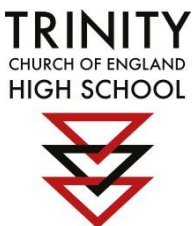


## **SAFER RECRUITMENT POLICY**

 <b>TRINITY</b> CHURCH OF ENGLAND HIGH SCHOOL	<b>Reviewed by:</b>	Head and Leadership Team
	<b>Approved by:</b>	Head
	<b>Date approved:</b>	June 2025
	<b>Date adopted:</b>	1 <sup>st</sup> September, 2025
	<b>Next review due by:</b>	End of 2027/28 academic year

### **AIM/PURPOSE**

The aim of the policy is to embed safer recruitment practices and procedures and to support the creation of a safer culture by reinforcing the safeguarding and well-being of children and young people. The purpose of the policy is to deter and prevent people who are unsuitable to work with children from applying for or securing employment in schools. Having a Safer Recruitment Policy in place ensures that potential applicants are given the right messages about the school's commitment to recruit suitable people.

### **GENERAL PRINCIPLES**

This policy complies with the guidance outlined in the Government's 'Keeping Children Safe in Education 2023, Statutory Guidance for Schools and Colleges', with particular reference to Part Three of the document: 'Safer Recruitment'.

It is vital that we create a culture that safeguards and promotes the welfare of children in our school. As part of this culture we have adopted robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying or securing employment or volunteering opportunities with us at Trinity CE High School, alongside educating and informing our staff to vigilantly apply this Safer Recruitment Policy throughout the recruitment process.

### **KEY SCHOOL STAFF AND ROLES**

The Head has ultimate responsibility for safeguarding. In the Head's absence our Designated Safeguarding Lead is the authorised member of staff with this responsibility. The Deputy Head with responsibility for Professional Standards and Teacher Development and the HR Manager have responsibility for Safer Recruitment. We have a designated Safeguarding Lead Governor. A number of other key staff in school have also received training on Safer Recruitment.

### **1. RECRUITMENT AND SELECTION PROCESS**

We will adhere to the advice regarding all aspects of safer recruitment, including pre-employment checks and DBS checks as detailed in KCSiE Part 3 and the DfE definitions of regulated activity.

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

We will ensure that potential applicants are given the right messages about our commitment to recruit suitable people.

Our safeguarding culture permeates all that we do and we actively promote the welfare of children in our school. As part of this culture, we employ robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying or securing employment or volunteering within our school.

We ensure that those involved with recruitment and employment of staff to work with children have received appropriate safer recruitment training, refreshed every 3 years. We also ensure that at

least one person who conducts an interview has completed safer recruitment training and we make this Policy available to interview panel members.

### **1.1 Advertising**

When advertising roles, we will be clear about the safeguarding requirements for the post such as to what extent there will be contact with children and whether the postholder will be engaging in regulated activity relevant to children (see Regulated Activity on Page 5) and will make clear:

- Our school's commitment to safeguarding and promoting the welfare of children;
- 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;
- 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. Further information is available in the Appendices.

### **1.2 Information Pack for Applicants**

Our information packs 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 links to our Safeguarding and Child Protection Policy and our Safer Recruitment Policy which includes as an Annex our Recruitment of Ex-offenders Policy;
- Include a statement that shortlisted candidates will be required to submit a criminal disclosure form before interview and that an online search of publicly available material will be completed by the school before interview.

### **1.3 Application Forms**

Generally, all applications are made via the Tes online portal, using an education-setting specific application form. Occasionally an application form will be sent to candidates if they are unable to access the internet. In either instance, all forms require provision of the following:

- i) Personal details, current and former names, current address and national insurance number;
- ii) Details of their present (or last) employer and reason for leaving;
- iii) Full employment history since leaving school, including education, employment and voluntary work and also include reasons for gaps in any employment;
- iv) Qualifications, the awarding body and date of award;
- v) Details of referee/references;
- vi) A statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification;
- vii) A signature to declare that the information given is true and complete, and dated. Where there is an electronic signature, shortlisted candidate will be required to physically sign a hard copy of the application at point of interview).

