



Stramongate School

SAFE RECRUITMENT, SELECTION AND PRE-EMPLOYMENT VETTING POLICY AND PROCEDURES

Approved by	
Name:	
Position:	
Signed:	
Date:	
Proposed review date:	

REVIEW SHEET

The information in the table below details earlier versions of this document with a brief description of each review and how to distinguish amendments made since the previous version date (if any).

Version Number	Version Description	Date of Revision
1	Original	February 2016
2	Updated to include changes to mandatory requirement for Governors to have appropriate DBS Disclosures	March 2016
3	Updated to remove reference to attendance records in references requested prior to interview.	June 2016
4	Updated to reflect changes in 'Keeping Children Safe in Education' – September 2016	August 2016
5	Revision to Appendix D to remove reference to contractors and reformatted. Addition of Appendix E – Contractor Risk Assessment	September 2017
6	Revised to take account of Keeping Children Safe in Education 2018 and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendments) Regulations 2018	August 2018
7	Revised to take account of Keeping Children Safe in Education 2019	September 2019
8	Updated to take account of Safer Recruitment Consortium guidance on content of application forms	November 2019
9	Minor revisions to clarify information on the requirement for pre-appointment health checks for all new employees	December 2019
10	Revised to take account of Keeping Children Safe in Education 2020	September 2020
11	Updated to include changes following UK exit from the EU, Ministry of Justice (MoJ) filtering rules which came into effect in November 2020 and schools' access to the Children's Barred list.	April 2021

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POLICY STATEMENT

Stramongate School (hereinafter referred to as the School) has created a culture of safe recruitment and adopted recruitment procedures that help deter, reject or identify people who might pose a risk of harm to children. This Policy is supported by procedures which describe in detail those checks that are, or may be, required for any individual working in any capacity (paid or unpaid), or visiting, this School. The Governing Board will act reasonably in making decisions about the suitability of the prospective employee or other individual based on checks and evidence including: criminal background (via the Disclosure and Barring Service), barred list, prohibition status (in the case of teachers), Disqualification Declaration (where required) and other necessary checks together with references and interview information. Some or all the above checks will apply to those recruited to a volunteer role.

All recruitment will be in line with this Policy and procedures and will, without exception follow the process of safer recruitment. All offers of employment (whether paid or unpaid) will be subject to school staff and Governors being satisfied that the applicant or volunteer is a suitable person to work with children, young people.

DfE statutory guidance '[Working Together to Safeguard Children](#)' states that schools should have in place a number of arrangements as part of their duty to safeguard and promote the welfare of children. In relation to safer recruitment, these arrangements include having safer recruitment practices for individuals whom the organisation will permit to work regularly with children. This Policy and supporting procedures fulfil that statutory requirement.

All those involved with recruiting individuals to the school will be familiar with and fully understand Part three of the DfE statutory guidance '[Keeping Children Safe in Education](#)' and the School Child Protection Policy and procedures.

All recruitment will be planned to ensure that there is adequate time and resources available to ensure that an individual is recruited safely.

Once an individual has been appointed, contracted or accepted as a volunteer, we will ensure that a full Induction takes place which will include our Child Protection Policy and procedures and provision of other related safeguarding documents both statutory and non-statutory (see Induction procedures).

We are committed to ensuring that throughout our recruitment and selection process, no applicant is disadvantaged or discriminated against because of their age, sex, race, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity status.

Any person who becomes or is made aware that the recruitment process set out in this Policy and accompanying procedures are not being followed must inform the Head teacher or Chair of Governors immediately.

The procedures supporting this Policy do not constitute a legal representation of **all** HR issues relating to Recruitment and Selection and as such will be used in conjunction with any other Recruitment and Selection guidance issued by the school's HR provider.

PROCEDURES

1. Planning and advertising

Sufficient time and resources will be allowed to enable appropriate and full planning to take place prior to a post being advertised. This includes ensuring that a job description and person specification is current and in place. Volunteer posts may require a generic job description which would cover several voluntary roles in school.

Those involved in the recruitment process will be identified at this stage including those who will be responsible for shortlisting and those involved in the formal interview process.

To convey that our school views safeguarding children as paramount, the following statement will be included in all advertisements:

“Stramongate School is committed to safeguarding and promoting the welfare and well-being of its pupils, engages with young people and staff in Policy and practice developments, proactively encourages feedback and expects all staff and volunteers to share this commitment”.

The above statement will also be included in:

- Publicity materials
- The school website
- Recruitment partner websites
- Applicant information packs
- Job descriptions
- Person Specifications
- Induction programmes

So that individuals can make an informed decision about whether they wish to apply for a post, the advert and information will refer to the requirement to obtain a suitable Enhanced Disclosure (with relevant barred list check(s) if the post will be in Regulated Activity), an explanation of when in the process any criminal history is to be disclosed and discussed and, where appropriate to the post, a requirement to complete a Childcare Disqualification declaration.

All advertisements will refer to the school’s ethos in relation to equality of opportunity for all.

2. Job description/Person specification

The job description will include and clearly state:

- the main duties and responsibilities of the post;
- the extent of contact/responsibility for pupils;
- the school’s expectations and the post-holder’s individual responsibility for promoting and safeguarding the welfare of the children the individual will be responsible for or come into contact with;
- whether or not the post is in regulated activity with children and/or adults;
- line management accountability for supervision and performance.

The person specification will:

- clearly convey the selection criteria against which the applicant’s ability to do the job will be assessed; and
- contain selection criteria which specifies the experience, skills, qualifications and personal qualities required.
- ~~explain how these requirements will be tested and assessed during the selection process, e.g., by interview, tests, presentations, observation of group exercises etc.~~

It is vital that applicants are aware that, in addition to their ability to perform duties of the post, selection will consider their personal suitability for the role. This includes their:

- motivation and suitability to work with children;
- attitude towards the use of authority and control;
- integrity and ability to form and maintain appropriate professional relationships with children;
- emotional resilience when working with challenging behaviours and situations.

3. Information pack to applicants

All information provided to interested applicants will highlight the importance of the rigorous selection processes and the duty to safeguard and promote the welfare of children and young people. Information in the pack makes clear to applicants that proof of identity will be required as well as a criminal history self-disclosure and, for the successful candidate, a DBS Disclosure of the appropriate level (where applicable).

Our Information Pack also includes a copy of or link to:

- the application form and explanatory notes about completing the form;
- the job description and person specification;
- a link to the School website where relevant information about the organisation can be found;
- a copy of this policy and details of the recruitment process;
- the school's Child Protection Policy Statement;
- the employee privacy notice;
- the school's employment of ex-offenders' Policy and procedures;
- the equality and diversity form.

4. Application form

We do not accept CVs at this school in place of an application form since this will generally contain only the information the applicant wishes to present. The Application form allows for a common set of core data that can then be used as a part of the full vetting and verification of short-listed applicants.

We will refer to changes brought about as a result of legislation which came into force on 28 November 2020. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2020) allows certain old and minor cautions and convictions to no longer be subject to disclosure once they become spent; these are referred to as filtered or protected offences. In addition, employers are no longer able to take an individual's protected cautions or convictions into account when making decisions.

¹In relation to requests for details about previous convictions, our vacancies page on the school website states:

“All posts involving direct contact with children are exempt from the Rehabilitation of Offenders Act 1974. However, amendments to the Exceptions Order 1975 (2013 & 2020) provide that certain spent convictions and cautions are 'protected'. These are not subject to disclosure to employers and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found on the Ministry of Justice website or see [here](#).”

Shortlisted candidates will be asked to complete a self-disclosure form to provide details of all unspent convictions and those that would not be filtered or protected, prior to the date of the interview. You may be asked for further information about your criminal history during the recruitment process. If your application is successful, this self-disclosure information will be checked against information from the Disclosure & Barring Service before your appointment is confirmed.”

NOTE: Confirmation of, or details of criminal history will not be requested in our application form.

We do not ask applicants to return a criminal self-disclosure form with the application pack nor does the application form ask questions about whether the applicant has a criminal history. The criteria for short-listing will be the same for all candidates and is related to the job description and person specification. It would be unfair to discriminate against a candidate at this stage solely based on the grounds that they have

¹ Where the application form contains the highlighted information, the statements (bold) may be removed from the Policy document. Once application forms have been appropriately updated, the statements (bold) may be removed.

a criminal record.

Our Application form also includes requests for the following essential information:

- Full identifying details including current and former names, date of birth, current address and National Insurance Number.
- Academic and vocational qualifications, including awarding body, name of institution and date achieved.
- Full employment chronology including any voluntary or part-time work with start dates, explanations for periods not in employment or education/training and reasons for leaving employment.
- Details of all relevant post education training including dates and awarding bodies.
- A statement of the skills and abilities, and the competencies/experience that the applicant believes are relevant to their suitability for the post and how they meet the person specification.
- Declaration of any family or close relationships to existing employees or employers including governors, trustees etc.
- Details of at least two referees. One from current or from most recent employer. In addition, where an applicant is not currently working with children, but has done so in the past, a reference will be requested from the employer by whom the person was most recently employed in work with children. References will not be accepted from relatives or friends.
- Signed statement indicating that the person is not on the DBS Barred List² or is not disqualified from work with children or subject to any sanctions imposed by a regulatory body or professional association.

