Context:

This guidance should be applied to all situations where students (18 and under) are being accommodated with host families while registered at an educational establishment in Oxfordshire whether the placement is short term or long term.

Children and young people on foreign exchange visits or attending schools or Language Colleges are very vulnerable by the fact they are away from home, have little or no established support network and are placed with families that they do not really know.

There should be an expectation on all establishments, agencies and parents to ensure that the care provided by any host family, whether in Oxfordshire or abroad, is of the highest quality. It should be recognised that where there are lapses in the care provided, children or young people can suffer to such a degree that it could result in significant harm to the child.

Oxfordshire has a large number of Language Schools and Colleges and consequently a large number of students in potentially vulnerable situations.

Schools, Colleges, Parents and Agents arranging host placements should only use placements where appropriate checks have been undertaken. Schools and Colleges should only recommend agents who they know undertake these checks.

Even where parents abroad are arranging Host Families through foreign based agents, Schools and Colleges have a duty to inform parents of what should be expected in relation to agents undertaking basic safeguarding checks.

All educational establishments have a responsibility to Safeguard all students attending there establishment and to ensure students are safe at all times both in and out of school/college.

The following guidance is based on information gleaned from the DFE/DBS and Home Office.

Protection of Freedoms Act (Introduced 10/09/2012).

With effect from 10th September 2012 the protection of Freedoms Act introduced a new definition of regulated activity in relation to children.

Where any individual is engaged in regulated activity they should be subject to an enhanced DBS Check.

The new definition of regulated activity (i.e. work or activity that a barred person must not do) in relation to children compromises in summery:

1. Unsupervised activities; teach, train, instruct, care for or supervise children, provide guidance and/or advise on well-being or driving a vehicle only for children.
2. Work for a limited range of establishments with opportunity for contact e.g. schools, children's home or childcare premises.

Work carried out under 1 or 2 above is regulated activity only if done regularly. Regular means carried out by the same person frequently (once a week or more) or on 4 or more times in a 30 day period (or where it involves overnight activity).

So, do host families accommodating children or young people on exchange visits, irrespective of length, need an enhanced DBS? - **Yes**

As this is a regulated activity we would strongly recommend that an enhanced DBS check is undertaken on all those over the age of 16 living in the household where any exchange or language student is hosted.

Does the length of stay make any difference? - **No.**

An enhanced DBS is required irrespective. The only difference relates to children or young people accommodated for 28 days or more. Where the host family accommodate any child or family for 28 days or more this is classed as a private fostering arrangement and **must** be discussed with the private fostering social worker (who is currently Katie Holmes, Katie.Holmes@oxfordshire.gov.uk or 01865 323126). Please note: Private fostering legislation only applies to children under the age of 16 (18 if the child has special needs).

The requirement for an enhanced DBS should apply to any member of the host family over the age of 16 where they will have regular unsupervised contact with the child or children in the placement.

**Dual Households**

In the case of dual households, for example where a foreign student may spend part of their time in a host mother's house, the guidance above applied to both households.

**Agency Placements**

Many exchange of home stay visits are arranged through agencies.

In these cases, the same expectations should apply.

It is for the School or College and the Agency itself to ensure that the appropriate checks are undertaken.

Where parents arrange placements directly with the Agencies and there is no School or College involvement, the agency **must** still undertake the appropriate checks. In these cases we would expect that Schools or Colleges ensure that these checks have been undertaken making clear to parents that this is an exception.

Ideally Schools/Colleges should hold lists of preferred agencies for which Schools/Colleges know that appropriate checks are always carried out.
The 'Three Month Rule'

Where a DBS certificate has been issued but the applicant does not act as a host within 3 months of the date of issue on the certificate disclosure should no longer be considered valid and a recheck must be done.

A DBS disclosure is only valid as accurate as the information provided at that time of production. It should also be noted that a DBS in itself is no guarantee that an individual is safe.

The DBS should not therefore be considered as the only means of protecting children. It is important that all young people in placements are given access to emergency contacts - not just a guardian; so that they are concerned about anything they have a route to raise a concern.

Checks on Host Families for UK students on Exchange Visits Abroad

A host School (or placing agency) should have appropriate measures in place and carry out appropriate checks to ensure health, safety and welfare of any student involved in an exchange visit.

The trip leader/organiser should seek assurances to confirm that all appropriate measures are in place, if not the trip leader should reconsider whether the visit should take place.

Please note that the DBS certificate applies to UK residents only. Any checks undertaken by the host school for trips out of the UK will be those appropriate to the host country. Not all countries operate a system of criminal records checks, risk assessments and procedures should reflect this where necessary.

All students should be given details of procedures to follow in the event of them being concerned and an emergency contact number issued to all.

The new on-line applications facility for DBS should mean that the whole process from application to receiving completed DBS will normally take no more than 2-3 weeks.

Where any concern or Allegation is made in relation to any host family, these concerns should be reported as soon as possible to one of the agencies below

Thames Valley Police
Police Enquiries Centre - Telephone: 101

Or

The Local Designated Officer
Oxfordshire County Council - Children, Education and Families
Telephone: 01865 815956.
Or

**MASH** - 0845 050 7666
mash-children@oxfordshire.gov.uk
For first point of contact for any new referral

Or

**Local Children and Families Assessment Team**

C&F Assessment Team **North** - 01865 323039
Covers: Banbury, Witney, Kidlington and Surrounding areas.

C&F Assessment Team **City** - 01865 323563
Covers: Cowley, Summertown, Botley and Surrounding areas

C&F Assessment Team **South** - 01865 323041
Covers: Abingdon, Wantage, Thame and Surrounding areas.

EDT – 0800 833 408
Out of hours team

**Please note** that where any host family has been subject to either a section 47 investigation or any other safeguarding investigation until there is a satisfactory outcome of the investigation all educational establishments should consider the host family involved to be unsuitable and they should not be allowed to continue as a host for any child.