

SAFER RECRUITMENT POLICY

Including Recruitment of Ex-Offenders and secure storage, handling, use, retention and disposal of Disclosures and Disclosure information

Role Responsible:	Assistant Principal (Finance)
Written by:	Assistant Principal (Students)
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Section 1

SAFER RECRUITMENT

INTRODUCTION

A safe and fair workplace depends on sound policies backed up with fair employment practices and staff management, and this policy has been developed to ensure that the practices in recruitment follow strict controls. The welfare of the learner is paramount – all learners, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation need protection from harm or abuse and this policy will help to deter, identify and reject people who might abuse or are unsuited to work with children and vulnerable adults.

It has been written with reference to the statutory obligations of employers. The relevant regulations and good practice guidance in place at the time of writing include The Further Education (Providers of Education) (England) regulations 2006, official government guidance for the Further Education sector 'Safeguarding children and safer recruitment in education', which came into force on January 2007, Section 8 of The Asylum and Immigration Act 1996, The Further Education Teachers' Qualifications (England) Regulations 2007 and the new Vetting and Barring scheme.

This policy and procedure will be reviewed on a regular basis, in line with new legislation.

Categories of Staff

Teaching staff hold a position that involves 'regularly caring for, training, supervising or being solely in charge of persons under 18'. This includes agency workers.

It is recognised that all other staff at the College - Support, Nursery, Sports Centre, and ACET and volunteers who have regular contact and/or accompany students on outings that involve overnight stays will be subject to the same safeguarding measures as teaching staff.

The safe recruitment of Host Families is identified in a specific International School procedure.

PRE-EMPLOYMENT CHECKS

Identity - Robust identity checks will be undertaken. The College will require proof of identity in the form of a driving licence (photocard), a passport or birth certificate AND evidence of address usually from a bank statement or utility bill dated within the last 3 months. A form of photo ID will be seen so that the College can verify the individual's appearance as well as the documents above to prove name, date of birth and address. All documents MUST be originals, scans/photocopies are not accepted. Where a change of name is declared, the College will request documentary proof to verify the change of name e.g. marriage certificate. If an applicant can't provide supporting documentation the College will hold a probing discussion with the applicant about the reasons why before considering validating their identity.

Barred status – Checks will be made to ensure the appointee is not barred from working with children or vulnerable adults. For those individuals who were appointed prior to October 2009, the appropriate check would have been List 99 and after this time, PoCA and PoVA lists. This is carried out either as part of the Disclosure and Barring Service (DBS) or using the TP on-line service.

Qualifications – The College will require sight of original qualification certificates to verify that the candidate has obtained the legally required qualifications for the job. For teachers, this will be a recognised teaching qualification and a degree or, in some circumstances, such as teachers of vocational subjects, a qualification relevant to the area they teach. All newly qualified teachers will need to produce their Newly Qualified Teacher certificate (NQT), Post Graduate Certificate in Education (PGCE) or Diploma in Life Long Learning Sector (DTTLS).

The National College for Teaching and Leadership (NCTL) is the awarding body for QTS (Qualified Teacher Status). When training has been completed, the initial teacher training (ITT) provider will inform the NCTL of a candidate's course results. The NCTL sends out individual QTS certificates to successful students, welcoming them into the profession. Teachers who qualify through employment-based routes, such as graduate and registered teacher programmes, also receive their QTS certificates from the Teaching Agency.

The College will use Employer Access, a free service available for schools, local authorities and teacher supply agencies in England. The College will/can view the record of any teacher with qualified teacher status (QTS) with the exception of teachers who have achieved QTS through holding qualified teacher learning and skills (QTLS) or any teacher with an active restriction (including any teacher with QTLS to whom this applies).

The College can also access separate lists of:

- teachers who have been prohibited from teaching
- teachers who may be the subject of a suspension or conditional order imposed by the GTCE (prior to its abolition) that is still current
- teachers who have failed to successfully complete their induction or probation period

Criminal record –The College will apply for an Enhanced DBS disclosure for all posts that involve regulated activity and have done so for all staff appointed since March 2002.

