



# ALLEESTREE WOODLANDS SCHOOL

## Staff Recruitment and Selection Policy

Documentation for Regulatory Compliance 18a

DATE OF POLICY ADOPTION BY GOVERNORS:	28 <sup>th</sup> February 2022
AUTHOR/S OF POLICY:	Adey Greaves
DATE OF LAST REVIEW:	8 <sup>th</sup> February 2022
DATE OF NEXT REVIEW:	February 2025

Enabling aspiration and achievement through delivery of a knowledge-rich curriculum underpinned by our CORE values:

COURAGE

OPTIMISM

REGARD

ENDEAVOUR

## 1. Introduction

Allestree Woodlands School is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is also committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of the School's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- 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 (September 2022) (KCSIE), Disqualification Under the Childcare Act (2006) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks and by conducting the recruitment process in a way which prevents as far as possible the recruitment of individuals who are unsuitable to work with children.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

## 2. Recruitment and Selection Procedure

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form.

Applicants will receive a job description and a person specification for the role applied for. Application forms, job descriptions, and the School's Safeguarding and Child Protection Policy and other safer recruitment documentation are available to download from the School's website. Applicants will also be asked to provide information regarding any periods of overseas residence so that a decision can be made as to whether an overseas check or additional references are required.

Shortlisted applicants may also be subject to a social media search in line with the school's privacy notice.

The applicant may then be invited to attend an interview at which his/her relevant skills and experience will be discussed in more detail, this may be conducted remotely dependent on local and national restrictions at the time of interview. Candidates will also be asked questions relating to child protection at interview to ascertain the level of their knowledge and the suitability of their answers. It is recognised that not all candidates will have child protection experience within schools. In such cases, questions will be adapted to test applicants' responses to hypothetical safeguarding scenarios. At least one member of every appointment panel will have received safer recruitment training. In addition, any member of staff responsible for assessing pre-employment checks will have received the relevant training. The panel will be made up of an odd number of 3 members (5 for senior leadership positions).

If it is decided to make an offer of employment following the interview a phone call will be made within 24 hours (normally the evening of the interview) to gain acceptance. This will be followed (within 5 working days) by a letter confirming the offer. Any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating Allestree Woodlands School's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory;
- for teaching positions,
  - information about whether the applicant is, or has ever been, the subject of a sanction, restriction or prohibition by the National College for Teaching and Leadership (NCTL), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents them from working at the School or which, in the School's opinion, renders them unsuitable to work at the School\*\*
  - Information about whether the applicant is, or has ever been, the subject of any proceedings before a professional conduct panel in the UK or an equivalent body in any other country for any reason which prevents them from working at the School or which, in the School's opinion, renders them unsuitable to work at the School;
- Where the position amounts to regulated activity, the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List\*;
- information about whether the applicant is, or has ever been, subject to a direction under section 142 of the Education Act (2002) which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children or which otherwise, in the School's opinion, renders them unsuitable to work at the School;
- For management positions:
  - Information about whether the applicant is, or ever has been, the subject of a

direction under section 128 of the Education and Skills Act (2008) which prohibits, disqualifies or restricts them from being involved in the management of an independent school or which otherwise, in the School's opinion, renders them unsuitable to work at the School\*\*

- Information about whether the applicant is, or ever has been, the subject of a referral to, or proceedings before, the Department for Education or other appropriate authority where consideration was given to imposing a direction under section 128 of the Education and Skills Act (2008) which, in the School's opinion, renders them unsuitable to work at the School;
- confirmation that the applicant is not disqualified from working in connection with early or later years provision;
- verification of the applicant's medical fitness for the role (see section 3 below);
- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

\*A check of the Children's Barred List is not permitted if an individual will not be undertaking "regulated activity". Whether a position amounts to "regulated activity" must therefore be considered by the School in order to decide which DBS checks are appropriate. It is however likely that in nearly all cases a Children's Barred List check will be carried out.

