

This Free E-Book is brought to you by Natural-Aging.com.

100% Effective Natural Hormone Treatment
Menopause, Andropause And Other Hormone Imbalances
Impair Healthy Healing In People Over The Age Of 30!

School Safety - Protecting Children From Criminals In UK Schools.

By Paddy Swan

It is well known that following the death of two 10 year old girls in 2002 murdered by Ian Huntley, a 31 year old school caretaker, at Soham in Cambridgeshire in England that there were failings in the screening system used to check the murderer's background.

The screening system is referred to as Disclosure and a full system of Disclosure was actually in place at the time of the Soham murders. This system was set up to ensure unsuitable persons did not come into contact with children but reports showed that it failed the two girls murdered by Huntley. It failed because information regarding Huntley's background which included burglary, indecent assault, 4 allegations of underage sex, 3 rape allegations including one rape charge was never passed on to the school which employed him.

The information fell through gaps in police procedures in handling and storing data. This led to the end of the career of the Chief Constable responsible for the force following demands from the Home Secretary.

This was a timely warning that no matter how good a system is in theory that the devil is still in the operational detail.

It is the system of disclosure and its' use in Education and elsewhere which forms the basis of this short article

Legal Base

The enabling act for disclosure is the Police Act of 1997. This is an Act of Parliament of the Westminster Government, that is to say it applies to all parts of the United Kingdom, just like Safety law and Employment Law.

However since both devolution and history speaks on this Scotland with its' own legal system and Northern Ireland as a separate entity currently run by a Westminster appointed Secretary of State can be regarded as separate entities for the purpose of the detailed administration and response to the law.

School Safety – Protecting Children From Criminals In UK Schools.

Thus we have three separate responses to the requirement of Part 5 of the Police Act which requires the Administrative Authorities to set up systems to carry out such checks as may be appropriate for persons involved with or working directly with children.

The information derived from such checks is called Disclosure and is described under the various Sections of the Act:

- Section 113 refers to information contained in Criminal Record Certificates and such a disclosure is referred to as a "Standard Disclosure". These are records considered "unspent" under the Rehabilitation of Offenders Act 1974.

- Section 115 of the Act refers to "Enhanced Disclosures" but a confusion arises here as this

enhancement refers to information from Criminal Record Certificates as to both spent and unspent convictions and this type of disclosure is referred to, in practice, as a "Standard Disclosure".

- Section 115(8) is any information on police file which a Chief Constable considers relevant and also includes reference to information held centrally elsewhere about unsuitable persons to work or have contact with young people. The information under Sections 113, 115 and 115(8) is in practice referred to as an "Enhanced Disclosure".

Disclosure

The additional level of security of an Enhanced Disclosure is applied to staff and others who may have access to pupils through working or helping on a school site.

For staff working with children there is a statutory requirement for background checking to take place before any person takes up any role in a school.

This is meant to protect children and these checks are called Disclosures and are carried out by the Criminal Record Bureau (CRB) for England and Wales which is an executive agency of the Home Office. In Scotland the checking is carried out by Disclosure Scotland which is a service of the Scottish Criminal Record Service. Northern Ireland has a system in place which relies heavily on the Police Service but this is currently under review. CRB

We will focus on the CRB working in England and Wales, the other systems may differ in detail and it is certain that a CRB check in England would need to be repeated in Scotland if someone moved there to teach.

Two differences between the English and Scottish Legal Systems which cause differences refer to the two Scotland specific legal issues of the sentence of "admonishment" following a guilty verdict which would be disclosed and the verdict of "Not Proven" which would not.

The CRB searches the databases of records about people's past records to carry out these checks. The following sources will be checked dependent on the level of disclosure needed.

School Safety – Protecting Children From Criminals In UK Schools.

* Police National Computer (PNC) * Department of Health (DH) * Department for Education and Skills (DfES) * Local police forces

After a Basic, Standard or Enhanced Disclosure is requested by a person taking up a position in a school through a Registered Body usually the prospective Employer e.g a Local Education Authority, and by the individual themselves for Basic Disclosure.

Thus a Basic Disclosure is not really effective for Education.

A Standard Disclosure is used for the following main categories of work:

- those involving regular contact with children and vulnerable adults;
- those checked in the interests of national security;
- those involved in the administration of law;
- those applying for firearms; explosives and gaming licences;
- professional groups in health, pharmacy and law;
- senior managers in banking and financial services.