If a previous conviction disclosed by the DBS is deemed to be serious enough to compromise the College's safeguarding commitment, the applicant will be informed that the College cannot employ them. The responsibility for this decision will be with the Principal or Deputy Principal in conjunction with the Lead Signatory for the College and will only be made after carefully considering the relevance of the conviction, using the checklist attached to this policy document.

The Enhanced DBS disclosure will also inform the College if the person is barred from working with children (or vulnerable adults, where applicable).

A new appointee will not start working at the College until the disclosure has been received, except in exceptional circumstances. In this event, the Principal or Deputy Principal or Line Manager will

conduct a risk assessment and has discretion to allow an individual to start work, perhaps on an accompanied basis, until the disclosure has been received. A copy of the risk assessment is attached to this policy document.

There is no legal requirement for the College to apply for a DBS disclosure for a teacher coming from another educational establishment, but we will do so in order to gain up to date information and to make an independent judgement on any convictions disclosed.

It is not necessary to obtain a DBS Disclosure for:

- visitors who will only have contact with students on an ad-hoc or irregular basis for short periods of time
- visitors who have business with the Principal or other staff or who have brief contact with students with a member of staff present
- visitors or contractors who come on site only to carry out emergency repairs or service equipment; and who would not be expected to be left unsupervised on College premises
- secondary pupils undertaking work in the College as part of voluntary service, work experience, citizenship or vocational studies
- key stage 5 or sixth form pupils in connection with a short careers or subject placement
- people who are on-site before or after college hours and when students are not present, e.g. local groups who hire premises for community or leisure activities

All Governors are required to complete an enhanced DBS checked and all existing Governors will be asked to complete a DBS check on the introduction of this policy, if they haven't done so already.

PGCE student placements are required to show their current DBS certificate if they have it or the College will receive notification from the relevant university that a DBS check has been carried out by the university and that it had a satisfactory outcome.

However, the reception staff will ensure that ALL visitors sign in and out, and are escorted whilst on the premises by a member of staff unless a specific risk assessment has been completed.

Right to work in the UK – The College will require evidence that the candidate has the right to work in the UK and will follow robust procedures to ensure the correct documentation is evidenced. The combination and types of document that the College can accept will be in accordance with the UK Border Agency guidance.

Overseas checks – The College will undertake additional checks for newly appointed staff from overseas, from countries that the individual has worked or lived in, to bring the safeguarding checks for staff from overseas in line with those completed on teachers that have not lived abroad. Applicants with recent periods (within the last 5 years for a period of 3 months or more) of overseas residence or those with little or no previous UK residence may also be asked to apply for the equivalent of a disclosure, if one is available in the relevant jurisdiction(s). This will follow government guidance, such as a certificate of good conduct from relevant embassies or police forces.

References – The College will obtain objective, factual information from referees to support the decision to appoint a candidate. Ideally, two satisfactory references will be obtained, at least one from the last/current employer and the referee must be able to declare that there were no safeguarding concerns and that the appointee is safe to work with children.

References will be taken up on short listed candidates prior to interview unless otherwise indicated by the applicant on the application form.

Neither referee should be a relative or someone known to the applicant solely as a friend.

A new appointee will not start working at the College until the references have been received, except in exceptional circumstances. In this event, the Principal or Deputy Principal or Line Manager will conduct a risk assessment and has discretion to allow an individual to start work, perhaps on an accompanied basis, until the references have been received. A copy of the risk assessment is attached to this policy document.

Previous employment history - Candidates will be asked to provide details of their previous employment history on the application form and the College will obtain satisfactory explanations at the interview for any gaps there may be in their employment.

Driving Licence - If a job requires the candidate to drive as part of their role, they will be required to provide a current valid driving licence. The candidate will also be required to visit the UK government website <https://www.gov.uk/view-driving-licence> and provide a check code to enable HR department to view their current driving information. The check code will be valid for 21 days.

RECORD KEEPING

Single Central Record - The College's HR department will keep an up to date Single Central Record of the vetting checks that have been carried out in respect of each employee, governor, homestay hosts, agency staff and volunteer working with children and vulnerable adults including Disclosure and Barring Check details (DBS).

