

Music for Life Background Checks for Self-Employed, Freelance Tutors

Reviewed October 2024

BACKGROUND

This policy details the background checks to be completed when onboarding a self-employed, freelance music tutor.

Music for Life approves and engages self-employed, freelance music tutors who choose to deliver their services in partnership with Music for Life and whose services it recommends to schools and parents. Freelance tutors must meet certain standards in order to be engaged in the first place and thereafter the quality of their service is monitored and reviewed each year before further work is offered. As all self-employed tutors will have either direct or indirect contact with young people, there is a duty of care by Music for Life to undertake appropriate background checks, even though 'recruitment' is not the end result.

AIMS AND OBJECTIVES

Music for Life is committed to acting ethically and with integrity in all aspects of the services provided. Our self-employed, freelance tutor background checks policy is therefore based on best practices, respecting human rights, embracing fairness and inclusivity, whilst also ensuring the process seeks to deter, reject or identify people unsuitable to work with children and young adults. This policy seeks:

- To ensure that all self-employed freelance tutors who seek recommendation to work in partnership with Music for Life, are fairly and equally treated in accordance with the Protected Characteristics: age, gender, reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race, religion or belief, sex and sexual orientation.
- To ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), and any guidance or code of practice published by the Disclosure and Barring Service (DBS).
- To ensure that all necessary checks are carried out.

SELF-EMPLOYED, FREELANCE TUTOR CHECKS

Before any tutor can be recommended by, and work in partnership with, Music for Life, Music for Life will:

- Interview the tutor face to face, in person or via teams/zoom.
- Require an up to date CV and completed application form which provides the names and addresses of two referees, one of which is qualified to comment in a professional capacity about the tutors ability to fulfil their teaching responsibilities.
- Require sight of original documents in person confirming proof of identity (which should be a valid photo document e.g. passport or driving license), confirmation of address (e.g. utility bill), relevant qualifications (where claimed) and any existing DBS certificates. Copies of documents, if taken as part of the DBS submission, will then be securely shredded/destroyed.
- Require the tutor to undergo a new Enhanced DBS check, and then to submit a new check every five years or break in service of three months or more with Music for Life, for example, maternity leave.
- Explain the terms and conditions that are being agreed to if Music for Life is to recommend a tutor and refer students to them.
- Explain the criteria used to monitor tutor performance and which will determine continued recommendation. These are set out in the tutor's Letter of Engagement that is sent prior to teaching begins each year.

- Require the tutor to undergo safeguarding training before working with us. Many schools offer courses to their own staff and have invited Music for Life tutors to attend, but Music for Life hold safeguarding training for tutors in partnership with reputable, safeguarding training partners. Otherwise, tutors are recommended to do the online safeguarding course run by either NSPCC (Child Protection in Schools online course), EduCare (Child Protection in Education (music) Online Training Course), or Safeguarding Children Basic Awareness via the North Yorkshire council site.
- We ask that when a tutor undertakes any further professional training outside of Music for Life, to provide evidence of this to us, for example, additional safeguarding training from other establishments they may work with alongside Music for Life.

Before teaching work begins there must be:

- A signed copy of the Letter of Engagement by the tutor. This will be returned to MfL digitally and stored accompanying all registers and invoices for that academic year. The Letter of Engagement needs to be signed and returned each year.
- The receipt of two references which Music for Life considers to be satisfactory.
- Evidence that the tutor has his or her own public liability insurance, in addition to that held by Music for Life.
- Evidence that the tutor has the right to work in the UK, is registered as self-employed and has a Unique Tax Reference number.
- The submission of an Enhanced DBS check and its satisfactory return.
- Any further checks which are necessary as a result of the applicant having lived or worked outside of the UK.
- A submitted headshot photo for use on a lanyard. This will be worn at all times in school or undertaking Music for Life activities, as it clearly identifies the person as a Music for Life approved tutor.

In cases where the DBS has been submitted but not fully processed by the time the course is due to start, where the remaining conditions above has been complied with, and where a recent, original DBS certificate from another known organisation has been seen and copied, Music for Life will contact the school to explain the situation and ask the school whether they will allow the tutor in school. Some schools have been happy with this, particularly if the tutor is being supervised or is visible when working.

WORKING IN PARTNERSHIP AGREED

If it is decided to work in partnership with the tutor following the interview, it will be conditional on the following:

- The agreement of a mutually acceptable start date and the signing of the Letter of Engagement.
- Verification of the tutor's identity (where that has not previously been verified).
- The receipt of two references which Music for Life considers to be satisfactory.
- The submission of an Enhanced DBS check and its satisfactory return.
- Verification of the tutor's right to work in the UK.
- Any further checks which are necessary as a result of the tutor having lived or worked outside of the UK.
- Verification of professional qualifications which Music for Life deems a requirement (a minimum of grade 8 standard is asked for tutors) or which the tutor otherwise cites in their application form and/or CV (where they have not been previously verified).

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to children or vulnerable people. Therefore, any convictions and cautions that would normally be considered 'SPENT' **must be** declared with Music for Life, as outlined from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

DBS (Disclosure and Barring Service) Certificate

Music for Life applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether a tutor is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is Music for Life's policy to re-check DBS Certificates every five years and, in addition, any tutor that takes leave for more than three months (e.g.: maternity leave, career break etc) must be re-checked before they return back to work.

Dealing with convictions

If a DBS Certificate is returned with details of convictions, consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- The nature, seriousness and relevance of the offence.
- How long ago the offence occurred.
- One-off or history of offences.
- Changes in circumstances.
- Decriminalisation and remorse.

Music for Life will evaluate all of the risk factors above before tuition is offered or confirmed and will take into consideration whether the relevant information was volunteered during the process, or obtained through a disclosure check.

If a tutor wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS office. In cases where the tutor would otherwise be able to work in partnership with Music for Life were it not for the disputed information, the School(s) may, where practicable and at its discretion, defer a final decision about the appointment until the tutor has had a reasonable opportunity to challenge the disclosure information.

Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status.

All tutors invited to attend an interview will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines.

Where a tutor claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, tutors must be able to demonstrate that they have actually obtained any academic or vocational qualification legally, where claimed in their application form and/or CV.

Music for Life is aware of its duties under the Equality Act 2010.



All new tutors will be given all policies and procedures and Music for Life will make clear the expectations, which will govern how tutors carry out their roles and responsibilities.

Record Retention / Data Protection

If a tutor is successful in working in partnership, Music for Life will retain on their personnel file any relevant information provided as part of the checking process. Any copies of sensitive information such as driving licence, birth certificate etc required to undertake a DBS will be destroyed via shredding following the successful return of the certificate.

A handwritten signature in black ink, appearing to read "Dan Gooch-Peters".

Dan Gooch-Peters
Managing Director - Music for Life