5. Scrutinising and short listing

Individuals will be shortlisted equally against the requirements of the person specification. In all cases of those who are applying for paid employment, the same selection panel will both short-list and interview the applicant. In the case of volunteers applying to work in the school, a more informal approach will be taken which will generally involve only a Senior Member of staff.

At least one member of the 'panel' will have undertaken accredited safe recruitment and selection training.

The outcome of the short-listing process will be recorded, and information retained for a period not exceeding 6 months from the date of appointment of the successful candidate.

The equal opportunities/diversity monitoring form will be removed from the application pack prior to the short-listing process beginning.

The shortlisting panel is responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. All application forms will be scrutinised to ensure:

- they are fully and properly completed - incomplete application forms will not be accepted;
- the information is consistent and does not contain any discrepancies;
- any anomalies, discrepancies or gaps in employment/training and the reasons for this, or a history of repeated changes of employment are identified;
- the form is appropriately signed. Electronic copies should be signed at the interview stage.

A satisfactory explanation for any concerns will be obtained from the applicant during the interview process.

6. Criminal self-disclosure

Foreseeability and certainty are in the best interests of applicants with a criminal history. All shortlisted candidates will be provided with a criminal history/suitability self-disclosure form to complete and return no later than one day prior to interview. Failure to return the self-disclosure will result in the interview being withdrawn. Applicants will be provided with clear information about who in the organisation they

² Special Schools/Units with pupils up to and including the age of 19 should ensure that application forms make reference to both the Children's and Adult's Barred Lists.

should return the self-disclosure to.

The self-disclosure form will include an explanation of the Rehabilitation of Offenders Act 1974, Exceptions Order 1975 and the 2020 filtering rules. The form includes a link to the Ministry of Justice (MoJ) guidance on protected offences, a reminder that the applicant should take legal advice before completing the self-disclosure if they are unsure, and the contact details of organisations that can provide impartial advice.

Once the self-disclosure form is received in school, any disclosed information will be checked to ensure it is relevant. Relevant criminal history will be shared with the chair of the recruitment panel prior to interview to allow time to assess relevance and agree what questions should be asked during the interview process.

Any shortlisted candidate who discloses criminal or other suitability information will be given an opportunity to discuss the context and relevance with the recruiting panel.

For the successful candidate, the self-disclosure will be compared with the enhanced DBS certificate on receipt to ensure consistency.

7. References

The School will always ask for written references. Each request will be accompanied by the job description and person specification. One of the references will be requested from the most recent employer. If an applicant for a teaching post is not currently employed as a teacher, we will check with the school, college or local authority at which they were most recently employed to confirm details of their employment and their reasons for leaving. The purpose of seeking references is to obtain subjective and factual information to support appointment decisions.

As a result of the Equality Act 2010, it is no longer appropriate to ask referees for information relating to absence of sickness record until after the preferred candidate has been selected unless the post has an exception. (See also section 8. below).

All offers of employment will be conditional upon receipt of at least two satisfactory written references. References received will be scrutinised and any concerns resolved satisfactorily before the appointment is confirmed. References will always be requested directly from the referee. Any provided by the applicant or open references i.e., those prefixed by 'To whom it may concern' will not be accepted under any circumstances.

References will be sought on all shortlisted applicants including internal ones. Wherever possible, these will be obtained prior to the interview so that any issues of concern they raise can be explored further with the referee and taken up with the individual at interview.

Reference requests will specifically ask:

- about the referee's relationship with the applicant;
- whether the referee is completely satisfied that the individual is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked, where relevant, to confirm details of:

- how the person meets the requirements of the specification and his or her capacity to carry out the duties set out in the job description;
- the applicant's current post and salary;
- effectiveness of the applicant's interactions with children and other adults;
- performance history and conduct;
- any disciplinary procedures in which the sanction is current;
- any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those;
- whether, in the case of an applicant for a teaching post, that teacher has been in capability procedures during the previous two years;
- any outstanding complaints or investigations against the applicant that could bring the school into disrepute at a later stage;

- details of any founded allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns whether founded or unfounded;
- whether they would re-employ the applicant and if not, why not.

Where a reference has not been received on the preferred applicant before the interview, once received it will be scrutinised and any concerns resolved satisfactorily before the individual's appointment is confirmed.

Where electronic references are received, these will be checked to ensure they originate from a legitimate source.

On receipt of references, they will be checked to ensure all questions have been answered satisfactorily ~~and prior to confirmation of an appointment, referees will be telephoned to confirm their views on the applicant and to ensure any information provided by the applicant is accurate.~~

A character reference will be sought for volunteers as if they were to be employed.

8. Qualifications and employment history

Qualifications will be validated only on receipt and sight of original certificates. Qualifications required will be those which are listed as being a pre-requisite of the post advertised.

The School will always ask for written information about previous employment history and check that information is not contradictory or incomplete. Full employment history is required. Where there are gaps of unemployment, this must be explained on the application form.

9. Health

DfE statutory guidance '[Keeping Children Safe in Education](#)' emphasises the importance of anyone appointed to a post involving regular contact with children or young people must be medically fit. There is a statutory duty on employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness before the appointment is confirmed. Any offer of employment will, therefore, be subject to satisfactory health checks. A Pre-employment medical screening form will be provided to the successful candidate following a verbal offer of employment with responses reviewed by the School's Occupational Health provider, where necessary. Dependant on the response, a face-to-face appointment with the Occupational Health provider or further details from the candidates GP may be required.

Assessment of physical fitness will be considered within the context of the Equality Act 2010 which allows for reasonable adjustments to be made.

10. Interviews

A face-to-face interview will take place for all applicants to all posts including volunteering roles. Wherever possible, the interviewing panel will consist of at least 2 people. At least one member of the panel will have successfully completed an accredited safer recruitment training course. Volunteers will be interviewed by either the Head teacher or a member of the School Leadership Team.

Members of the panel will:

- have the necessary authority to make decisions about the appointment;
- meet before the interview to agree their assessment criteria in accordance with the person specification and to prepare a list of questions they will ask all interviewees relating to the requirements of the post;
- identify any issues they wish to explore with each applicant based on the information provided in their application form and in the references;
- have clarified whether any criminal information disclosed in the self-disclosure is relevant and, if so, agreed what questions will be asked to understand the context of the offending and whether it affects the suitability of the candidate to take up the post. A record of the questions asked, and responses provided, will be retained with the other interview notes;
- allocate specific question sets to each member of the panel which will ensure that someone asks the questions and another member of the panel can at the same time record the applicant's answers. A

copy of the notes and any scoring sheets will be collated by the Chair of the Panel and retained for a period outlined in the school's data retention procedures.

Those whose application forms provide information that best meets the criteria of the job description, person specification, experience and qualifications are invited for interview.

All applicants will be asked to bring with them documentary evidence of their identity and their 'right to work in the UK'.

Evidence of identity can include a current driving licence or passport including a photograph, or a full birth certificate and a document such as a utility bill or financial statement that shows the applicant's current name and address (no more than 3 months old) and, where appropriate change of name documentation.

Accepted evidence for their 'right to work in the UK' will be a current British passport. Where no British Passport is available, proof of a National Insurance number, e.g., NI card/letter or P60 and a copy of their Birth Certificate are required. Until 30 June 2021, for foreign nationals it could be a Permit, Visa, EEA ID card, Worker Registration Scheme Certificate or a current Passport. From 30 June 2021, for further information on what is required for foreign nationals, reference should be made to the Government document '[Checking a job applicant's right to work](#)'.

Applicants must also bring:

- documents confirming any educational and professional qualification(s). If this is not possible, written confirmation must be obtained from the awarding body; and,
- documentation of registration with any appropriate professional body.

A copy of the documents used to verify the successful applicant's identity and qualifications will be retained on their personnel file.

Where an individual has submitted an electronic application form, they will be asked to sign the form prior to the interview.

11. Other selection methods

In addition to a face-to-face interview with an Interview Panel, a variety of other selection methods may be used, such as:

- observation of teaching practice either in the proposed school or in the applicant's current setting;
- one or more additional panel interviews e.g., a panel made up of pupils from the school;
- a presentation;
- in-tray exercises;
- psychometric testing.

Those involved in the recruitment process for a specific post will determine the selection method(s) to be used. The methods will be relevant and appropriate to the role and will be based on the requirements for the post as set out in the job description and person specification.

Applicants will be informed in advance if any selection methods are to be used in addition to a face-to-face interview and the format these will take.

12. Involving children and young people

We have developed a culture of listening to children. Children and young people can make a valuable contribution to the recruitment process and their participation may be considered for key strategic and managerial posts as well as posts where staff will have a high level of responsibility for children's day to day care.