The college will keep a record of the date of issue of a disclosure, the name of the subject and the unique number of the disclosure. For employees, this will be kept on the HR database. The International School office will keep records for host families.

EMBEDDING SAFE RECRUITMENT PRACTICES

Advertising - All adverts will have a statement that informs applicants that the post requires an enhanced DBS check with a link to the job description which refers to the responsibility for safeguarding and promoting the welfare of children and a person specification which makes specific reference to demonstrating values and ethics consistent with the safeguarding of children and vulnerable adults.

Shortlisting - Candidates will be shortlisted by comparing the information they have submitted on their application form with the person specification.

Shortlisted Candidates will be sent a Disclosure of Criminal Convictions Declaration form to complete and return at interview in a sealed envelope, marked confidential. If the applicant is successful, the

envelope will be opened by HR, and the conviction will be considered by SLT at this point. If the applicant is unsuccessful, the envelope will be shredded without being opened.

Shortlisted Candidates may be subject to online searches.

Invitation to interview - The letter inviting candidates to interview will inform them that they are required to provide evidence of their identity and state that the documents will be thoroughly checked. The letter will remind candidates that the interview will explore areas about suitability to work with children and they must be able to demonstrate values and ethics consistent with safeguarding.

Interview - The interview will include at least two questions to test the candidate's commitment to and understanding of safeguarding in an educational establishment. The College can probe to obtain satisfactory explanations for any gaps there may be in their employment.

Job Offer - All appointments will be conditional subject to the pre-employment checks stated above.

Offer letter – This will confirm employment is subject to pre-employment checks. Enclosed with the letter will be a: Relationship at Work Policy, IT Acceptable Use Policy, Code of Conduct and Privacy Notice (Staff) declaration for the appointee to acknowledge, understand and agree to comply with.

Contract of employment – This will list conduct as a condition of employment, enclosing a copy of the Code of Conduct, and will refer to other College policies relating to safeguarding issues.

Induction – New staff will receive training from the Safeguarding / Child Protection Officer and provided with KSIE Part 1 along with a Health & Safety briefing as part of the induction.

Ongoing – Allegations against education staff will be dealt with as detailed in Section D of the Child and Vulnerable Adult Protection Policy. Since November 2009 there is a new duty to inform the Independent Safeguarding Authority of any concerns over safeguarding and a member of staff.

-All College staff will continue to receive annual training to equip them to carry out their responsibilities for child protection effectively. The key elements of safeguarding for all staff are available on the website and on Google Drive.

-All staff and governors are issued with an identity badge and informed that this must be on display at all times whilst on College premises.

DBS checks will be carried out every 3 years although staff are contractually obliged to disclose an offence at any time during their employment.

SAFEGUARDING CHILDREN AND SAFER RECRUITMENT IN EDUCATION

CHECKLIST TO ASSESS THE RISK OF EMPLOYING SOMEONE WITH A CRIMINAL RECORD

Name		
Job Title		
Date		
QUESTION	COMMENTS	DECISION
The seriousness of the offence and its relevance to the safety of the students, staff and other users of the College.		
The length of time since the offence occurred.		
Any relevant information offered by the applicant about the circumstances which led to the offence being committed, for example, the influence of domestic or financial difficulties.		
Whether the offence was a one-off, or part of a history of offending.		
Whether the applicant's circumstances have changed since the offence was committed, making reoffending unlikely.		
Whether the offence has been decriminalised by Parliament.		
The country in which the offence was committed. Some activities are offences in Scotland and not in England and Wales, and vice versa.		
The degree of remorse, or otherwise, expressed by the applicant and their motivation to change.		
Will the nature of the job present any opportunities for the post holder to reoffend in the course of work?		