\*\*The School carries these out via the Teacher Services' System (formally known as Employer AccessOnline). This service allows the School to identify existing prohibitions and sanctions made under section of the 2002 Act; teacher prohibitions made under section 141 of the 2002 Act; any direction made under section 128 of the 2008 Act; sanctions or restrictions imposed the General Teaching Council for England before its abolition in March 2012; and teacher sanctions or restrictions imposed by European Economic Area regulating authorities on or after 18<sup>th</sup> January 2016

### 3. Medical Fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed.

It is the School's practice that all applicants to whom an offer of employment is made must complete a medical questionnaire. This information will be reviewed against the job description for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, co-curricular activities, layout of the School etc. If the School has any doubts about an applicant's fitness the School will consider reasonable adjustments in consultation with the applicant. The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without

first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

## 4. Pre-employment Checks

In accordance with the recommendations set out in KCSIE and the requirements of the Education (Independent School Standards) (England) Regulations 2020 the School is required to carry out a number of pre-employment checks in respect of all prospective employees. These include the following:

### 4.1 Verification of Identity and Address

All applicants who are invited to an interview will be required to bring with them the following evidence of identity, right to work in the UK, address and qualifications as set out below and in the list of valid identity documents:

- One document from Group 1; and
- Two further documents from either Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and
- Original documents confirming any educational and professional qualifications referred to in their application form.

Where an applicant 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.

The School asks for the date of birth of all applicants (and proof of this). Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

Should an applicant attend interview without any of the above documentary evidence above, without good cause, the interview may be cancelled and the School may choose not to progress their application further, even upon subsequent submission of the documentation.

### 4.2 References

It is normal practice for the School to take up references of short-listed candidates prior to interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references should be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that, to the best of their knowledge, the

applicant has not been radicalised and that they do not support terrorism or any form of 'extremism' (see definition below). All referees will be sent a copy of the job description and person specification for the role which the applicant has applied for.

According to KCSIE 2021, 'extremism' is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs.' KCSIE 2021 also includes in its definition of extremism 'calls for the death of members of our armed forces, whether in this country or overseas.'

If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, ability to meet the demands of the role being applied and contribute to the wider life of the School, disciplinary record and whether the applicant has demonstrated any extremist views
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious; and
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated, unfounded or malicious.

Upon an offer of employment being, the applicant will be required to complete a detailed medical questionnaire, which will be accessed by Derbyshire County Council Occupational Health.

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

The School will contact the referees to verify the reference. The School will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed. It is a criminal offence to falsify references. Any applicants or referees who are found to have submitted false references to the School will be referred to the Local Area Designated Officer.

### **4.3 Disclosure and Barring Check**

Due to the nature of the work, the School applies for an enhanced disclosure from the DBS in respect of all staff members. An enhanced disclosure may also apply to some governors and volunteers if their attendance at the School is in a "regulated activity".

Prior to 29 May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records which a chief police officer considered relevant to the role applied for at the School.

As of 29 May 2013 the DBS commenced the filtering and removal of certain specified information

relating to old and minor criminal offences from all criminal records disclosures. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions which work as follows:

For those aged 18 or over at the time of an offence

An adult conviction will be removed from a DBS disclosure if:

- eleven years have elapsed since the date of conviction;
- it is the person's only offence; and
- it did not result in a custodial sentence.

It will not be removed under any circumstances if it appears on a list of "specified offences" which must always be disclosed. If a person has more than one offence on their criminal record, then details of all their convictions will always be included.

A caution received when a person was aged 18 or over will not be disclosed if six years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

For those aged under 18 at the time of an offence

A conviction will be removed from a DBS disclosure if:

- five and a half years have elapsed since the date of conviction; and
- it is the person's only offence; and
- it did not result in a custodial sentence

Again, the conviction will not be removed under any circumstances if it appears on the list of "specified offences", or if a person has more than one offence on their criminal record.

A caution received when a person was aged under 18 for an offence committed in the United Kingdom will not be disclosed if two years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

The list of "specified offences" which must always be disclosed

This contains a large number of offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record. The list of "specified offences" can be found at:

[www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check](http://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check)

The School 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 an applicant is barred from working with children by inclusion on the Children's Barred List maintained by the DBS.



Any position undertaken at, or on behalf of, the School (whether paid or unpaid), will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
  - overnight, meaning between 2.00am and 6.00am; or
  - satisfies the "period condition", meaning four times or more in a 30 day period; and
  - provides the opportunity for contact with children.
- Roles which are carried out on an unpaid/voluntary basis will normally be regulated activity unless the volunteer is regularly supervised by someone who is themselves in regulated activity.