13. Conditional offer of employment – pre-employment checks

An offer of appointment to the successful applicant will be conditional upon any or all of the following:

- the receipt of at least two satisfactory references (where not received before interview). Where possible, these will also be confirmed by telephone. See Section 6 for further details;
- verification of the individual's identity (if that could not be verified at interview) preferably from

- current photographic ID and proof of address except where, for exceptional reasons, none is available;
- verification and/or evidence of the individual's right to work in the UK (if that could not be verified at interview);
- receipt of a satisfactory enhanced DBS Disclosure Certificate (with relevant barred list check(s) if the post will be in Regulated Activity). Where the individual is registered, this may be via a check with the DBS Update Service;
- a separate children's Barred List check³ for those with a 'portable' DBS Enhanced Certificate for Regulated Activity or who start work in regulated activity before the DBS Certificate is available. Such individuals will be subject to reasonable supervision until a new Enhanced Disclosure for Regulated Activity is received;
- further checks on the individual if they have lived or worked outside of the UK for a block period of 3 months or more in the last 5 years. These further checks might include a check for information about any teacher sanction or restriction that an overseas professional regulating authority has imposed. (See Section 13.6 below for further information);
- verification of the individual's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role (S60 Equality Act 2010 refers). See Section 8 for further details;
- verification of qualifications (if not verified at interview). For teachers, this will include checking that the individual has the required teaching qualification;
- verification of professional status where required e.g., QTS (unless properly exempted);
- verification of previous employment history and experience, including exploration of any gaps and anomalies;
- (for teaching posts) verification of successful completion of statutory induction/probationary period;
- (for teaching posts) verification that the individual is not subject to either a Prohibition Order or an Interim Prohibition Order (using the TRA system accessed via DfE Sign-in website);
- (for teaching posts) verification that the individual is not included in the list of people sanctioned by the GTCE (using the TRA system as above);
- verification that a person taking up a management position as described at paragraphs 14.4 and 21 below is not subject to a section 128 direction made by the Secretary of State;
- where required, verification that the individual is not disqualified from caring for children under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendments) Regulations 2018 – Childcare Disqualification declaration.

All checks will be:

- confirmed in writing;
- documented and retained on the personnel file (subject to data protection and DBS requirements);
- for teachers only, the TRA record will be printed or saved digitally and retained on the personnel file;
- followed up where they are unsatisfactory or there are discrepancies.

14. Recruitment checks

14.1 Disclosure and Barring Service (DBS) checks

The DBS is responsible for administering three types of check insofar as they relate to the education sector:

- **Standard Disclosure:** a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings. This type of check is not normally requested in educational settings;
- **Enhanced Disclosure:** a check of the PNC records as above, plus other information held by the Police that is considered relevant by the Police; and

³ Special Schools/Units with pupils up to and including the age of 19 should ensure that application forms make reference to both the Children's and Adults Barred Lists for those staff likely to be working with over 18's

- **Enhanced Disclosure with barred list information (aka Enhanced Disclosure for Regulated Activity):** for people working in 'regulated activity' with children. This adds a check of the DBS Children's Barred List³ to the enhanced disclosure.

More information is available on the [DBS website](#), and in Annexe G of DfE statutory guidance '[Keeping Children Safe in Education](#)'.

A DBS Disclosure Certificate for Regulated Activity will be obtained from the successful applicant before or as soon as practicable after appointment. There is **no requirement** to obtain an enhanced DBS Disclosure for Regulated Activity if, in the three months prior to beginning work in their new appointment, the applicant has worked:

- in a school in England in a post which brought them into regular contact with children or in any post in a school since 12 May 2006; or
- in an institution within the FE sector in England or in a 16-19 Academy in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

All other pre-appointment checks must still be completed including, where the individual is engaging in regulated activity, a barred list check⁴. A check on the barred list status of an individual **must** always be undertaken prior to the individual commencing work at the school. This will be either through sight and verification of the original new Disclosure Certificate for Regulated Activity with children initiated by the school or by checking the children's barred list independently where we have had sight of and verified the original current DBS Certificate under the '3-month rule' above. The date of the barred list check **must precede** the date the individual commences work.

Where there is a pressing need to start someone in employment before the new DBS certificate is received, the school will request a stand-alone Children's Barred list check via the Teaching Regulation Agency (TRA). If, as a result of the check, there is a 'name match', the school **will not** allow the individual to start work until the situation has been clarified and the new paper DBS certificate has been received by the individual and seen and verified by the school.

The School **may** request an enhanced DBS Disclosure for Regulated Activity with children should there be concerns and bearing in mind the duty the School is under not to allow a barred person to work in regulated activity.

The School **may not** request an enhanced Disclosure with barred list check for anyone working in the school who is not in regulated activity but may request an enhanced DBS check **without** a barred list check where the individual is working (paid or unpaid) on a regular or frequent basis in school.

A flow chart of Disclosure and Barring Service Checks and Barred List Checks can be found at Appendix B.

The level of DBS check required will depend on the role and duties of an applicant to work in a school as outlined in this Policy.

A person will be in 'regulated activity' with children if because of their work they:

- will be responsible, on a regular basis, in any setting for the care or supervision of children; or
- will regularly work in a school at times when children are on school premises (where the person's work requires interaction with children, whether or not the work is paid (unless they are a supervised volunteer), or whether the person is directly employed or employed by a contractor).

A supervised volunteer who regularly teaches or looks after children is not in regulated activity. The Department for Education (DfE) has published separate statutory guidance on supervision and regulated activity to which we have regard to when considering which checks should be undertaken on volunteers. This is replicated at Appendix C.

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government have produced a [factual](#)

⁴ From the end of March 2021, access to the Children's Barred List as a stand-alone check will no longer be available via TP Online. From 1 April 2021 schools can access the Children's Barred List via the Teaching Regulation Agency (TRA) and DfE sign-in.

[note on Regulated Activity in relation to Children: scope.](#)

Regulated activity with children includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children;
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly⁵. Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

When the DBS has completed its check(s) of an applicant, the relevant information is recorded on a certificate (the DBS Disclosure Certificate) that is sent to the applicant. The applicant must show the original DBS Certificate to the School (their potential employer) before they take up post or as soon as practicable afterwards. Where we allow an individual to start work in regulated activity with children before the DBS Certificate is available, we will ensure that the individual is appropriately supervised and that all other checks, including a separate barred list check, have been completed.

If we know or have reason to believe that an individual is barred, we commit an offence if we allow the individual to carry out any form of regulated activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work.

14.2 Prohibition Orders/Interim Prohibition Orders

Prohibition Orders prevent a person from carrying out teaching work in schools, sixth form colleges or 16 to 19 academies. A person who is prohibited from teaching will not be appointed to a role that involves teaching work in our setting. The Teachers' Disciplinary (England) Regulations 2012 define each of the following activities as 'teaching work': planning and preparing lessons and courses for pupils; delivering lessons to pupils; and assessing the development, progress and attainment of pupils; reporting on the development, progress and attainment of pupils. The regulations provide that these activities do not constitute 'teaching work' if they are carried out under the direction or supervision of a qualified teacher or other person nominated by the Head teacher. A check of any prohibition can be carried out using the [DfE sign-in page](#) (formerly Secure Access). Prohibition orders are described in the Teaching Regulation Agency (TRA) publication [Teacher misconduct: the prohibition of teachers](#).

Prohibition Orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA. Pending such consideration, the Secretary of State may issue an Interim Prohibition Order if he considers that it is in the public interest to do so. There remain a number of individuals who are still subject to disciplinary sanctions which were imposed by the GTCE therefore both prohibition lists available through the TRA will be checked ('GTCE sanctions' and 'Teachers and others prohibited from the profession'). Further information is available from the DfE guidance [Teacher status checks: information for employers](#)

We will check the prohibition status of any teacher (or in the case of Academies, free and independent schools, individuals who are unqualified but being employed in a teaching position) prior to appointment either permanently or on a temporary supply basis (where the supply teacher is not appointed via a Supply Agency). No individual who is prohibited or has an interim prohibition order made against them will be

⁵ Regular is generally defined as working (paid or unpaid) once per week but every week for a period of time; 4 times or more in any 30 day period or overnight between the hours of 2.00 a.m. and 6.00 a.m.

employed to teach in this school. It is the responsibility of Supply Agencies to ensure that supply teachers used in this school are similarly checked to ensure that they are not prohibited from teaching.

The purpose of the regulatory requirement to check prohibition is to prevent a person from working in a role that would contravene any prohibition order in place i.e., a role that would require them to carry out unsupervised/directed teaching work. That is why there is no statutory requirement for a prohibition check to be made on applications for any school staff position, unless they will carry out unsupervised/undirected teaching work. This means that, generally, when appointing into teaching assistant (TA) positions, prohibition checks will not be required.

We may, however, choose to undertake additional checks to those required by legislation to ensure an individual's suitability and may want to do this, for example, where someone applying for a TA role indicates that they have qualified teacher status or have previously worked as a teacher. Where we intend to do this, we will be open about this in the application process so that it is seen as fair and transparent.

Prohibition from teaching would not preclude someone from being considered for a TA role. The reasons for prohibiting someone from teaching will not necessarily relate to safeguarding matters. [Guidance](#) is available that indicates the range of misconduct types that may be sufficiently serious to lead to prohibition. In addition, when determining the suitability of a prohibited teacher to be appointed to a non-teaching position, we will consider the circumstances surrounding the misconduct as set out in the relevant published decision document [Teacher misconduct](#). This detail may help inform any subsequent risk assessment that we choose to carry out. Appendix B provides a model 'Cause for Concern' Risk Assessment which may be used.

