

SAFER RECRUITMENT

POLICY

Including Recruitment of Ex-Offenders and secure storage, handling, use, retention and disposal of Disclosure and Barring Information

Role Responsible:	Head of HR & Payroll
Written by:	Head of HR & Payroll
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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, young people 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*, *the Department for Education's (DFE's) statutory guidance 'Keeping Children Safe in Education (2023)'*, *Working Together to Safeguard Children (2018)*, *The Children Act 1989 (and 2004 amendment)*, *The Rehabilitation of Offenders Act 1974*, *Schedule 4 of the Safeguarding Vulnerable Groups Act 2006*, *Statutory Guidance on the Prevent Duty*, *Section 8 of The Asylum and Immigration Act 1996*, *the Disclosure and Barring Service scheme*, *The Human Rights Act 1998* and *The Equality Act 2010*.

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.

Recruitment and selection process

The recruitment steps outlined below are based on part 3 of Keeping Children Safe in Education 2023.

To make sure we recruit suitable people, we will ensure that those involved in the recruitment and employment of staff to work with children and young people have received appropriate safer recruitment training.

We have put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children and young people.

Advertising

When advertising roles, we will make clear:

- Our college's commitment to safeguarding and promoting the welfare of children and young people.
- That safeguarding checks will be undertaken.
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children or young people.
- Whether or not the role is exempt from the *Rehabilitation of Offenders Act 1974* and the amendments to the *Exceptions Order 1975, 2013 and 2020*. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account.

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.

Application forms

Our application forms will:

- Include a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity).
- Include a copy of, or link to, our child protection and safeguarding policy and our policy on the employment of ex-offenders.

Shortlisting

Our shortlisting process will involve at least 2 people and will:

- Consider any inconsistencies and look for gaps in employment and reasons given for them;
- Compare the information submitted on the application form with the person specification;
- Explore all potential concerns.

Once we have shortlisted candidates, we will ask shortlisted candidates to:

- Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage.

The self-declaration form is sent to each shortlisted candidate, and they are asked to complete and return it to HR in a sealed envelope, marked as confidential. The information we will ask for includes:

- If they have a criminal history ○ Whether they are included on the barred list ○ Whether they are prohibited from teaching
 - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales ○ Any relevant overseas information
 - Sign a declaration confirming the information they have provided is true
- We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process.

Seeking references and checking employment history

We will seek candidate consent to take up references prior interview. An offer of employment is subject to completion of all safer recruitment checks being completed, which include receipt of references which the College deem as being satisfactory. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references, we will:

- Not accept open references.
- Liaise directly with referees where necessary in order to verify any information contained within references.
- Ensure any references are from the candidate's current employer and completed by a senior person.
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed.
- Secure a reference from the relevant employer from the last time the candidate worked with children or young people if they are not currently working with children or young people.
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate.

- Resolve any concerns before any appointment is confirmed.

Interview and selection

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.

When interviewing candidates, we will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain this;
- Explore any potential areas of concern to determine the candidate's suitability to work with children and young people;
- Record all information considered and decisions made.

The interview will include at least two questions to test the candidate's commitment to and understanding of safeguarding in an educational establishment.

Offer letter

The offer letter will confirm that employment is conditional subject to satisfactory preemployment checks. Enclosed with the letter will be a: Relationships at Work Policy, IT Acceptable Use Policy, Code of Conduct and Privacy Notice (Staff) and a declaration for the appointee to sign to acknowledge, understand and agree to comply with these policies and procedures.

Contract of employment

The contract of employment will refer to other College policies relating to safeguarding.

Induction

New staff will receive training from the Safeguarding / Child Protection Officer and will be provided with a copy of Part 1 of the KCSIE 2023 statutory guidance to sign and return as confirmation that they have read and understood it. New staff will also receive a Health & Safety briefing as part of their induction.

Pre-appointment vetting checks

We will record information required on the checks carried out in the College's Single Central Record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New staff

All offers of appointment will be conditional upon satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- Verify their identity.
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see below). We will obtain the certificate before, or as soon as practicable after appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed, we may

still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken.

- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available.
- Verify their mental and physical fitness to carry out their work responsibilities.
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and in line with record retention best practice afterwards.
- Verify their professional qualifications, as appropriate.
- Ensure they are not subject to a prohibition order if they are employed to be a teacher.
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
 - For all staff, including teaching positions: criminal records check for overseas applicants.
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach.
 - Check those candidates taking up management positions* are not subject to a prohibition from management (section 128) direction made by the secretary of state.

* Management positions are most likely to include, but are not limited to, principal and deputy/assistant principals as well as those within the College who have budgetary responsibility.