It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the School amount to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in the School Office outside of term time or voluntary posts which are supervised.

The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the School. It is a condition of employment with the School that the original disclosure certificate is provided to the School within two weeks of it being received by the applicant. Original certificates should not be sent by post, but should be brought to the School within two weeks of being received by the applicant. If the applicant is unable to bring the certificate in person, certified copies may be sent to the HR Assistant. Where a certified copy is sent, the original certificate must still be provided on the first day of work. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

If there is a delay in receiving a DBS disclosure or overseas police background checks (see below) (or in the case of staff joining from overseas, the DBS application can't be submitted until arrival in the UK and verification of ID and address has taken place) the Headteacher has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including a criminal records check from the relevant jurisdiction(s).

In the event of a DBS check identifying a criminal record, the Headteacher will make a judgement about the candidate's suitability, taking into account only those offences which may be relevant to the particular job or situation in question, the nature of the offence, the nature of the appointment, the age of the candidate when the offence was committed, the frequency of the offence, and subsequent good career and career progress. The Headteacher will confirm in writing whether the person can be employed and, if so, any mitigating factors and controls to be put in place.

#### **4.4** Prohibition from teaching

The School is required to check whether staff who carry out 'teaching work' are prohibited from doing so. The School uses the Teachers' Service System to check whether successful applicants are the subject of a prohibition, or interim prohibition, order issued by a professional conduct panel on behalf of the TRA.



In addition, we ask all applicants for roles which involve 'teaching work' to declare in the application whether they:

- Have ever been the subject of a sanction, restriction or prohibition issued by the TRA, or any predecessor or successor body; and
- Have ever been the subject of any proceedings before a professional conduct panel of the TRA, or equivalent body in the UK

The School recognises that a prohibition from teaching may not last indefinitely. The School also notes the professional conduct panels do not always impose sanctions on the subject of the hearing. However, in order to fully assess the suitability of the applicant, the School considers it important that all such information is made available during the recruitment process. Where an applicant is not currently prohibited from teaching, but has been the subject of a professional conduct hearing where that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

The existence of any relevant information is not a bar to employment at the School.

The School carries out this check, and required associated information, for roles which involve 'teaching work'. In doing so, the School applies the definition of 'teaching work' set out in the Teachers' Disciplinary (England) Regulations (2012), which states that the following activities amount to 'teaching work':

- Planning and preparing lessons and courses for pupils
- Delivering lessons to pupils
- Assessing the development, progress and attainment of pupils; and
- Reporting on the development, progress and attainment of pupils

For all appointments to roles which involve 'teaching work' made on or after 18<sup>th</sup> January 2016, the School checks whether the applicant is subject to a sanction imposed by a regulator of the teaching profession in any European Economic Area. For the same reasons as set out above, the School also asks applicants to declare whether they:

- Have ever been the subject of a sanction imposed by a regulator of the teaching profession in any other country; and
- Have ever been the subject of any proceedings before a professional conduct panel, or equivalent body, in any other country.

#### **4.5 Prohibition from Management of independent schools direction (including academies and free schools) (See 128 direction)**

The School will check whether applicants appointed to management positions after 12<sup>th</sup> August 2015 are subject to a Section 128 Direction. This is a direction made by the Secretary of State under s.128 of the Education and Skills Act (2008) barring individuals from taking part in the management of an independent school.

The scope of the barring directions (as detailed in the DfE's confirmation letter of 11<sup>th</sup> August 2015) covers membership of proprietor bodies (including governors if the governing body is the proprietor body for the school), and all staff positions as follows: Headteacher, any teaching positions on the senior management team, and any teaching positions which carry a department headship. Other teaching posts with additional responsibilities do not count as 'taking part in management'.

The relevant information is contained in the enhanced DBS disclosure certificate (which the School obtains for all posts at the School that amount to regulated activity). It can also be obtained through the Teachers' Services System. The School will use either, or both, methods to obtain this information.

In addition, we ask all applicants for management roles to declare in the application form whether they:

- Have ever been the subject of a Section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school; and
- Have ever been the subject of a referral to, or proceedings before, the Department for Education or other appropriate authority where consideration was given to imposing a Section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

It is the School's position that in order to fully assess the suitability of an applicant for a management role it must be provided with the above information. Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body, or where a Section 128 direction or other sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School

## 4.6 Overseas Checks

In addition to DBS checks, applicants with periods of overseas residence and those with little or no – previous UK residence will also be asked to provide further information, including a criminal record check from the relevant jurisdiction(s). There is no mandatory period spent overseas which requires additional checks to be complete, with guidance stating that 'such further checks are made as the School considers appropriate having regard to any guidance issued by the Secretary of State'.