As a result of conducting this risk assessment, I conclude that the person named above:
MAY / MAY NOT COMMENCE WORK

SIGNATURE: _____

JOB TITLE: _____

DATE: _____

SAFEGUARDING CHILDREN AND SAFER RECRUITMENT IN EDUCATION
CHECKLIST – ASSESSING THE RISK OF ALLOWING AN EMPLOYEE TO START WORK PRIOR TO

DBS/REFERENCES/OVERSEAS CHECK CLEARANCE

Where a DBS enhanced disclosure/references/overseas check for a new member of staff has not been received prior to their starting at the College, the following risk assessment must be conducted.

NAME OF EMPLOYEE		
JOB TITLE		
DATE		
		COMMENTS
BARRED LIST online check carried out	YES/NO	
Will this member of staff be solely in charge of persons aged 18 and under?	YES / NO	
Was the employee last employed at an educational establishment, requiring a DBS disclosure, where employment is either continuous or has a break of less than three months?	YES / NO	
Applicant's original copy of a DBS disclosure has been seen and no convictions were recorded.	YES / NO	
Previous employer has indicated no concerns to the following statement on the reference received: Have there been any concerns or action taken regarding the applicant in relation to any child protection issues?	YES / NO	
The member of staff has signed a declaration that they are safe to work with children.	YES / NO	

The member of staff has indicated there are no convictions on the DBS application form.	YES / NO	
The status of the DBS application has been checked using the online tracking service.	YES / NO	Status =

I have conducted this risk assessment and conclude that the person named above:

MAY / MAY NOT COMMENCE WORK PRIOR TO THE RECEIPT OF A DBS DISCLOSURE

MAY / MAY NOT HAVE ACCESS TO THE STUDENT DATABASE

WILL / WILL NOT REQUIRE THE PRESENCE OF ANOTHER ADULT DURING LESSONS

RISK ASSESSMENT CONDUCTED BY: _____

SIGNATURE _____ DATE _____

RECRUITMENT PROCEDURES FOR VOLUNTEERS

Managers who receive requests from members of the public wishing to gain experience by working with students should first discuss the matter with the relevant Assistant Principal/Deputy Principal/Principal.

If it is agreed that the person should be allowed to gain this type of work experience, the following procedures must be followed:

- Volunteers need to complete a Volunteer application form
- Attend an interview/meeting with Head of Faculty/Department Manager
- Head of Faculty/Department Manager will complete a Volunteer Risk Assessment to include confirmation if the volunteer is taking part in regulated or unregulated activity and forward to HR along with completed application form
- An enhanced DBS may be required following outcome of Risk Assessment
- Volunteer will be requested to attend a meeting with HR to provide photographic ID, Complete DBS application/Privacy policy document if required (cost of obtaining the DBS will normally be met by the volunteer)

HR will provide Volunteer with

- Car parking registration form
- Code of Conduct
- Relationships At Work Policy
- Privacy Policy
- Itchen Sixth Form College Visitors' Guide
- Health & Safety briefing

The volunteer should not be allowed to start volunteering until HR has advised HoF/department manager that all satisfactory checks have been completed.

HR will inform volunteers that they are required to sign in on arrival for the entire length of their visit.

The above procedure will not be necessary when a visitor is invited to the College to give a talk to students as in these circumstances the person will not have unsupervised access to students.

Volunteers who accompany students on College trips should also follow the above procedure even if they are known to members of staff.

In order to ensure that the volunteer is covered under the College's Liability Insurance, details of the days and times she/he works must be provided on the Risk Assessment to the HR Department by the HOF/Department Manager.

VOLUNTEER – RISK ASSESSMENT

All Volunteers must now be risk assessed regardless of how long they are here for

Normally volunteers to the college are met at reception by their host after being issued with a visitors' badge. Ideally volunteers are accompanied during their visit in order to reduce the risk of any safeguarding issues. However, there may be circumstances where volunteers are not accompanied by college staff throughout the whole duration of their visit. This checklist will also assess the risk of allowing a volunteer to be on college premises with minimal supervision

Name of Volunteer:	Start Date:
Department:	End Date:
Expected Work Pattern: (days, times in college)	

QUESTION	Y/N	COMMENTS
Has the Principal/Deputy Principal been informed of the volunteers' application?	Y/N	
Will the volunteer be in 'Regulated' Activity?	Y/N	
Is the identity of this volunteer clearly established? Do they have photographic ID which proves they are who they claim to be?	Y/N	
Has the volunteer provided details of two referees from someone other than a family member or relative?	Y/N	