Copies of CVs are not acceptable, as they do not provide adequate information.

### **1.4 Shortlisting**

Our shortlisting process will involve at least 2 people, at least one of whom will have undertaken Safer Recruitment training. Members of the panel will be given a copy of the Safer Recruitment Policy to read and will:

- Take time to consider any inconsistencies and look for gaps in employment and reasons given for them;
- Explore all potential concerns;
- Ensure they apply the same criteria from the Person Specification to each applicant consistently;
- Record objective evidence about the extent to which each candidate meets the criteria.

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.

### **1.5 Self-Declaration of Criminal Record or Criminal Information**

Once we have shortlisted candidates and prior to interview, 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 information we 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. This will be provided to the HR Manager prior to interview;

The purpose of a self-declaration is so candidates have the opportunity to share relevant information and allow this to be discussed and considered at interview before the DBS certificate is received. The Form that we use is found on Page 12.

### **1.6 Seeking references and checking employment history**

The purpose of seeking references is to allow employers to obtain factual information to support appointment decisions. We will request references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview. We mainly use the automated Tes Portal to seek references, which conforms to safer recruitment best practice. Where this is not possible, we use the Form found on Page 14.

When seeking references, we will:

- Not accept open references or rely on candidates to obtain their reference;
- Liaise directly with referees and verify any information contained within references with the referees;
- Ensure any references are from the candidate's current employer and completed by a senior person with appropriate authority. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect of any disciplinary investigations;
- 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 (if not currently working with children), if the candidate has never worked with children, then ensure a reference from their current employer;
- Always verify any information with the person who provided the reference and ensure electronic references originate from a legitimate source;
- Contact referees to clarify content where information is vague or insufficient information is provided;
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate;
- Establish the reason for the candidate leaving their current or most recent post;
- Resolve any concerns before an appointment is confirmed.

### **1.7 Interview and Selection**

We use a range of selection techniques to identify the most suitable person for the post including finding out what attracted the candidate to the post and their motivation for working with children, exploring skills and asking for examples of their experience working with children, and probing any

gaps in employment or where the candidate has moved or changed employment/location frequently.

We will use the interview to explore any areas of concern and to determine the applicant's suitability to work with our children. This includes any past disciplinary action or substantiated allegations.

Students will be involved in the recruitment process in a meaningful way where appropriate, for example on a Student Panel as part of a Teaching Assistant interview process.

All information considered in decision making will be clearly recorded along with the decisions made.

When interviewing candidates, our panel members will:

- Probe any gaps in employment, or where the candidate has changed employment or location frequently, and ask candidates to explain these;
- Explore any potential areas of concern to determine the candidate's suitability to work with children;
- Find out what attracted the candidate to the post being applied for and their motivation for working with children;
- Explore their skills and ask them for examples of working with children which are relevant to the role.

Interviews are used to explore potential areas of concern to determine the applicant's suitability to work with children. Our training keeps us alert to areas that may be concerning and leads us to further probing, including:

- Any implication that adults and children are equal (in feelings and friendships);
- Lack of recognition and/or understanding of the vulnerability of children;
- Inappropriate idealisation of children;
- Inadequate understanding of appropriate boundaries between adults and children;
- Indicators of negative safeguarding behaviours.

Any information about past disciplinary action or allegations would be considered in the circumstances of the individual case. We record all information considered and decisions made.

When assessing any disclosure information on a DBS certificate, we take into consideration the explanation from the applicant, including for example:

- The seriousness and relevance to the post applied for;
- How long ago the offence occurred;
- Whether it was a one-off incident or a history of incidents;
- The circumstances around the incident;
- If the individual has accepted responsibility for their actions.

We also consider the incident in the context of the Teachers' Standards and Teacher Misconduct Guidance, if the applicant is applying for a teaching post.

If we allow an individual to start work in 'regulated activity' relating to children before the DBS is available, we ensure that the individual is appropriately supervised and that we carry out all other checks, including a separate Children's Barred List check via the DfE website.