14.3 EEA Teacher sanctions

EEA regulators of the teaching profession share details of any sanction or restriction that they impose on a teacher with all other EEA teacher regulators.

From 18 January 2016 to 31 December 2020, schools in England were required to use the [DfE sign-in page](#) (formerly Secure Access) to identify any restrictions imposed by all authorities in the European Economic Area (EEA) for those applying for teaching posts and who were new to or returning to the UK. There is a statutory requirement to record the date of this check on the school's single central record.

This service is no longer available to schools in the UK; however, we will retain evidence of the checks for relevant staff appointed in 2016-2020.

No similar scheme is or has been available for non-teaching staff.

See section 13.6 below for details of how we process applications from those living or who have lived abroad.

14.4 Section 128 direction

Academies, Independent and Free Schools

A Section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academies and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:

- a management position in an independent school, academy or free school as an employee;
- a trustee or senior leadership role of an academy or free school trust;
- a governor or member of a proprietor body for an independent school;
- a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

A check for a section 128 direction can be carried out using the TRA system. It is also possible to check the status of individuals who are not or have never been teachers via this system. Paragraph 20 also refers.

The date the section 128 check was carried out will be recorded on the Single Central Record.

14.5 DBS Update Service

If the applicant has subscribed to it and gives permission, the School will undertake an online status check

through the DBS Update Service. Individuals can join the DBS Update Service when applying for a new DBS check or within 30 calendar days of the Disclosure Certificate being issued; this will allow portability of a Certificate across employers when applying for similar jobs or where it is anticipated that they will have a break from working in regulated activity for 3 months or more. With the individual's consent, the School can go online and carry out a free, instant check to see if there has been any change to the information recorded since the initial Certificate was issued and advise whether the individual should apply for a new Certificate. [DBS Update Service](#).

Before using the Update Service, schools must:

- (a) obtain consent from the applicant to do so;
- (b) confirm the Certificate matches the individual's identity; and
- (c) examine the original Certificate to ensure that it is for the appropriate workforce and level of check e.g., Enhanced Certificate/Enhanced Certificate for Regulated Activity with children.

14.6 DBS and other checks for those living or who have lived abroad

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in school. 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 we think appropriate so that any relevant events that occurred outside the UK can be considered.

Overseas checks will generally be sought in the following circumstances:

- The applicant has been resident in the UK for most of his or her adult life and has spent a period of three months or longer in an overseas country within the last 5 years. This only applies where the applicant has lived continuously in at least one country for three months or longer.
- The applicant has moved to the UK within the last 10 years having previously lived abroad for most of his or her adult life.

It is usually the responsibility of the applicant to ensure that the appropriate checks in the Country where they lived are sought. Advice on the criminal record information which may be obtained from overseas police forces, published by the Home Office, is on [GOV.UK](#).

In addition to the above, for teaching positions, we may request from the applicant, a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the [United Kingdom National Information Centre](#) (UK ENIC). 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, we will seek alternative methods of checking suitability and/or undertake a risk assessment (see Appendix B) 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, we will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. Further information can be found in DfE Guidance: [Recruit teachers from overseas](#).

The Department for Education has also issued guidance on [Qualified teacher status \(QTS\): qualify to teach in England](#). This provides information on how to obtain qualified teacher status (QTS) to teach in a maintained school or non-maintained special school in England where previously the applicant has been an overseas-trained teacher from a European Union country, Iceland, Liechtenstein, Norway, Switzerland, Australia, New Zealand, Canada or USA. Teachers who trained in a country outside of the UK, EU, Iceland, Liechtenstein, Norway, Switzerland, Australia, Canada, New Zealand or the USA, will normally need to complete an [accredited training programme](#) in England. After completing the training, they will get QTS and be able to apply for a permanent teaching post in a maintained school or non-maintained special school.

Where overseas checks are relevant, we will endeavour to seek at least one overseas reference, even if no

police certificate or certificate of good conduct is available from that country.

14.7 Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendments) Regulations 2018

The above legislation places separate and additional requirements on schools. At the point that an individual is convicted of, or cautioned for, a criminal offence of a specified type or category, or where they meet other disqualification criteria set out in the Regulations, the Act and Regulations disqualify staff from:

- providing early years childcare or later years childcare to children who have not attained the age of eight; or
- being directly concerned in the management of that childcare.

To ensure that those working in our School are not disqualified from working with the relevant pupils, the Governing Body require that, prior to appointment, an individual completes a self-declaration form.

NOTE: Schools **must not** ask their staff or others questions about cautions or convictions of someone living or working in their household. Any disqualification declarations must limit questions to the individual only.

15. Single Central Record

The School will keep and maintain a Single Central Record (SCR). The SCR is a record of the vetting checks specified in statutory legislation which have been carried out to verify, as far as is reasonably practicable, that the individual is an appropriate person to work within the setting. The SCR will include details of pre-employment checks carried out for the following people:

- all staff (including supply staff, apprentices and teacher trainees on salaried routes) who work at the school;
- all others who work (paid or unpaid) in regular contact with children in the school; and,
- for independent schools, including academies and free schools, all members and trustees of the academy trust and/or Local Advisory Board/Governing Body.

We may also choose to record the vetting checks completed for volunteers and regular contractors on the SCR.

For students, written confirmation will be sought confirming that the host School, College or University of the individual has carried out the relevant checks and obtained the appropriate certificates, whether any enhanced DBS check certificate has been provided in respect of the individual, whether the relevant barred list check has been completed (if the student will be in regulated activity with children) and the date that confirmation was received.

The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained **prior to appointment**, and the date on which each check was completed/certificate obtained:

- an identity check;
- a barred list check;
- an enhanced DBS check/certificate;
- a prohibition from teaching check and GTCE check (where applicable);
- a section 128 check (for Governors and, in the case of Academies, management positions);
- further checks on people living or working outside the UK. This would include recording checks for those EEA teacher sanctions and restrictions described in paragraph 13.3 above undertaken between 18/01/16 and 31/12/20 and any additional checks undertaken for those applying for teaching posts;
- a check of professional qualifications; and
- a check to establish the person's right to work in the United Kingdom.

For supply staff, we will also include whether written confirmation that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, whether any enhanced DBS check certificate has been provided in respect of the member of supply staff, and the date that confirmation was received. See also paragraph 15 below.

The School does not keep copies of DBS certificates to fulfil the duty of maintaining the SCR. To comply

with the requirements of the Data Protection Act, where the School chooses to retain a copy of the DBS Certificate, they will be retained in line with the DBS guidance on retention. A copy of the other documents used to verify the successful applicant's identity, right to work in the UK and required qualifications will be held on the personnel file along with the criminal self-disclosure, notes of any discussions with the employee about that self-disclosure and the risk assessment of suitability, where relevant criminal history was disclosed (see Appendix B – Model Cause for Concern Risk Assessment).

16. Agency and third-party staff

The School will obtain written notification from any agency, or third-party organisation, we use that the organisation has carried out the necessary checks on an individual who will be working at the School that the school would otherwise perform. This will include, as necessary, confirmation that the following checks have been carried out prior to appointment:

- DBS Enhanced Disclosure for Regulated Activity;
- Prohibition check(s) (teachers only);
- Disqualification under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendments) Regulations 2018 declaration. This should include confirmation that the agency or organisation providing the staff has informed them that they will be committing an offence if they are deployed to work in relevant childcare settings if they are disqualified under legislation.

The School will ensure that the person presenting themselves for work is the same person on whom the checks have been made and will record the date this ID check was carried out (usually the first day the individual presents in school).

Regulations 18 and 30 of the School Staffing (England) Regulations 2009 requires that where the employment business has obtained an enhanced DBS certificate before the person is due to begin work at the school which disclosed any matter or information or any information was provided to the employment business from the Police, a copy of the certificate is provided to the governing body (Head teacher) of the school so that we may decide whether or not the person is suitable to work with children. This applies to all supply staff including support staff who are appointed via a Supply Agency.

Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014 requires that Education Businesses who supply staff to Academies, Independent and Free Schools supply those settings with a copy of an individual's DBS certificate prior to placing the supply staff member. A person offered for supply by an employment business should only begin work at the school if the proprietor considers that the person is suitable for the work for which the person is supplied. The date this Certificate was received must be recorded on the Single Central Record.

17. Trainee/Student teachers

Where applicants for initial teacher training are salaried by the school, the School will ensure that all necessary checks are carried out as if the trainee were an employee including, where necessary, a Childcare Disqualification Declaration. As trainee teachers can undertake regulated activity, sometimes unsupervised, an enhanced DBS Disclosure for Regulated Activity check will be obtained. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks, with written confirmation that the appropriate checks have been carried out, being given to the school in advance of the placement. We will not request copies of the Certificates but will ensure that the person presenting themselves for work is the same person on whom the checks have been made.