The School will assess each applicant individually, although the School will usually undertake an overseas criminal record check if a candidate has resided overseas for a period of three months or longer in the ten (used to be five) years prior to applying for a position at the School. In some cases, it may be deemed necessary to request a criminal record check for each country in which an applicant has lived or worked for a minimum of three months since the age of 18. In addition, a criminal record check from the country of nationality will be requested.

From 1<sup>st</sup> January 2021 the TRA Teacher Services system will no longer maintain a list of those teachers who have been sanctioned in EEA member states.

Individuals who have lived or worked outside the UK must undergo the same checks as all other

staff in schools or colleges. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, the School will make any further checks that it thinks is appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- criminal records checks for overseas applicants
- obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available the School will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, Allestree Woodlands School will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

The School refers to Home Office guidance on what checks are available from different countries. Extra references are requested for applicants from countries which do not provide criminal checks.

## 5. Confirming the Appointment

The final offer of employment will be subject to satisfactory outcomes from employment checks outlined in 9 as well as:

- A check that the candidate is not subject to a prohibition order using the Employer Access Online Service (teachers only);
- Receipt of the satisfactory health check;
- Actual certificates of qualifications including relevant professional programmes
- Receipt of satisfactory references from previous employers; or educational institution in the instance of a first employed post;
- A valid work permit for overseas candidates;
- The candidate's details will be added to the school's Single Central Record (SCR), upon acceptance of the offer.

The school reserves the right not to proceed with or to terminate employment with immediate effect if a DBS check reveals convictions which have not been declared on the application form or if any of the documents referred to in section 9 have been falsified in any way or if any of the documents suggest that the person is not suitable for the role.

All staff will be fully employed and paid via our third party payroll provider. No arrangements outside of this will be entered into (i.e. no IR35 arrangements).

## 6. Contractors and Agency Staff

Contractors engaged by the School must complete the same checks for their employees that the School is required to complete for its staff. The School requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. The School requires confirmation that these checks have been completed before an individual can commence work at the School. Where an 'employment business' provides supply staff to the School, the DBS certificate of the relevant member of staff must be seen by the School (whether or not it discloses any information) and the DBS must be less than three months old when the person starts at the School (unless he/she has been working in a school for the last three months).

Upon commencement or prior to commencement, the School will independently verify the identity of staff supplied by contractors or an agency.

## 7. Volunteers

Under no circumstances will a volunteer, in respect of whom no safeguarding checks have been undertaken, be left unsupervised with children or allowed to engage in regulated activity.

Prior to engaging a volunteer to carry out any activities for, or on behalf, of the School, the Head of Department with responsibility for the volunteer appointment must discuss the proposed activities to be undertaken by the volunteer with the HR Assistant so that a decision as to what vetting checks are required, or whether it is appropriate to carry out a risk assessment. If such a risk is identified, then the volunteer's visit will not be permitted.

## 8. Governors

Governors engaging in regulated activity are required to obtain an enhanced DBS check with barred list. Governors not engaging in regulated activity are required to carry out an enhanced DBS check without barred list. The Chair of the Allestree Woodlands School Governing Body is subject to (a) an enhanced DBS check (either including or not including barred list information as appropriate); (b) confirmation of identity; and (c) overseas police background checks as appropriate.

## 9. Policy on Recruitment of Ex-offenders

### 9.1 Background

The School will not unfairly discriminate against any applicant for employment based on conviction or other details revealed. The School makes appointment decisions based on merit and ability. If an applicant has a criminal record this will not automatically bar them from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 8.2 below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including

those which would normally be considered "spent" except for those to which the DBS filtering rules apply (as noted above). A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the School. The School will make a report to the Police and / or the DBS if:

- it receives an application from a barred person.
- it is provided with false information in, or in support of an applicant's application; or
- it has serious concerns about an applicant's suitability to work with children.