## **2. PRE-APPOINTMENT AND VETTING CHECKS, REGULATED ACTIVITY AND RECORDING OF INFORMATION**

We adhere to the legal requirements which must be carried out when appointing individuals to engage in regulated activity relating to children.

All offers of appointment will be conditional until satisfactory completion of mandatory pre-employment checks. These are

- i) Identity – birth certificate (Appx 6, P19)
- ii) Enhanced DBS, including children's barred list information, for those engaging in regulated activity with children (Appx 7, P19)
- iii) Separate children's barred list check if individual will start work before DBS is available
- iv) Verify candidate's mental and physical fitness to carry out the role

- v) Verify the person's right to work in the UK, including EU nationals (Appx 8, P19)
- vi) Further checks on individuals who have lived or worked outside the UK (Appx 9-13, P19). Where these are not available after making attempts to obtain them, we will seek any alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment
- vii) Verify professional qualifications using TRA Employer Access Service

In addition,

- i) We will check that a person taking up a management position is not subject to a S128 Direction made by the Secretary of State;
- ii) We will check/take reasonable steps that an applicant employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State.

## **2.1 Moving from a post**

We are not required to obtain an enhanced DBS or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked in a school in England in a post which brought them regularly into contact with children, or to which the person was appointed on or after 12.05.2006 and which did not bring the person regularly into contact with children, or in another institution in the further education sector (or 16-18 academy) which brought the person into contact with children for educational provision. However, we will consider whether it is appropriate to request an enhanced DBS to ensure we have up to date information.

**Regulated activity** means a person who:

- Will be responsible on a regular basis in school or college, for teaching, training, instructing, caring for or supervising children;
- Will be working on a regular basis in a specified establishment, such as school or in connection with the purposes of the establishment, where the work gives opportunity for contact with children;
- Will engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

See Appx 16, P19 for further regulated activity detail.

## **2.2 Pre-appointment vetting checks**

We will record all information on the checks carried out in the school'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.

## **2.3 Single Central Record**

We maintain a single central record of pre-appointment checks which covers all staff including teacher trainees on salaried routes, agency and third-party supply staff, even if they work for one day.

We must record, in terms of staff members, that checks have been made on the following information including the date on which each check was completed, or certificate obtained:

- i) Identity check;
- ii) A standalone children's barred list check;
- iii) An enhanced DBS check (with children's barred list check) with date of request and date certificate provided;
- iv) A prohibition from teaching check;
- v) Further checks on people who have lived or worked outside the UK;
- vi) A check of professional qualifications, where required;
- vii) A check to establish the person's right to work in the UK.

We will remove an individual's details from the single central record once they no longer work with us.

We are free to record any other information we deem relevant and this may include:

- i) Whether staff have been informed of their duty to disclose relevant information under childcare disqualification arrangements;
- ii) Checks made on volunteers;
- iii) Checks made on governors;
- iv) Dates on which safeguarding and safer recruitment training was undertaken;
- v) The name of the person who carried out each check;

We keep our single central record in electronic form.

We do not keep copies of DBS certificates but if we choose to retain a copy, with good reason, this will not be for longer than six months. When information is destroyed, we may keep a record that the vetting was carried out, the result and the recruitment decision taken.

We will keep a copy of other documents used to verify the candidate's identity, right to work and required qualifications in their personnel file.

## 2.4 New staff

All offers of appointment will be conditional until 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. 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 for 2 years afterwards;
- Verify their professional qualifications, as appropriate;
- Ensure they are not subject to a prohibition order if they are employed to be a teacher;
- For candidates taking up a management position (most likely to include, but not limited to, headteachers and deputy/assistant headteachers): check that candidates are not subject to a prohibition from management (Section 128) direction made by the Secretary of State.
- 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 checks 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;
  - As per current government guidance (see above): 'In the absence of available checks, we would expect employers to obtain as much information as possible in the form of references before deciding whether to make an offer of employment'.