18. Volunteers

Under no circumstances will a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity. Such volunteers will be subject to reasonable supervision by a person who themselves are in regulated activity.

For new volunteers in regulated activity who will regularly teach or look after children on an unsupervised basis or provide personal care on a one-off basis the School will obtain an enhanced DBS Disclosure with a Children's Barred list check. In addition, the Head teacher will determine whether a Childcare

Disqualification declaration is required to be completed.

For new volunteers not in regulated activity we will undertake a risk assessment and use our professional judgement and experience when deciding whether to seek an enhanced DBS check.

In undertaking the risk assessment, we will take the following into consideration:

- the nature of the work with children;
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability; and
- whether the role is eligible for an enhanced DBS check.

Details of the risk assessment will be recorded.

The Protection of Freedoms Act 2012 amended the Safeguarding Vulnerable Groups Act 2006, removing supervised volunteers from regulated activity and applying a duty on the Secretary of State to issue guidance to assist regulated activity providers such as schools and colleges, to decide what level of supervision is required so that this exclusion would apply. If the volunteer is to be supervised while undertaking an activity which would be regulated activity if it was unsupervised, the statutory DfE guidance will be followed. This is replicated at Appendix C. The guidance issued following this change requires that:

- there must be supervision by a person who themselves are in regulated activity;
- the supervision must be regular and day to day; and
- the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

There are certain circumstances where schools may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity. This is set out in DBS workforce guides, which can be found on GOV.UK

Employers are not legally permitted to request a barred list check on a supervised volunteer as they are not considered to be engaged in regulated activity.

19. School and VI Form College Governors (maintained schools)

Not applicable.

20. Proprietors of Independent Schools including Academies ~~and Free Schools or Alternative Provision Academies and Free Schools~~

Before an individual becomes ~~either the proprietor of an independent school or the chair of a body of people which is the proprietor of an independent academy school~~, the Secretary of State will:

- carry out an enhanced DBS check;
- confirm the individual’s identity; and
- if the individual lives or has lived outside of the UK, making an enhanced check insufficient, such other checks as the Secretary of State considers appropriate.

~~The Secretary of State also undertakes these checks in respect of the Chair of governing bodies of a non-maintained special school.~~

~~The requirement for an enhanced DBS check is disapplied for the Chair of an Academy Trust if the academy is converting from a maintained school and the person has already been subject to a check carried out by the Local Authority.~~

Where the proprietor is a body of people, the Chair must ensure that enhanced DBS certificates are obtained for the other members of the body and that identity checks are completed before, or as soon as practicable after, any individual takes up their position. Further checks as the Chair considers appropriate should be undertaken where, because of the individual’s living or having lived overseas, obtaining an enhanced DBS check is not sufficient to establish his or her suitability to work in a school.

~~In the case of an Academy Trust newly established to operate a free school, the DfE will ask the DBS to~~

~~conduct checks on all members and directors of the new trust. Academy trusts, including those established to run a free school, have the same responsibilities as all independent schools in relation to requesting enhanced DBS certificates for permanent and supply staff. Where an academy trust delegates responsibility to any delegate or committee (including a local governing body), the trust must require DBS checks on all delegates and members of such committees. Academy trusts must also check that members are not barred from taking part in the management of the school as a result of a section 128 direction (see section 13.4.~~

21. Individuals engaged in management roles in Academies, Independent and Free Schools

The Independent School Standards which also apply to Academies and Free Schools require that checks be made prior to appointment for the existence of directions 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 covers membership of proprietor bodies (including governors if the governing body is the proprietor body for the school), and **all** staff positions as follows:

- Head teacher
- any teaching positions on the senior leadership team
- any teaching positions which carry a department headship
- non-teaching positions which are part of the senior leadership team
- senior leaders of a multi-academy trust (e.g., CEO, Finance Director)

22. Others with the potential for contact with children

22.1 Contractors

The School will ensure that any contractor, or any employee of the contractor, who is to work at the school has been subject to the appropriate level of DBS check. Contractors who are engaging in regulated activity will require an Enhanced DBS check for Regulated Activity. For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.

Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity. Schools are responsible for determining the appropriate level of supervision depending on the circumstances and risks to children involved. See Appendix E for Model Risk Assessment.

If a contractor working in school is a self-employed sole trader, the school will consider obtaining a DBS check as self-employed people are not able to make an application directly to the DBS on their own account.

We will, however, always check the identity of contractors and their staff on arrival at the school.

For additional information on the safe appointment of contractors we will refer to our 'procedures for protecting children when contractors are working in educational settings'.

22.2 Visitors

The School does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors to the school who are not working directly with children. Staff in this School will use their professional judgement about the need to escort or supervise visitors.

22.3 Adults who supervise children on work experience

If the activity undertaken by the child on work experience takes place in our school and, as such, gives the opportunity for contact with children, this may itself be regulated activity. In these cases, and where the child is 16 years of age or over, we will undertake a risk assessment (see Appendix D) and consider whether an Enhanced DBS Disclosure will be required for the child/young person in question. It is unlawful for us to

request, or to apply for, a DBS check for children/young people under the age of 16. Such individuals will always be supervised in the setting.



Stramongate School Criminal Convictions Disclosure Form

Confidential

Congratulations on being shortlisted. Please return this disclosure to the school at least one day prior to interview. If we have not received this, we reserve the right to withdraw the offer of interview.

POST APPLIED FOR:		Date:	
--------------------------	--	--------------	--

Surname:		Previous name(s) (if any):	
Forename(s):		Preferred title:	
Date of birth		National Insurance No:	
Teacher Ref. No (if applicable):		Date of recognition as qualified teacher, QTS (if applicable):	

Stramongate School is committed to safeguarding and promoting the welfare of children and we expect all staff to share this commitment. This post is exempt from the Rehabilitation of Offenders Act 1974; pre-employment checks will be carried out; references will be sought, and successful candidates will be subject to an enhanced DBS check and other relevant checks with statutory bodies.

We comply with the Disclosure & Barring Service (DBS) code of practice and have a written Policy on the recruitment of ex-offenders, both of which are available on request. As you have been shortlisted, you are required to declare any relevant convictions, adult cautions or other matters which may affect your suitability to work with children. As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected (filtered) and should not be disclosed to potential employers, and employers cannot take these offences into account.

Please read the information [here](#) before answering the following questions. If you are unsure whether you need to disclose criminal information, you should seek legal advice, or you may wish to contact Nacro or Unlock for impartial advice. There is more information on filtering and protected offences on the Ministry of Justice website.

Nacro - <https://www.nacro.org.uk/criminal-record-support-service/> or email helpline@nacro.org.uk or phone 0300 123 1999;

Unlock - <http://hub.unlock.org.uk/contact/> or phone 01634 247350 or text 07824 113848.

1. Do you have any convictions or adult cautions that are unspent?	Yes <input type="checkbox"/> or No <input type="checkbox"/>
If yes, please provide details here.	
2. Do you have any other cautions or convictions that would not be filtered?	Yes <input type="checkbox"/> or No <input type="checkbox"/>
If yes, please provide details here.	
3. <i>*Only ask if you are recruiting for a post working in regulated activity with children</i> Are you included on the DBS children's barred list?	Yes <input type="checkbox"/> or No <input type="checkbox"/>

If yes, please provide details here.	
4. <i>(Teaching posts only)</i> Are you, or have you ever been, prohibited from teaching by the TRA or sanctioned by the GTCE?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
If yes, please provide details here.	
5. <i>*Management posts only</i> Have you been prohibited from management of an independent school (s128)?	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
If yes, please provide details here.	
6. Have you lived or worked outside the UK for more than 3 months in the last 5 years?	Yes <input type="checkbox"/> or No <input type="checkbox"/>
If yes, please provide details here.	
7. Are you subject to any sanctions relating to work with children in any country outside the UK?	Yes <input type="checkbox"/> or No <input type="checkbox"/>
If yes, please provide details here.	
8. <i>*Applicants for posts in early years or later years childcare (wraparound care) only</i> The Disqualification under the Childcare Act 2006 Regulations (2018) state that anyone employed to care for children in early years (children under the age of 5) or later years (wrap-around care for children under the age of 8) is disqualified from that work if they meet certain criteria. These criteria include (this is not an exhaustive list): <ul style="list-style-type: none"> • Certain serious criminal offences; • Court orders relating to the care of your own child; • Being prohibited from private fostering. Do you have any reason to believe you are disqualified from working in childcare?	Yes <input type="checkbox"/> or No <input type="checkbox"/>
If yes, please contact us for more information on the Regulations.	
Please complete the declaration below:	
I declare that all the information I have provided in this disclosure is full and correct at the time of application and that I have not omitted anything that could be relevant to the appointment of someone who will work with children. I understand that the recruitment panel may be made aware of any relevant information that I have disclosed in order to discuss the matter(s) with me as part of the recruitment process and that, if my application is successful, a risk assessment of the disclosed information will be held securely on my personnel file. I understand that the declaration of a criminal record will not necessarily prevent me from being offered this role.	
Signed:	Date:

Please return this form to: Elaine Gilpin, School Business Manager

Please note that, if you are unsuccessful, this disclosure form will be securely destroyed 6 months from the date of interview.