## 9.2 Assessment Criteria

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences:

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or
- serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

## 9.3 Assessment Procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check,

the School will carry out a risk assessment by reference to the criteria set out above. The assessment form must be approved the Headteacher before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School will, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

#### 9.4 Retention and Security of Disclosure Information

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information but is under no obligation to do so.

In particular, the School will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's Senior Leadership Team and Human Resources personnel.
- not retain disclosure information or any associated correspondence for longer than is necessary, which is generally for a period of up to six months. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. The School will keep a record of the disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken.
- In order to verify sighting of the DBS document, the School will keep a photocopy/record securely of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS;
- ensure that any disclosure information is destroyed by suitably secure means such as shredding.
- Prohibit the photocopying or scanning of any disclosure information without the express permission on the individuals to whom the disclosure relates.

## 10. Retention of Records

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on his/her personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.

Medical information may be used to help the School to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the School for the duration of the successful applicant's employment with the School and afterwards for as long as it is considered appropriate and necessary and in accordance with HMRC regulations.



If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.

## 11. Referrals to the DBS and Teaching Regulation Agency

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the School has a legal duty to refer to the DBS:

- Any applicant who has applied for a position at the School despite being barred from working with children; or
- Anyone who has harmed, or poses a risk of harm to, a child, and has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left.

Failure to refer in circumstances where the above criteria are met is an offence. Where there are serious concerns about teacher's suitability to work with children, separate consideration will be given to whether a referral to the TRA should be made. This is the case irrespective of whether the DBS criteria have been met.

## 12. Data Protection

The School is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (NCTL). Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations. The School will process personal information in accordance with its Staff Privacy Notice.

## 13. Queries

If an applicant has any queries on how to complete the application form or any other matter they should contact the Head's PA.



## Appendix 1 - List of valid identity documents

## Group 1: primary identity documents

- Current valid passport
- Biometric residence permit (UK)
- Current driving licence (photocard with paper counterpart; full or provisional; UK/Isle of Man/Channel Islands and EU);
- birth certificate (UK & Channel Islands – issued at the time of birth (within 42 days of date of birth); full or short form acceptable including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces)
- Adoption certificate (UK and Channel Islands)

## Group 2a: trusted government/documents

- Current UK driving licence (paper version; UK/Isle of Man/Channel Islands and EU; full or provisional)
- Current driving licences (photocard; all countries; full or provisional)
- Current non-UK driving licence (valid for up to 12 months from the date the applicant entered the UK)
- Birth certificate (UK and Channel Islands; issued at any time after the date of birth by the General Registrar Office/relevant authority ie Registrars)
- Immigration document, visa or work permit
- Marriage/civil partnership certificate (UK and Channel Islands)
- HM Forces ID card (UK)
- Fire arms licence (UK, Channel Islands and Isle of Man)

## Group 2b: Financial and social history documents

- Mortgage statement (UK or EEA) \*\*
- Bank/building society statement (UK and Channel Islands or EEA) \*
- Bank/building society account opening confirmation letter (Countries outside EEA)
- Bank/building society account opening confirmation letter (UK)
- Credit card statement (UK or EEA) \*
- Financial statement eg pension, endowment, ISA (UK) \*\*
- P45/P60 statement \*\* (UK and Channel Islands)
- Council tax statement (UK and Channel Islands) \*\*
- Work permit/visa (UK) (valid up to expiry date) \*\*
- Letter of sponsorship from future employment provider (non UK/non EEA only valid only for applicants residing outside the UK at the time of application; must be valid at time of application)
- Utility bill (UK) – not mobile telephone \*
- Benefit statement eg child benefit, pension (UK) \*
- A document from central or local government/government agency/local authority giving an entitlement eg from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs (HMRC), Job Centre, Job Centre Plus, Social Security (UK and Channel Islands) \*
- EEA national ID card (must be valid at time of application)
- Irish passport card

- Cards carrying the PASS accreditation logo (UK and Channel Islands; must be valid at time of application)
- Letter from Head or College Principal for 16 – 19 year olds in full time education. This is only used in exceptional circumstances if other documents cannot be provided, must be valid at time of application

#### Note

If a document in the list of valid identity documents is:

Denoted with \* - it should be less than three months old

Denoted with \*\* - it should be less than 12 months old

Full details on ID checking guidelines for DBS checks available here:  
[www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018](http://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018)