Is the purpose of their visit clearly established?	Y/N	
Will they be supervised at all times	Y/N	
What motivates the volunteer to want to work in the college?	Y/N	
Will they be in contact with students on an individual basis?	Y/N	
Is the volunteer on the DBS update service?	Y/N	
Does the College need to do an enhanced DBS check? https://www.gov.uk/find-out-dbscheck		

DECISION:

- o **High Risk** – the person has no previous connection with the college **AND** cannot provide references or photographic ID
- o **Medium Risk**- The person can provide suitable references for other work with children (either paid or unpaid), they have a connection to the college and no issues have come to light that would mean they would be unsuitable.
- o **Low Risk**- The person is signed up to the DBS Update Service **OR** The person is employed or volunteers elsewhere and has a recent enhanced DBS and can provide references **OR** the college knows the person well (eg. May be a current/form pupil/employee)

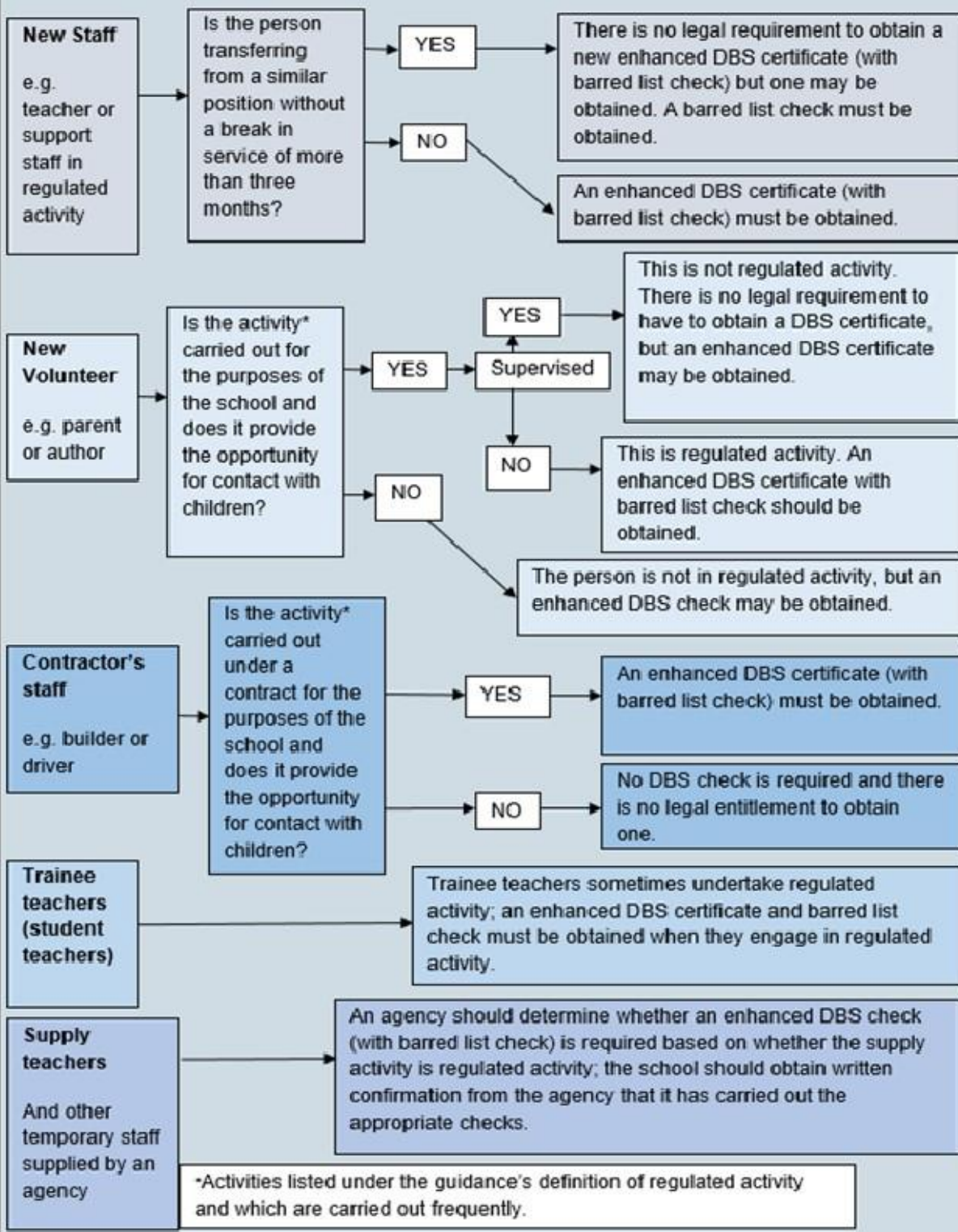
This volunteer requires a DBS: Yes/No - enhanced with/without barred list check