Regulated activity means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

In certain circumstances, we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is; or
- There has been a break in service of 12 weeks or more.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in relevant conduct; or
- We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the *Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009*; or
- We believe the 'harm test' is satisfied in respect of the individual (i.e., they may harm a child or vulnerable adult or put them at risk of harm); and

- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left.

Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

The College expects contractors that are used by the College to register with the Enhanced DBS Disclosure on their own account and to follow this policy or their own comparable policy. **Proof of registration will be required before the College will commission services from any such organisation.**

The College will ensure that any contractors, or any employee of the contractor, who are on site on a regular basis have had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity.
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity, but whose work provides them with an opportunity for regular contact with children.

DBS checks for self-employed contractors will be organised by the College.

The College will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

Individual contractors visiting the site will be escorted by the manager responsible for the area they are working in. For example, contractors engaged in building repairs will be escorted while on site by a member of the College Estate's Team.

The manager responsible for the area the contractor will be working in will check the identity of all contractors and their staff upon arrival at the college.

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity.
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity.

- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment.

Governors

All governors will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

All governors will also have the following checks:

- A section 128 check (to check prohibition on participation in management under section 128 of the *Education and Skills Act 2008*)
- Identity
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

Staff working in alternative provision settings

Where we place a student with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

Adults who supervise pupils on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

Pupils staying with host families

Where the College makes arrangements for students to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the College is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools and colleges abroad to ensure that similar assurances are undertaken prior to the visit.

Ongoing

- Allegations against education staff will be dealt with as detailed in Section D of the Child and Vulnerable Adult Protection Policy.
- 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, governors and students 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 to HR an offence, or any circumstances that may call into question their suitability to work with children or young people, 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 COMMENCE WORK**

☐ **MAY NOT COMMENCE WORK**

[Tick as appropriate]

SIGNATURE: _____

NAME: _____

JOB TITLE: _____

DATE: _____

SAFEGUARDING CHILDREN AND SAFER RECRUITMENT IN EDUCATION

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**

[Delete as appropriate]

RISK ASSESSMENT CONDUCTED BY: _____

SIGNED: _____

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 Principal or Deputy 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 the Director or Curriculum / Curriculum Manager.
- Director of Curriculum / Curriculum 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 the 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 Director of Curriculum / Curriculum 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 Director of Curriculum / Curriculum Manager.



VOLUNTEER – RISK ASSESSMENT

All volunteers will be risk assessed regardless of how long they are supporting the work of the College.

Volunteers to the college will usually be met at reception by their host after being issued with a visitors' badge. Ideally volunteers should be accompanied during their visit to the College, although 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		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	Y/N	

DECISION:

- **High Risk**

The person has no previous connection with the college **AND** cannot provide references or photographic ID

- **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.

- **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 (e.g. May be a current/form pupil/employee)

- **This volunteer requires a DBS: Yes / No?** ○ **Enhanced with / without**

barred list check?