CAUSE FOR CONCERN RISK ASSESSMENT

Activity:	Recruitment of candidate who discloses criminal background information	School/setting:	
Assessor:	Ref No.:		
Date:	Proposed Review Date:	Signed:	

This risk assessment must be completed initially by the senior manager responsible for recruitment and discussed with the recruitment panel prior to making an offer of employment where there is cause for concern in relation to a candidate/employee/volunteer/contractor. This should then be reviewed by the Head teacher and the Chair of the Recruitment Panel who will make the relevant decision relating to the individual's employment. To facilitate their assessment, they may require additional information. Advice will be sought from the school's HR provider or Local Authority Designated Officer (DO) where necessary.

Candidate's Name:		Position applied for (where this is a volunteer or contractor please state role):	
Line Manager:		Manager's Job Title:	
Work Location:		Working Hours (for volunteers please record normal hours where known):	

Role involves - tick appropriate box(es)

Direct contact with children (face to face working with, supervising, or caring for children)		Providing support to colleagues within the setting (e.g. cleaning, estates, IT)		Providing support to colleagues but not directly in the setting (e.g. training)		No unsupervised access to children e.g. contractor (supervised or in dedicated work area)	
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Seriousness

Details

Was the individual required to disclose the matter at the shortlisting/volunteer/contractor recruitment stage, and if so, did they?	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center;">No requirement to disclose</td> <td style="width: 33%; text-align: center;">Did disclose</td> <td style="width: 33%; text-align: center;">Failed to disclose</td> </tr> </table>	No requirement to disclose	Did disclose	Failed to disclose
No requirement to disclose	Did disclose	Failed to disclose		
Does the individual have a DBS check at the correct level required for the role for which they are to be recruited? Do they agree that the information detailed on the DBS certificate is correct and up to date?	<i>If not applicable, please enter N/A. Volunteers/contractors who are supervised do not require an Enhanced or any disclosure if agreed by the Head teacher.</i>			
Is the individual registered with the DBS Update Service?	<i>Where an individual is registered, you should seek their permission to check their original DBS Certificate with the Update Service to ensure no further convictions have been added.</i>			
Description of the concern, including where the concern originated from (e.g., self-disclosure, DBS certificate, complaint etc.) and the individual's account including dates etc.	Additional evidence provided to support description above			
Did / Can the individual provide additional information or evidence? For example, a copy of their police report, and	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">No additional evidence</td> <td style="width: 50%;">Evidence does not match initial description of events</td> </tr> </table>	No additional evidence	Evidence does not match initial description of events	
No additional evidence	Evidence does not match initial description of events			

CAUSE FOR CONCERN RISK ASSESSMENT

does this additional evidence support the individual's description of the matter?	Additional information/evidence:									
Considering the offence category and penalty/sentence only, how serious is / are the offence/s?	<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">LOW</td> <td style="width: 5%;">-</td> <td>e.g. caution / fine or misdemeanour</td> </tr> <tr> <td>MEDIUM</td> <td>-</td> <td>e.g. resulted in a custodial sentence</td> </tr> <tr> <td>HIGH</td> <td>-</td> <td>e.g. resulted in a custodial sentence of 4 years or more</td> </tr> </table>	LOW	-	e.g. caution / fine or misdemeanour	MEDIUM	-	e.g. resulted in a custodial sentence	HIGH	-	e.g. resulted in a custodial sentence of 4 years or more
LOW	-	e.g. caution / fine or misdemeanour								
MEDIUM	-	e.g. resulted in a custodial sentence								
HIGH	-	e.g. resulted in a custodial sentence of 4 years or more								
Relevance	Details									
How relevant is the offence to the work within the role? Does the incident/offence(s) present any safety concerns for other staff, pupils, others and/or property?	<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">LOW</td> <td style="width: 5%;">-</td> <td>Not relevant</td> </tr> <tr> <td>MEDIUM</td> <td>-</td> <td>Somewhat relevant</td> </tr> <tr> <td>HIGH</td> <td>-</td> <td>Very relevant</td> </tr> </table> <p>Explain relevance, if required:</p>	LOW	-	Not relevant	MEDIUM	-	Somewhat relevant	HIGH	-	Very relevant
LOW	-	Not relevant								
MEDIUM	-	Somewhat relevant								
HIGH	-	Very relevant								
Does the role present any opportunities for re-offending?	<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">LOW</td> <td style="width: 5%;">-</td> <td>rare to no opportunities to re-offend</td> </tr> <tr> <td>MEDIUM</td> <td>-</td> <td>some opportunity to re-offend</td> </tr> <tr> <td>HIGH</td> <td>-</td> <td>regular opportunity to re-offend</td> </tr> </table> <p>Explain reasoning, if required:</p>	LOW	-	rare to no opportunities to re-offend	MEDIUM	-	some opportunity to re-offend	HIGH	-	regular opportunity to re-offend
LOW	-	rare to no opportunities to re-offend								
MEDIUM	-	some opportunity to re-offend								
HIGH	-	regular opportunity to re-offend								
Pattern and background circumstances	Details									
Was this a single incident or part of a history of offending?	<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">LOW</td> <td style="width: 5%;">-</td> <td>Single one off incident</td> </tr> <tr> <td>MEDIUM</td> <td>-</td> <td>Multiple incidents over a short period of time</td> </tr> <tr> <td>HIGH</td> <td>-</td> <td>Multiple incidents over a long period of time</td> </tr> </table>	LOW	-	Single one off incident	MEDIUM	-	Multiple incidents over a short period of time	HIGH	-	Multiple incidents over a long period of time
LOW	-	Single one off incident								
MEDIUM	-	Multiple incidents over a short period of time								
HIGH	-	Multiple incidents over a long period of time								
Did any offences take place in another Country? <i>Some activities are offences in other countries (including Scotland, Wales and N. Ireland), but NOT in England and vice versa.</i>	<table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">YES</td> <td style="width: 15%;">NO</td> <td></td> </tr> </table> <p>Where Yes – provide details:</p>	YES	NO							
YES	NO									

CAUSE FOR CONCERN RISK ASSESSMENT

Relevant information offered by the individual about the circumstances which led to the incident/offence being committed.	
Have the individual's circumstances changed since the offence was committed, making re-offending less likely? Can the individual demonstrate any efforts not to re-offend and rehabilitate?	
Time lapse since incident/offence	Details
Are the convictions SPENT or UNSPENT and not eligible for filtering? <i>Guidance on this is available from NACRO</i>	
For multiple offences, did the individual re-offend within their rehabilitation period?	
What length of time has passed since the last offence took place?	
Other relevant information	Details
Are there any other concerns that have come to light through the pre-employment check process? <i>Consider references, relevant registrations / qualifications etc.</i>	LOW MEDIUM HIGH Details:
Would any measures be needed to reduce/remove any potential risk? How reasonable would it be to make these adjustments e.g. no unsupervised contact with pupils, team working vs lone working etc?	Not Necessary Considered necessary Details and reasoning:

Additional comments (not covered above)

Signed (Manager):		Date:	
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Print Name:		Position of Manager:	
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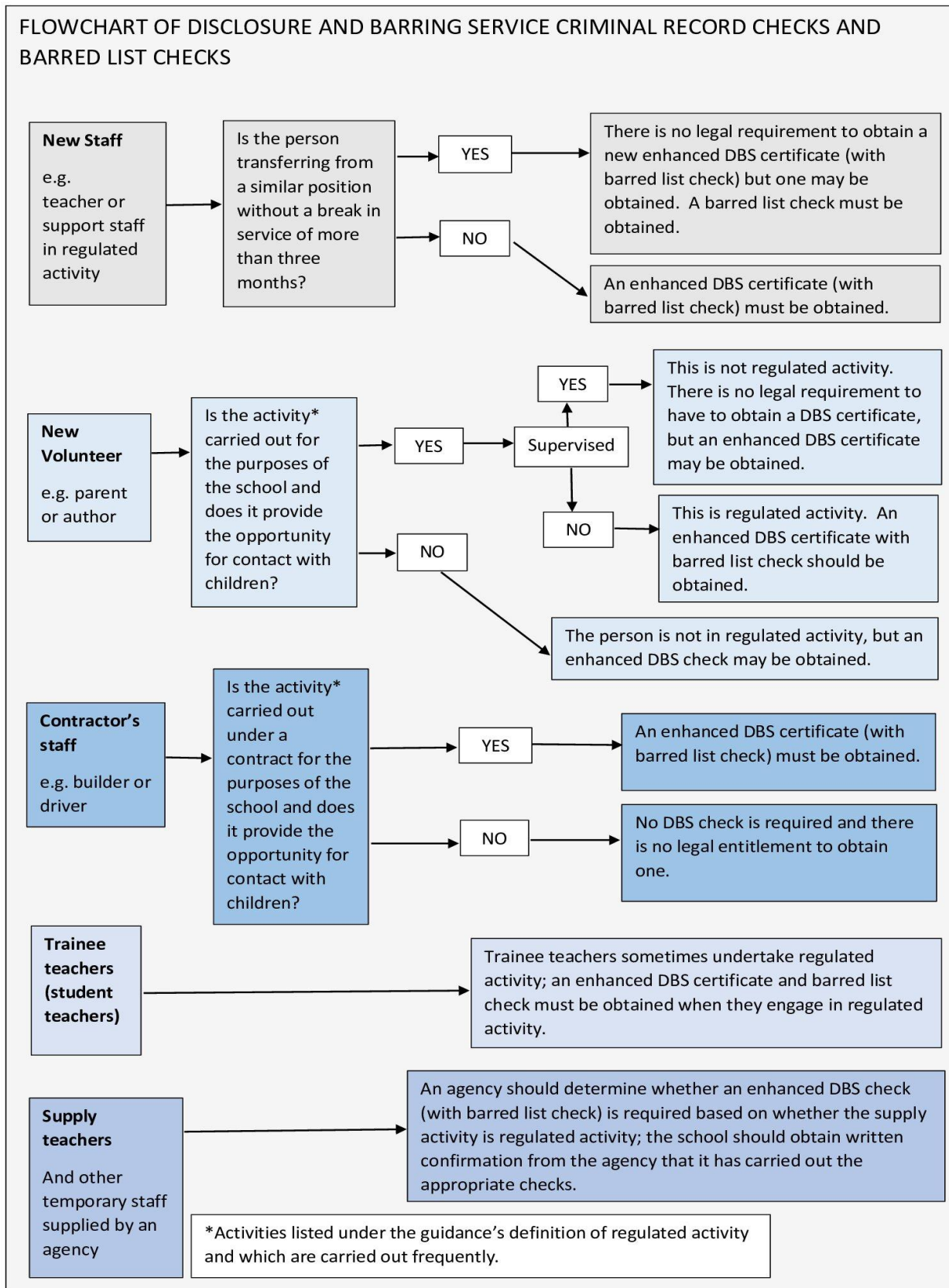
Risk Assessment outcome (Head teacher to complete)

