



## **Mandatory Disclosure and Barring Service Checks (DBS) for Governors** **Updated Guidance Note – April 2016**

Amendments to the School Governance (Constitution) Regulations 2012 are now in force, requiring that:-

- From **1<sup>st</sup> April 2016**, all maintained school governing bodies to apply for an enhanced criminal records certificate for **newly appointed (or elected) governors** within 21 days of their appointment;
- From **1<sup>st</sup> September 2016**, all maintained school governing bodies to apply for an enhanced criminal records certificate for **any serving governor** who does not have one.

The DfE has confirmed that the “keeping children safe in education” statutory guidance will be updated in line with the new requirements, with the Governance Handbook being updated at the earliest opportunity. However, in response to a number of questions raised, the DfE has issued the following responses:-

- Q1 Will governors be required to have a List 99/Barred check in addition to the DBS?  
A1 **The requirement is only for an enhanced DBS check, there is no requirement to check the List 99/Barred List.**
- Q2 If Governors have an existing enhanced DBS check but it has been obtained through a different organisation to the school (eg church group), are they required to have another one?  
A2 **If the governor has already had an enhanced DBS check in some other capacity there will not be a requirement for a further check to be made.**
- Q3 How long is a DBS check valid for? This particularly relates to governors who, when appointed/elected already have an enhanced DBS. Should it correspond with their term of office?  
A3 **There is no specified expiry date for a check, but if the check was carried out some time ago the governing body may want to reassure itself and ask that a further check is carried out.**
- Q4 Where and how are the details recorded - on the single central record?  
A4 **It is recommended that the details should be recorded on the single central record, to ensure compliance with safeguarding requirements.**

**Governor Services**  
**April 2016**