

Subject: Governor checks, references and the Single Central Record - Advice regarding ex-officio clergy and other governors

From: Belinda Copson, Governance Adviser **Date:** January 2023

For: Headteachers, Chairs of Governors, Incumbents, Clerks and School Admin Teams **Reference:** GOV 1/22-23

GOVERNOR CHECKS, REFERENCES AND THE SINGLE CENTRAL RECORD ADVICE REGARDING EX-OFFICIO CLERGY AND OTHER GOVERNORS

We have received a number of enquiries recently about requirements for governor DBS checks, references, and SCR information, particularly in relation to the role of an ex-officio clergy foundation governor. The following advice is provided for clarification:

Ex officio clergy governors, DBS checks

All governors without exception must have a DBS check. The Diocesan Safeguarding Team have advised us that existing DBS checks for diocesan clergy are not portable to a school governor role. When a clergy person takes on an ex-officio governor role, a fresh DBS check should therefore be sought in the same way as for any other new governor.

Governor references

Governor references are currently not a statutory requirement. Whether to seek governor references is, at the time of writing, a decision for the local governing board (maintained schools and federations). In a MAT (unless specified otherwise in the MAT's governance framework/scheme of delegation), decisions about taking up director references would normally sit with Members and decisions about references for local governing board members would normally sit with the academy directors. Governor/director references are however strongly recommended by the DfE and by local authorities.

DfE guidance does not currently specify the type and nature of references, but any local decision about taking up governor references should be applied consistently for all governors. If references are given verbally, it would be sensible to make a file note.

Section 128 and Children's Barred List checks for governors

Keeping Children Safe in Education (KCSIE) 2022 sets out the various checks that currently apply to governors. KCSIE states that this should include a section 128 check. With regard to the Barred List, governance is not a regulated activity and therefore governors are not subject

to a Barred List check unless in addition to governance, they also have another role to which this would apply.

Single Central Record (SCR)

Governors will want to ensure appropriate evidence is included in the SCR, with no actual or perceived gaps. KCSIE 2022 states that governors may choose whether or not to add Section 128 check information to the SCR.

Where there has been a local decision to take up governor references, then for ex-officio clergy governor references, we suggest that as a minimum, the SCR should note that clergy references are on file with the Diocese of St Albans. Governing boards may choose to go beyond this and keep actual references on file for their clergy ex-officio governor. Governing boards that wish to do this would need to discuss with clergy the best way to source references. Any potential request for copies of existing diocesan references from the Bishop's office could, of course, only be made with the clergy governor's express permission.

In terms of inspection evidence and the SCR, Ofsted can only ask for anything that is a statutory requirement.

For any queries on the above areas, please contact the diocesan School Governance Adviser on bcopson@stalbans.anglican.org