Proceed with appointment
Withdraw offer of employment
Adjustments or measures needed or taken
Specify with reasons

Signed (Head teacher):		Date:	
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Print Name:	
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FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS



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Statutory Guidance – Regulated Activity (Children) – Supervision of activity with children which is regulated activity when unsupervised

This statutory guidance on the supervision of activity with children which is regulated activity when unsupervised is also published separately on GOV.UK.

This document fulfils the duty in legislation that the Secretary of State must publish statutory guidance on supervision of activity by workers with children, which when unsupervised is regulated activity. This guidance applies in England, Wales and Northern Ireland. It covers settings including but not limited to schools, childcare establishments, colleges, youth groups and sports clubs.

For too long child protection policy has been developed in haste and in response to individual tragedies, with the well-intentioned though misguided belief that every risk could be mitigated, and every loophole closed. The pressure has been to prescribe and legislate more. This has led to public confusion, a fearful workforce and a dysfunctional culture of mistrust between children and adults. This Government is taking a different approach.

We start with a presumption of trust and confidence in those who work with children, and the good sense and judgment of their managers. This guidance applies when an organisation decides to supervise with the aim that the supervised work will not be regulated activity (when it would be, if not so supervised). In such a case, the law makes three main points:

- there must be supervision by a person who is in regulated activity;
- the supervision must be regular and day to day; and
- the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

The organisation must have regard to this guidance. That gives local managers the flexibility to determine what is reasonable for their circumstances. While the precise nature and level of supervision will vary from case to case, guidance on the main legal points above is as follows.

1. Supervision by a person in regulated activity/regular and day to day: supervisors must be in regulated activity themselves. The duty that supervision must take place “on a regular basis” means that supervision must not, for example, be concentrated during the first few weeks of an activity and then tail off thereafter, becoming the exception not the rule. It must take place on an ongoing basis, whether the worker has just started or has been doing the activity for some time.
2. Reasonable in the circumstances: within the statutory duty, the level of supervision may differ, depending on all the circumstances of a case. Organisations should consider the following factors in deciding the specific level of supervision the organisation will require in an individual case:
 - ages of the children, including whether their ages differ widely;
 - number of children that the individual is working with;
 - whether or not other workers are helping to look after the children;
 - the nature of the individual’s work (or, in a specified place such as a school, the individual’s opportunity for Contact with children);
 - how vulnerable the children are (the more they are, the more an organisation might opt for workers to be in regulated activity);
 - how many workers would be supervised by each supervising worker.
3. In law, an organisation will have no entitlement to do a barred list check on a worker who, because they are supervised, is not in regulated activity.

Some example scenarios are provided overleaf.

EXAMPLES

Volunteer, in a specified place

Mr Jones, a new volunteer, helps children with reading at a local school for two mornings a week. Mr Jones is generally based in the classroom, in sight of the teacher. Sometimes Mr Jones takes some of the children to a separate room to listen to them reading, where Mr Jones is supervised by a paid classroom assistant, who is in that room most of the time. The teacher and classroom assistant are in regulated activity. The head teacher decides whether their supervision is such that Mr Jones is not in regulated activity.

Volunteer, not in a specified place

Mr Wood, a new entrant volunteer, assists with the coaching of children at his local cricket club. The children are divided into small groups, with assistant coaches such as Mr Wood assigned to each group. The head coach oversees the coaching, spends time with each of the groups, and has sight of all the groups (and the assistant coaches) for most of the time. The head coach is in regulated activity. The club managers decide whether the coach's supervision is such that Mr Wood is not in regulated activity.

Employee, not in a specified place

Mrs Shah starts as a paid activity assistant at a youth club. She helps to instruct a group of children and is supervised by the youth club leader who is in regulated activity. The youth club managers decide whether the leader's supervision is such that Mrs Shah is not in regulated activity.

In each example, the organisation uses the following steps when deciding whether a new worker will be supervised to such a level that the new worker is not in regulated activity:

- consider whether the worker is doing work that, if unsupervised, would be regulated activity. (Note: If the worker is not engaging in regulated activity, the remaining steps are unnecessary. If the worker is engaging in regulated activity the remaining steps should be followed);
- consider whether the worker will be supervised by a person in regulated activity, and whether the supervision will be regular and day to day, bearing in mind paragraph 4 of this guidance;
- consider whether the supervision will be reasonable in all the circumstances to ensure the protection of children, bearing in mind the factors set out in paragraph 4 of this guidance above; and if it is a specified place such as a school;
- consider whether the supervised worker is a volunteer.

RISK ASSESSMENT

Activity:	Volunteer work incl. work experience		Location(s):		
Role:		Name of Volunteer:			Date of Birth:
✓ or ✗	The volunteer will be working with children on the premises.		✓ or ✗	The volunteer will transport children to events that we organise.	
✓ or ✗	The volunteer will be supporting children on trips off the		✓ or ✗	Other:	
Assessor:		Ref No.:		Distribution:	
Date:		Proposed Review Date:		Signed:	
Individuals at risk:	Children, especially those with SEND, and vulnerable adults. Volunteers.				
The risks:	Inappropriate contact with children including exposure to material not suitable to their age, culture etc. (conversation, images, reading materials, music etc.), the building of unhealthy relationships, inappropriate touch. Allegations against volunteers.				

Safeguarding & Child Protection Risks Situations	Control Measures What are we doing now to safeguard children?	Notes/Additional Control Measures	Residual Risk
All work , occasional and regular, on or off-site with children whether supporting groups or individuals, but always supervised in a reasonable and on-going way by someone who holds a suitable Enhanced Disclosure and Barring Service (DBS) Certificate for Regulated Activity.	<input type="checkbox"/> The volunteer will be either a person who has some prior connection to the setting (an ex-student, a parent etc. already known to staff), or will be someone with good reason to offer voluntary services (work experience, personal/community development, a special skill-set to offer, purposeful retirement etc.) willing to undergo a formal interview (or informal chat to assess their general suitability and scope of the role), provide suitable references (verbal or written) and undergo any necessary background checks. <input type="checkbox"/> Both formal and informal knowledge of the volunteer will be taken into account, including a cursory name check on the internet. <input type="checkbox"/> Two references may be required from volunteers, whether already known or not i.e., if the volunteer is well known to at least 2 other staff who can agree their suitability, other references may not be required. <input type="checkbox"/> A senior member of staff will conduct a face-to-face interview with any prospective volunteer to clarify the role and assess their suitability for it. <input type="checkbox"/> Where possible, volunteers should attend an induction session before they start. <input type="checkbox"/> The role of the volunteer will be explained clearly during interview and on induction. <input type="checkbox"/> Appropriate contact (incl. verbal) with children will be explained with reference to the role and will cover any non-work-related conversations they may have around or with children.		

