acceptable documents are provided.

Below are the questions that need to be considered when checking the documents:

- Are the documents genuine, original and unchanged and belong to the person who has given them to you?
- Are the dates for the applicant's right to work in the UK valid?
- Are the photos the same across all documents and look like the applicant?
- Is the date of birth the same across all documents?
- Does the applicant have permission to do the type of work you're offering (including any limit on the number of hours they can work)?
- For students, have you seen evidence of their study and vacation times?
- In the cases where 2 documents are provided that give different name, has the applicant provided supporting documents showing why they're different, e.g., a marriage certificate or divorce decree?

Once all of the above has been checked, the person responsible for the SCR at the academy **must** photocopy the original documents and these photocopies should be signed and dated by the person responsible. If any of the checks flag any areas for concern, this should be brought to the attention of the Principal and HR department at ATT central immediately.

Checklist

- Passports - copy all pages with photo, expiry date, nationality, DOB, signature, visa, biometric details
- All other documents – copy in full (both sides)
- Sign, print name and date copy – include declaration to confirm originals seen
- Retain for copies for the duration of employment/engagement and for two years after employment/engagement ends
- Data protection - copies must be held securely
- Keep copy of right to work documents on personnel files so that documentation can be found easily during an audit
- If the employee cannot provide a British or EEA passport, please contact ATT HR department for help and guidance.
- If you are ever in doubt, or unsure of what documents can be accepted for the relevant documentation for right to work, please do not hesitate to contact the HR team at ATT central and they will provide you with advice and guidance.

New campaign from the Department for Education



The DfE has launched a new campaign: "Together, we can tackle child abuse" to remind everyone of the need to share concerns they might have about children and young people. The campaign highlights one single web link to access all local authority's reporting webpage or phone number: [gov.uk/report-child-abuse](https://www.gov.uk/report-child-abuse)

Materials to support this campaign can be found on Norfolk Police website and can be found at www.norfolk.police.uk/newsandevents/newsstories/2016/march/tacklingchildabuse.aspx

It's worth mentioning a couple of really useful short videos from the NSPCC on this topic aimed at 8 - 10 year olds. You can find the videos on the NSPCC's campaign page, 'Share Aware'.

Website: www.nspcc.org.uk/preventing-abuse/keeping-children-safe/share-aware

In the news: Sexting' leaving children vulnerable to abuse

Incidents of 'sexting' among children and young people have "soared" over the past two years, the Labour Party claims. It warns that unless PSHE and SRE are made compulsory for all state-funded schools, children will be put at risk of exploitation and abuse from "sinister corners of the internet".

It says that children could be put at risk unless more is done to equip them with the knowledge they need to maintain healthy relationships and spot signs of abuse.

Incidents of 'sexting' - which involve sending explicit images or messages - among under-16s has increased 1,200% over the last two years, according to the Labour Party's research.

Around a sixth of children, half of these under the age of 15, are using the dating app Tinder, the party claims.

Shadow education secretary Lucy Powell warned of "new and unprecedented risks" facing children.

She said:

"Youngsters are being pushed into adult territory well before they are ready. Sexting among children is skyrocketing; they are easily straying into sinister corners of the internet leaving them vulnerable to exploitation, and shockingly children as young as 13 are starting to use dating and hook-up apps."

New guidance and lesson plans to challenge homophobic, biphobic and transphobic bullying

EACH (Educational Action Challenging Homophobia) have just released a comprehensive resource to help staff in primary and secondary schools gain the confidence, knowledge and tools to create a safer learning environment for LGBT, young people and their families.

The Inspiring Equality in Education resource is funded by the Department for Education and Government Equalities Office to help address the finding that schools often lack confidence and feel under-resourced to deal effectively with homophobic, biphobic or transphobic bullying. The Anti-Bullying Alliance, Jan Lever Group and Off the Record Bristol have all contributed to the resource, which has also been awarded the PSHE Association Quality Mark.

New: Guidance for schools on reporting sexting incidents

In September 2015 the National Police Chief Council released a statement on the procedure they have to take when a 'sexting' incident is reported to the police. As a result South West Grid for Learning, coordinators of the UK Safer Internet Centre, have updated their advice for schools when responding and managing a sexting incident into two infographics.

<http://swgfl.org.uk/magazine/Managing-Sexting-Incidents>

To find information or report incidents regarding 'sexting' please contact Lisa Barton

L.Barton@AcademyTransformation.co.uk

Download Inspiring Equality in Education from the EACH website

It includes:

- 7 primary school lesson plans covering celebrating difference, families, relationships and gender awareness
- 10 secondary school lesson plans on prejudice-based language, bullying, lesbian, gay, bisexual and trans media representation, prejudice, gender and social media
- Guidance on what the law says, teaching about LGBT and identities and relationships, handling disclosures, staff training, anti-bullying policies and one-to-one support for LGBT and young people.

Nicky Morgan, Secretary of State for Education and Minister for Women and Equalities said:

"Inspiring Equality in Education is a fantastic programme led by EACH. Developed in the West of England, it will help all schools better understand homophobic, biphobic and transphobic bullying and deal with it effectively. These new school resources for Key Stages 1 to 4 will play an important role in helping schools and pupils to stamp out homophobic, biphobic and transphobic bullying and I look forward to seeing the positive results in the future."

Governors and Mandatory DBS Checks

The government has published amended legislation which comes into force on the 18 March 2016 to make Enhanced DBS checks mandatory for governors in maintained schools. This is retrospective, so governors without DBS certificates appointed prior to 1 April 2016 must obtain one by 1 September 2016. Those appointed after April 2016, must apply for one within 21 days. This now means that all governors, in whatever kind of school, maintained, independent, academy or free school, must have an Enhanced DBS certificate.

You can find the legislation here:

[The School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2016 Explanatory Memorandum](#)

DBS Checks: New starters

Keeping Children Safe in Education says, 'Where a school or college allows an individual to start work in regulated activity before the DBS certificate is available, then they should ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed' (paragraph 58).

Download: [Risk Assessment for New Starters without DBS Certificates \(pdf\)](#)



NWG Network
Tackling Child Sexual Exploitation

Say Something Campaign

In June 2015, the NWG Network, in partnership with Missing People launched a new national service which seeks to raise awareness amongst young people of the risks and dangers of CSE and provide advice on how to keep safe and where to seek support. The new service provides young people with a means of reporting CSE through a free, 24/7, anonymous helpline provided by Missing People.

This initiative has involved the creation of a toolkit of resources to be used by teaching staff and other practitioners to raise awareness of and educate young people about safe and healthy sex and relationships. They have also developed wrists bands, posters and leaflets for young people and professionals as a foundation and platform to embed this work in local areas, and a webpage for young people to seek further information and advice.

Website: www.nwgnetwork.org