This volunteer can/cannot be allowed on college premises with minimal supervision.

Signed

Date

FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS



Section 2

RECRUITMENT OF EX-OFFENDERS

Itchen College is committed to the fair treatment of its staff, potential staff or users of its services, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation.

As an organisation using the Disclosure and Barring Service (DBS) service to assess applicants' suitability for positions of trust, Itchen Sixth Form College complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

Itchen Sixth Form College actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with a criminal record. All candidates are selected for interview based on their skills, qualifications and experience.

Applicants who are shortlisted and invited for interview and will be sent a Disclosure of Criminal Convictions Declaration form to complete. They will be asked to place details of this in a sealed envelope (marked confidential) and hand this in at the interview. If the applicant is successful, the envelope will be opened, and the conviction will be considered at this point. If the applicant is unsuccessful, the envelope will be shredded without being opened.

Unless the nature of the position allows Itchen Sixth Form College to ask questions about a person's entire criminal record, only 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974 will be discussed. If the post is one that gives substantial unsupervised access to children and young people it is covered by The Rehabilitation of Offenders Act 1974 (Exceptions) Orders and 'Spent' and 'unspent' criminal convictions (which are not protected) cautions and any pending prosecutions against the applicant are required to be disclosed.

If at any stage in the recruitment process, an offence is disclosed, this will be reviewed by the Principal with guidance from HR, taking into consideration any relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate meeting an open and measured discussion will take place on the subject of any offence/s or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. The Principal / Deputy Principal will discuss any matter revealed in a Disclosure with the person seeking the position before any decision is made regarding withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar a person from working with Itchen Sixth Form College. This will depend on the nature of the position and the circumstances and background of any offence/s.

Section 3

SECURE STORAGE, HANDLING, USE, RETENTION & DISPOSAL OF DISCLOSURES AND DISCLOSURE INFORMATION

General Principles

As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, Itchen College complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

Storage and Access

Disclosure information is kept securely, in lockable storage. Access is strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. The College maintains records of all those to whom Disclosures or Disclosure information has been revealed. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. If it is considered necessary to keep Disclosure information for a specified period of time, we will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

Equality impact and monitoring the policy and procedure

In monitoring the impact of this policy and procedure, the College will have due regard to its Equality and Diversity Policy and its single Equality Duty. It will consider any concerns raised or complaints received, based on student and staff data, feedback, surveys and/or professional judgement. If you have a question or a suggestion to improve the policy, please contact the Assistant Principal (Growth and Engagement).

Online Searches on Shortlisted Candidates

Candidate name:

Role shortlisted for:

Searcher name:

(Note – the searcher should NOT be part of the recruitment panel)

Date and time of online search:

Date when information provided to the recruitment panel:

(Note – if there are no concerns a 'no concerns raised' response should be provided to the panel)