Safeguarding & Child Protection Risks Situations	Control Measures What are we doing now to safeguard children?	Notes/Additional Control Measures	Residual Risk
	<ul style="list-style-type: none"> <input type="checkbox"/> Volunteers are not permitted to provide assistance, teaching, training, instruction, care or supervision (ATTICS) to children when they are not themselves being supervised by someone who holds a suitable Enhanced Disclosure for Regulated Activity. <input type="checkbox"/> Volunteers are not permitted to provide any personal care (feeding, changing etc.) to children, even once, if they do not themselves hold a suitable Enhanced Disclosure for Regulated Activity. <input type="checkbox"/> The importance of safeguarding and the most likely issues will be explained (mobile phone use, confidentiality, images use, appropriate responses e.g., on witnessing bullying etc.) <input type="checkbox"/> Head teacher to determine whether Childcare Disqualification declaration is required for work with relevant pupil groups. 		
<p>All work on-site or off-site with children on a frequent basis, unsupervised for significant periods of time incl. providing personal care (feeding, changing etc.) regardless of supervision, even if just the once.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> A suitable Enhanced Disclosure for Regulated Activity with a children's barred list check will be carried out before any unsupervised volunteering can take place⁶. <input type="checkbox"/> Suitable safeguarding/child protection training in addition to general induction will be provided as appropriate to the nature, frequency and duration of volunteering i.e., the level of knowledge they will need, ranging from the most basic in-house briefing about reporting concerns, to the full LSCP required basic course which all people working with children in Regulated Activity must undergo (sometimes known as Level 1) and anything in between. <input type="checkbox"/> The level of training and induction that a volunteer requires will be determined or agreed to by the Designated Safeguarding Lead (DSL). <input type="checkbox"/> Head teacher to determine whether Childcare Disqualification declaration is required for work with relevant pupil groups. 		
<p>Isolated work on-site with children on a frequent basis, unsupervised for significant periods of time (1:1 work in another room/area with only remote supervision).</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Where possible the room or area selected will not be completely isolated from anyone else working near or passing by. <input type="checkbox"/> A suitable Enhanced Disclosure for Regulated Activity with a children's barred list check will be carried out before any isolated volunteering can take place. <input type="checkbox"/> Rooms selected will always have an unobstructed viewing panel in the door. <input type="checkbox"/> Where possible, room doors will not have the means to lock them from the inside. <input type="checkbox"/> Furniture will be conducive to activities and allow children to maintain personal space if they want to (enough suitable seating etc.) <input type="checkbox"/> Head teacher to determine whether Childcare Disqualification declaration is required for work with relevant pupil groups. 		
<p>All work, occasional and regular, off-site with children whether supporting groups or individuals, but always supervised in a reasonable and on-going way by someone who holds a suitable Enhanced DBS</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Overall supervision will always rest with the visit leader of the trip off-site. <input type="checkbox"/> Activities will be arranged to ensure volunteers are not left to supervise children alone, especially when breaking to use toilet facilities (staff only will take groups; or staff will accompany a volunteer with groups; or children will be permitted to access the toilets independently in pairs at least; or supervision from outside toilet areas will be sufficient). 		

⁶ Settings such as special schools who enrol young people up to the age of 19 may also wish to carry out an 'Adults Barred List check' at the same time as the 'Children's Barred List check' on those who are working with, what are really, vulnerable adults i.e. students or service users aged 18 or over.

Safeguarding & Child Protection Risks Situations	Control Measures What are we doing now to safeguard children?	Notes/Additional Control Measures			Residual Risk
Certificate for Regulated Activity.	<input type="checkbox"/> It will be for the DSL to decide whether a volunteer can work directly with children while being supervised themselves by someone working in Regulated Activity who is not an employee or known to the setting e.g., a canoeing instructor at a children's outdoor centre. <input type="checkbox"/> Head teacher to determine whether Childcare Disqualification declaration is required for work with relevant pupil groups.				
Transporting children to or from an event we have organised attendance at.	<input type="checkbox"/> Driver declaration form signed with appropriate insurance confirmed. <input type="checkbox"/> Parental consent will be held specifically to transport children in private vehicles with drivers who are not employees. <input type="checkbox"/> Appropriate child restraints will be used where required e.g., seats or booster cushions in accordance with current legislation. <input type="checkbox"/> If possible, drivers should transport their own child or grandchild etc. along with other children. <input type="checkbox"/> Wherever possible, children should sit in the rear of the vehicle to avoid distracting the driver, as well as to prevent inappropriate contact or driver vulnerability to allegations. <input type="checkbox"/> Steps will be taken to reduce the potential for allegations by not allowing transport arrangements with volunteers to be either too ad hoc (not considering specific journey/personnel risks sufficiently) or too regimented (exposing the same people to increasing risks by not sharing the tasks between different people). <input type="checkbox"/> A card will be displayed in the windscreen of the vehicle stating that children are being transported on behalf of XXXX School along with details of who to contact in the event of an emergency – usually the school telephone number.				
Staying overnight in the same accommodation as children or work off-site unsupervised for significant periods of time incl. providing personal care (feeding, changing etc.) regardless of supervision, even if just the once.	<input type="checkbox"/> Unless it can be <i>guaranteed</i> that a volunteer will not have significant unsupervised contact with children during daytime hours or even momentary unsupervised face-to-face contact with children between the hours of 2am and 6am for the purposes of ATTICS they will have a suitable Enhanced Disclosure for Regulated Activity. <input type="checkbox"/> There will be a clear rota in place for the adults who can fulfil sleeping night duties i.e., who will sleep, but remain on-call. <input type="checkbox"/> It will be made clear to children that they must only disturb the adult who is on sleeping night duty during the night if they need support. <input type="checkbox"/> All other safeguarding aspects of the visits-related Accommodation RA will be followed e.g., the door of the person on sleeping night duty will be clearly marked etc. <input type="checkbox"/> In the event of an evacuation incident, a volunteer without a suitable Enhanced Disclosure for Regulated Activity will not be left in sole charge of any evacuees.				
Further Action Required		Date Action Completed	Date RA Reviewed	Significant Changes Y/N	Shared with Staff Date or N/A
This risk assessment must be read and followed in conjunction with any other applicable risk assessments.					

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Risk Assessment

Activity:	Contractors on site – Child Protection		Location(s):	
Work being done:			Contractor/Company/Volunteer Name:	
✓ or ✗	The contractor will be working with children on the premises.		✓ or ✗	The contractor will be working on the site but not with children
✓ or ✗	The contractor will be working on the site wholly outside normal school hours when no children will be present		✓ or ✗	Other:
Assessor:		Ref No.:	Distribution:	
Date:		Proposed Review Date:	Signed:	
Individuals at risk:	Children, especially those with SEND, and vulnerable adults.			
The risks:	Inappropriate contact with children including exposure to material not suitable to their age, culture etc. (conversation, images, reading materials, music etc.), the building of unhealthy relationships, inappropriate touch. Allegations against contractors.			

Child Protection Risks/Situations	Control Measures What are we doing now to safeguard children?	Notes/Additional Control Measures What more do we need to explain/do?	Residual Risk
A contractor being on site while children are present irregularly or as a one-off event, especially when it is unlikely they will have access to the children.	<input type="checkbox"/> All contractors and their staff will be required to report to the school main reception on arrival. In the case of a large project where the work is segregated from the school site, arrangements will be made for the contractor’s staff to be made aware of the boundaries for the work area and arrangements made for them to report to the site office. <input type="checkbox"/> All contractors and their staff will be issued with the ‘Child Protection Code of Conduct for adults visiting or working on a school site’. <input type="checkbox"/> Wherever possible, maintenance work will be undertaken outside normal school hours when there are no children present. <input type="checkbox"/> Where the above cannot be achieved, work areas will be segregated so that contractors do not have the opportunity for unsupervised contact with children. <input type="checkbox"/> Contractors who do not hold a DBS Enhanced Disclosure will be supervised by another contractor or a setting employee who does. <input type="checkbox"/> If an appropriate supervisor is not available for the contractor, they will never be given unsupervised access to children i.e., the children will be appropriately supervised instead.		

Child Protection Risks/Situations	Control Measures What are we doing now to safeguard children?	Notes/Additional Control Measures What more do we need to explain/do?			Residual Risk
<p>A contractor being on site regularly* with the opportunity for contact with children. * Work is defined as 'regular' if the person carrying out the work does so at any time on 4 or more days in any period of 30 days.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor will be issued with the 'Child Protection Code of Conduct for adults visiting or working on a school site'. <input type="checkbox"/> The contractor will hold a suitable Enhanced Disclosure (without a barred list check). <input type="checkbox"/> The contractor will undergo sufficient site induction to include child protection procedures and expected behaviour (security procedures, which toilets to use, not to leave anything attractive to children unattended and within their reach etc.). 				
<p>Contractor on site where they are likely to have unsupervised access to children.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Contractor will be issued with the 'Child Protection Code of Conduct for adults visiting or working on a school site'. <input type="checkbox"/> Contractor will hold an Enhanced Disclosure for Regulated Activity (with a barred list check). This will be confirmed either by letter from the employing organisation or by having sight of the Certificate when the individual first presents at school. 				
	<ul style="list-style-type: none"> <input type="checkbox"/> 				
Further Action Required		Date Action Completed	Date RA Reviewed	Significant Changes Y/N	Shared with Staff Date or N/A
<p>This risk assessment must be read and followed in conjunction with any other applicable risk assessments. Contractors details along with the date of the letter from the employer will be recorded on the Single Central Record either under the 'contractors.</p>					