The Enhanced Disclosure is used for :

- those who apply for work that regularly involves caring for, training, supervising or being in sole charge of children or vulnerable adults;
- applicants for various gaming and lottery licences;
- those seeking judicial appointment;
- applicants for registration for child minding, day care and to act as foster parents or carers

Since the role of a teacher, or indeed a school caretaker involves the unsupervised access to children this is the type of disclosure which is appropriate. . The Ministry of Education, the DES, the DfEE and now the DfES have all in their turn maintained a List of proscribed teachers, in various forms, over the years.

This List, called List 99, lists teachers unsuitable to work with children when banned for misdemeanours including sexual offences. It is the one of the items against which CRB checks for higher level Disclosures.

It is the decision of the Headteacher who should have access to the pupils on the school site and this was highlighted in 2003 when the CRB was set up and was running well behind with checks.

School Safety – Protecting Children From Criminals In UK Schools.

In these circumstances Headteachers and LEAs had to make decisions to grant access as disclosures were not physically available.

However, recently the situation seems much improved and the ability of the CRB to check across the board from a range of sources seems to be a useful tool in enhancing the security of children at school.

Safety and Employment Laws and Disclosure

We now have a problem with Disclosure recently the Health and Safety Executive(HSE) has prosecuted, not only the employer the Local Education Authority(LEA), but also the employee in charge of a school site i.e the head teacher. Prosecutions under Health and Safety Law are made in the UK Criminal Courts.

This suggests that a conviction for a breach of safety law could have a serious impact for a Head teacher since employment offers are made "subject to Disclosure".

The situation could exist where a Head teacher in a UK School is convicted for a breach, resigns their post even though the LEA itself may have been convicted as well for not giving adequate support they enter a limbo.

Because of Disclosure any such Head teacher or other staff member is essentially is relying on a new employer to be understanding.

I wonder if they will be?

The situation at Soham tells us that no system can be perfect but essentially events like SOham was what the system was structured to guard against. It should be noted, for example, that the CRB DOES NOT currently (2004) have access to information from Northern Ireland nor, reliably from many countries outside the UK

We must all maintain vigilance.

Dr Paddy Swan – author of the Headteacher's Safety Management Toolkit with over 100 Safety Systems produced. Swan Education

<http://www.swaneducation.co.uk>

provides safe systems for UK

schools and is an Accredited Centre of the College of Teachers delivering open learning for the College's Certificate of Educational Studies.(COES School Safety I&II)

Public–school Teachers Know Best ---- They Send Their Kids To Private Schools

By Joel Turtel

A study done by the Thomas B. Fordham Institute found that nationwide, public-school teachers are almost twice as likely as other parents to send their children to a private school. The study also found that more than one in five public-school teachers send their kids to private schools.

In the biggest cities across America, the statistics get even more startling. In Washington, D.C., Baltimore, and 16 other big cities, more than 1 out of 4 public-school teacher's kids attend private schools. In some cities, almost half the public-school teachers do this. For example, in Philadelphia, 44 percent, and in Cincinnati, 41 percent of public-school teachers sent their kids to private schools.

Yet, across America, only about 12.2 percent of all parents who are not teachers send their children to private schools.

Now, why is this? Public school authorities keep telling us that they give our kids a good education. Yet they send their kids to private schools?

Well, teachers know best in this case. They actually work in the public schools every day. They see the kind of 3rd-rate, often mind-numbing education children get in these schools. Public-school teachers love their children like all other parents do. They want the best for their kids. So, is it any wonder that so many teachers send their children to private schools?

These statistics should be a warning signal for parents, a red flag waving briskly in the wind. If your children's teachers are sending their children to private schools, should you be keeping your kids in public school? If the soldier-teachers in the public-school trenches tell you that there is something very wrong with these schools, you should, for once, be listening to them.

Actions speak louder than words. The fact that so many public-school teachers send their kids to private schools should be all the proof you need that it might be wise for you to look for education alternatives for your kids elsewhere.

If you think you can't afford an expensive private school, you're happily mistaken. Joel Turtel's book, "Public School's, Public Menace" tells parents all about quality, low-cost Internet private schools. These private schools are a great new resource for giving your children an excellent education at an affordable price.

Article Copyrighted © 2005 by Joel Turtel.

Joel Turtel is the author of "Public Schools, Public Menace: How Public Schools Lie To Parents and Betray Our Children." Website:

<http://www.mykidsdeservebetter.com>

, Email:

lbooksusa@aol.com

Phone: 718-447-7348.



This Free E-Book has been brought to you by Natural-Aging.com.

100% Effective Natural Hormone Treatment
Menopause, Andropause And Other Hormone Imbalances
Impair Healthy Healing In People Over The Age Of 30!