SEARCH PARAMETERS	CONCERNS RAISED
Google search: The following terms, looking at the first page of results: 'Candidate name' 'Candidate name' + 'current school/employment' 'Candidate name' + 'previous school/employment' Websites: The candidate's name was typed into the search function of the following websites/public profiles viewed: LinkedIn Twitter (checked the top 10 results) Facebook (checked the top 10 results) Instagram (checked the top 10 results) Any other platforms or handles provided by the candidate Their current school's website	<i>Note - Only record information below that suggests the candidate:</i> <i>Is unqualified for the role</i> <i>Poses a potential safeguarding risk</i> <i>Risks damaging the reputation of the Trust or one of our schools</i> Don't include any irrelevant personal information. OR No concerns raised

Notes to help the searcher:

What to look for

Concerns or risks might include:

- A work history that doesn't match the application form and references provided (for example on LinkedIn)
- An education history that doesn't match the stated qualifications

- Attitudes that suggest the candidate is unsuitable for the role or risks damaging the colleges reputation, for example posting pictures of/with students or expressing discriminatory opinions

However, be cautious, because the results of an online search may be misleading. Be aware that any information you find may be:

- Out of date
- Out of context or untrue
- Relating to someone else, especially if the candidate has a common name or uses a pseudonym for social media

Asking candidates about any issues of concern that come up in your search can avoid any confusion and could explain inaccuracies.

D

Disclosure of Criminal Convictions / Cautions Self-Disclosure Form

Before completing this form, please read the following notes carefully.

It is an offence for an individual with certain criminal convictions to attempt to engage in regulated activity (working with children in a paid or voluntary capacity) and as a result, such individuals would be unable to carry out the role that we are recruiting to.

As part of the application process, we ask candidates about whether they have any criminal convictions or cautions that would prevent them from fulfilling the role. This is to ensure the candidate is suitable to work for Itchen Sixth Form College. Itchen Sixth Form College is also required to carry out an enhanced DBS check with a Children's Barred List check, in order to help determine your suitability for the role.

Having a criminal record will not necessarily bar you from working with us. We will consider the circumstances and background of any offences and whether they are relevant to the position in question, balancing the rights and interests of the individual, our employees, pupils, parents, suppliers and the public.

We will treat all applicants, employees and volunteers fairly but reserve the right to withdraw an offer of employment/volunteering if you do not disclose relevant information, or if a DBS check reveals information which we reasonably believe would make you unsuitable for the role.

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account.

Guidance about whether a conviction or caution should be disclosed can be found on the [Ministry of Justice website](#). Failure to complete this form may render your application invalid

Please complete this form and hand the enclosed declaration to the interviewer in an envelope marked, "Confidential Rehabilitation of Offenders Act 1974 Declaration".

Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?

☐ ☐ Details of offence(s)	Place and date of each Conviction/ Caution / Hearing, including the name of the Police force and/or Court involved	Sentences(s)

Yes ☐ No ☐

Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?

Yes ☐ No ☐

If the answer is yes to either of the above questions, please provide full details below.

Please enter NONE if applicable

Please list below details of any pending prosecutions

Please enter NONE if applicable

Court to which Summoned	Appearance Date	Alleged Offence

Are you included on any list of people barred from working with children by the Disclosure and Barring Service (DBS) or Teaching Regulation Agency (TRA)?

Yes ☐ No ☐

If you have answered yes to the question above, please provide details including dates and include in the envelope along with this form.

I certify that:

- I have read and understood the attached guidance notes;
- to the best of my belief and knowledge, the information I have entered on this form is true and accurate and I understand that any false or misleading information or failure to disclose criminal convictions will result, in the event of employment, in a disciplinary investigation by Itchen College and could lead to dismissal without notice and further referrals to statutory bodies.

Full Name (please use CAPITALS):

Signature:

Date:

Post Applied for:

PLEASE COMPLETE THE FORM AND RETURN IT IN A CONFIDENTIAL ENVELOPE ADDRESSED TO

'HR Department'

Disclosure of Criminal Convictions / Cautions (Spent and Unspent) Notes of Guidance

