

Advice Note: CRB clearance for Hirers of School Premises

In response to a query regarding Head Teacher and Governors' liability in the event of a Child Protection incident occurring on school premises during a private letting, the following information is relevant:

- The query arose due to concern as to whether the Head Teacher and Governors could be held liable for a Child Protection incident occurring on school premises during a letting involving a private hirer.
- The concerned party suggested that, if the Head Teacher and Governors could be compromised in this way, the Private Hire of Education Premises agreement form should be amended so that the conditions of hire stipulate that hirers must have CRB clearance, in order to fulfil the terms of the contract.
- Finance – Schools Service have consulted on this matter with colleagues in the County Council's Insurance and Legal Services Sections.
- The response from the Insurance Section was to confirm that hirers are covered by the Public Liability Insurance they are required to hold, so that liability cannot pass to the Head Teacher and Governors.
- Legal Services confirmed that: *"...external organisations who simply hire out facilities at schools do not need to undertake an independent CRB check. This would be covered by insurance."*
- Both the Insurance and Legal Services Sections stated that it would be impractical where, for example, a school hall was being hired for a child's birthday party, to insist that all parents attending must have CRB clearance.