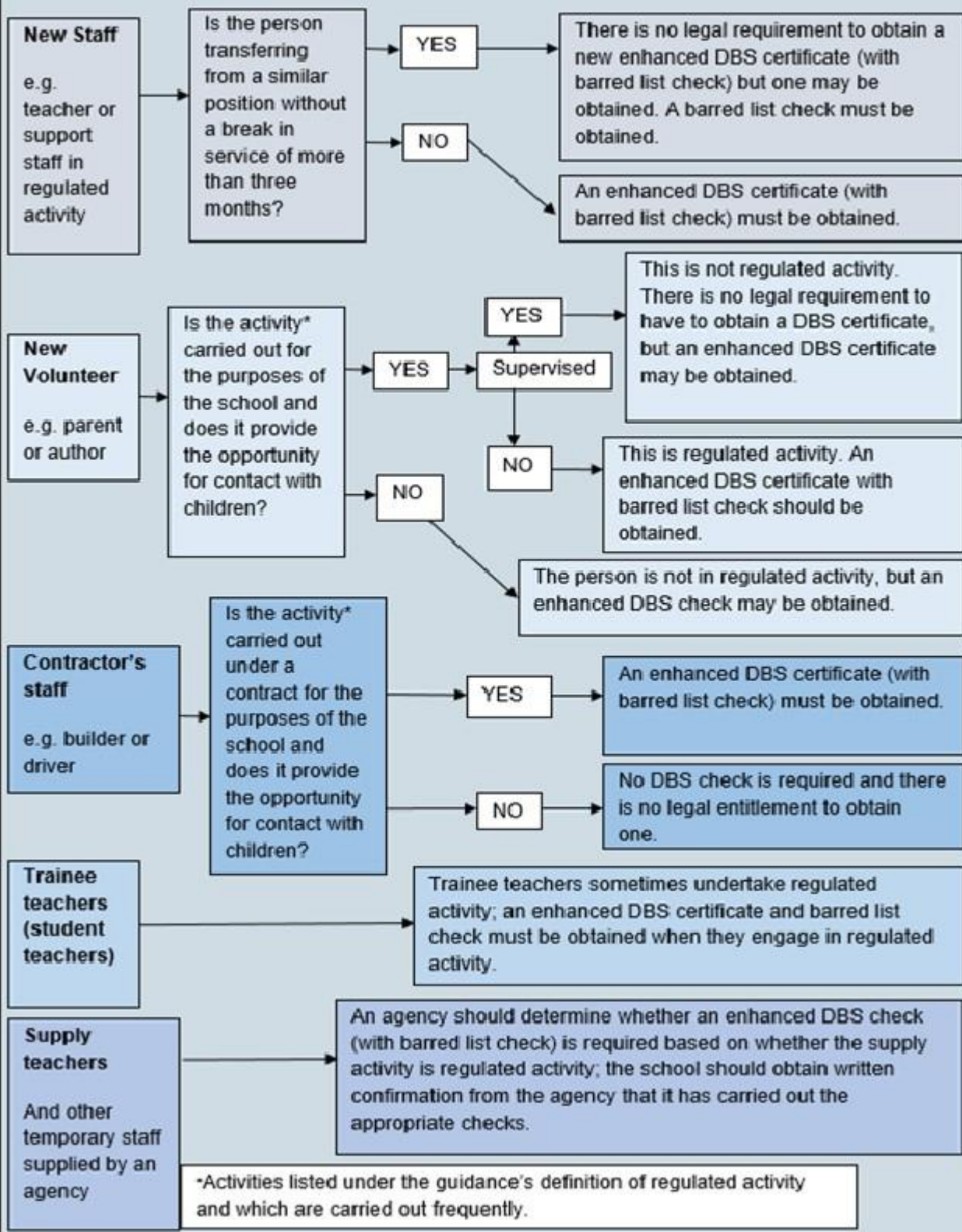
- **This volunteer can / cannot be allowed on college premises with minimal supervision?**

Signed: _____

Name: _____

Date: _____

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



RECRUITMENT OF EX-OFFENDERS

Itchen Sixth Form 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) 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 welcomes 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 supports Itchen Sixth Form College asking 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*. The college will assess each case on its merits and in accordance with objective assessment criteria.

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).

Assessment Criteria

In the event that relevant information is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the College will consider the following before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;

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

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

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

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

If the post involves some driving responsibilities, it is the College's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last 10 years.

Assessment Procedure

In the event that relevant information is volunteered by an applicant during the recruitment process or obtained through a disclosure check, a Safer Recruitment: Note of Investigation will be completed where:

- A. An applicant has, at application stage, provided details of previous convictions, cautions, bindovers or disciplinary processes that have safeguarding concerns (whether in relation to previous convictions or otherwise).
- B. A referee provides information of this nature that was not disclosed by the applicant as part of the application process.
- C. A successful applicant (whether or not they have provided complete information at application stage) does not receive a clear disclosure.

The College will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by a member of the Senior Leadership Team who has successfully completed Safer Recruitment training before a position is offered.

If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the DBS directly. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the College will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

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 Sixth Form 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 2018* and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

Storage and Access

If an applicant is appointed, the College will retain any relevant information provided on their application form, together with any attachments and evidence of pre-employment checks completed on their personnel file. The file will be live and updated as required.

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).

Single Central Register of Recruitment Vetting Checks (SCR)

Itchen Sixth Form College will keep and maintain a SCR. The SCR will list all staff who are employed at the College, including casual staff, supply agency staff whether employed directly or through an agency, volunteers, governors, and those who provide additional teaching or instruction for pupils, but who are not employed by the College e.g., specialist sports coaches. The SCR will indicate whether the required pre-employment checks have been completed, what documents have been checked, when and by whom.

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 *The Equality Act 2010*. 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 Head of HR & Payroll



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> <i>Don’t include any irrelevant personal information.</i> 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.



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 to Justice Website.

Please be advised that 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?

Yes / No

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)

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 AN ENVELOPE MARKED AS 'CONFIDENTIAL'
ADDRESSED TO: 'Itchen College HR Department'***

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

1. It is Itchen Sixth Form 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/collections/dbs-filtering-guidance>
 - 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 disclosure 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*. 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: <https://www.gov.uk/tell-employer-or-college-about-criminal-record>
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