1. It is Itchen College's policy to require all applicants to disclose any previous 'unspent' criminal convictions. In addition, you are required to disclose any adult cautions which have not expired or any pending prosecutions.
2. As the post for which you are applying is one that will give you substantial unsupervised access to young people it is covered by The Rehabilitation of Offenders Act 1974 (Exceptions) Orders from time to time enacted and in force. You are therefore required to disclose 'spent' as well as 'unspent' criminal convictions (which are not 'protected'), cautions and any pending prosecutions against you in line with the requirements below.
3. You must declare the following:
 - a) Cautions given less than 6 years ago (where you were over age 18 at the time of caution and it is not related to a "specified offence").
 - b) All cautions given where you were over the age of 18 at the time of the caution and which relate to a "specified offence" (i.e. an offence from a prescribed list). A copy of the "specified offences" can be viewed here:
<https://www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide>
 - c) Any convictions, whenever they occurred, relating to a specified offence which is available from: <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>
 - d) All convictions that resulted in a custodial sentence (regardless of whether served and whenever they occurred)
 - e) Other convictions given less than 11 years ago (where you were over age 18 at the time of conviction)
 - f) Other convictions given less than 5.5 years ago (where you were under age 18 at the time of conviction)
4. The information you provide (by completing the form) will be treated as strictly confidential and will be considered only in relation to the post for which you are applying.
5. Disclosure of a conviction, caution or pending prosecution does not necessarily mean that you will not be appointed; a person's suitability will be looked at as a whole in the light of all the information available, and in accordance with the policy on the employment of ex-offenders, a copy of which can be obtained from hr@itchen.ac.uk. A main consideration will be whether the offence is one which would make a person unsuitable to work in the capacity of the post applied for. Any criminal record information arising out of the disclosure process will be discussed with you before any final decision is made about your employment.
6. A conviction includes:
 - a) A sentence of imprisonment, youth custody or in a Young Offenders' Institution;
 - b) An absolute discharge, conditional discharge, bind over;
 - c) A fit person order, a supervision or care order, a probation order or community punishment order or an approved school order arising from a criminal conviction;
 - d) Simple dismissal from the Armed Forces, cashiering, discharge with ignominy, dismissal

- with disgrace or detention by the Armed Forces;
- e) Detention by direction of the Home Secretary;
- f) Remand Centres, secure training centres or in secure accommodation;
- g) A suspended sentence;
- h) A fine or any other sentence not mentioned above.

7. A caution is a formal warning about future conduct given by a Senior Police Officer, usually in a Police Station, after a person has admitted an offence. It is used as an alternative to a charge and Positive Prosecution.
8. A Reprimand has replaced a Caution for young people under 15. A young person given a second formal warning about future conduct is then given a formal warning.
9. A Bind Over is an order which requires the defendant to return to Court on an unspecified date for sentence.
10. All driving offences must be declared unless excluded by the criteria under section 3 above.
11. Under the Criminal Justice & Courts Services Act 2000 it is an offence for an individual who has been disqualified from working with children to knowingly apply for, offer to do, accept or do any work in a 'regulated position'.
12. As the post for which you are applying falls within the category for which a criminal record disclosure is required, if you are selected for appointment, you will be required to apply for an enhanced check from the Disclosure and Barring Service ("DBS"). A refusal to make such an application could prevent your employment. Any information provided by the DBS will be kept securely whilst it is being considered and will then be destroyed. No record will be kept relating to any specific offence identified by the disclosure.
13. Failure to disclose convictions and cautions (to the extent they are required to be disclosed as set out above) and any pending prosecutions may, in the event of employment result in dismissal, disciplinary action and further onward referrals by Itchen College.
14. Criminal record certificates will only be issued directly to the applicant. Itchen College will request that you show us your certificate and will record the Disclosure number and issue date and retain this on your personnel record and single central record in accordance with the General Data Protection Regulation 2016 and Data Protection Act 2018. (the Data Protection Legislation). Itchen College abides by the DBS Code of Practice and Keeping Children Safe in Education which state that a copy of the DBS Disclosure Certificate may only be retained with the permission of the applicant and shall not be retained for longer than 6 months, in order to comply with the requirements of the Data Protection Legislation.
15. Further information to assist you in what information should be disclosed in this form is available here:
 - (a) <https://www.gov.uk/tell-employer-or-college-about-criminal-record>
 - (b) <https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974>