## 2.5 Existing Staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual were 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 for 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' (see Appendix 2, P19 for definition); 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 ([Gov.UK link to legislation](#)); or
- We believe the 'harm test' is satisfied in respect of the individual (ie they may harm a child or vulnerable adult or put them at risk of harm) ([DBS Barring Referrals Guide](#)) and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left.

## 2.6 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.

The chair of the board will have their DBS check countersigned by the secretary of state.

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](#) if they have retained or been delegated any management responsibilities);
- Identity;
- Right to work in the UK;
- Other checks deemed necessary if they have lived or worked outside the UK.

## 3. OTHER CHECKS THAT MAY BE NECESSARY FOR STAFF, VOLUNTEERS AND OTHERS, INCLUDING THE RESPONSIBILITIES ON SCHOOLS AND COLLEGES FOR CHILDREN IN OTHER SETTINGS

### 3.1 Agency and Third Party Supply Staff

We will undertake written notification from any agency, or third party organisation, that they have carried out the same checks as the school or college would otherwise perform on any individual who will be working at the school or college. In respect of the enhanced DBS check, we will ensure that written notification confirms the certificate has been obtained by either the employment business or another such business.

If an agency or organisation has obtained an enhanced DBS certificate before the person is due to begin work at our school, which has disclosed any matter or information, or any information was provided to the employment business, we will obtain a copy of the certificate from the agency.

Where the position requires a children's barred list check, this will be obtained by the agency or third party by obtaining an enhanced DBS certificate with children's barred list information prior to appointing the individual.

We will check that the person presenting themselves for work at school is the same person on whom the checks have been made.

### 3.2 Contractors

Where we use contractors to provide services, we will set out our safeguarding requirements in the contract between the school and the organisation.

We will ensure any contractor, or employee of the contractor, working at the school or college, has been subject to the appropriate level of DBS check. Those contractors engaged in regulated activity with children will require an enhanced DBS check, including children's barred list information. Those not engaged in regular activity relating to children, but whose work provides them with an opportunity for regular contact with children, will require an enhanced DBS check not including children's barred list information. In cases where the contractor does not have opportunity for regular contact with children, we will decide whether a basic DBS will be appropriate.

We will not allow a contractor, on whom no checks have been made, to work unsupervised or engage in regulated activity. We will determine the appropriate level of supervision required, depending on circumstances.

If a contractor is self-employed, we will consider obtaining the DBS check.

We will always check the identity of a contractor on arrival at school.

### **3.3 Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure all necessary checks are carried out and obtain an enhanced DBS check with children's barred list information.

Where trainee teachers are fee funded, the training provider will carry out the necessary checks and we will obtain written confirmation from the provider that it has carried out all pre-appointment checks that we would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children. We may choose to record this information under non-statutory information.

### **3.4 Visitors**

Visitors provided by a third party will need to comply with agency and third-party requirements.

We will not ask for DBS checks or barred list checks for visitors such as children's relatives or those, for example, visiting a sport's day. However, our head will decide on the level of escort or supervision required by such.

Visitors in a professional capacity such as social workers and educational psychologists will have their identity checked and give assurances that they have the appropriate DBS check, or their employers will give this reassurance. We will not ask to see certificates in these circumstances.

External organisations will be given careful consideration as to the suitability of their presentation and resources for our children and we will assess as appropriate the educational value and age appropriateness of their content and decide if relevant checks will be required.

### **3.5 Volunteers**

We will not allow a volunteer, on whom no checks have been made, to be left unsupervised or allowed to work in regulated activity.

We will undertake a written assessment and use our professional judgement and experience to decide what checks, if any, are required for the volunteer to carry out their specific tasks. These will include

- i) The nature of the work with children, especially if it will constitute regulated activity, including the level of supervision required
- ii) What we know about the volunteer, including formal and informal information from staff, parents and other volunteers
- iii) Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability
- iv) Whether the role is eligible for a DBS check, and if it is, the level of the check, for volunteer roles that are not in regulated activity
- v) The details of the risk assessment will be recorded.

We will obtain an enhanced DBS check, including children's barred list information, for all volunteers who are new to working in regulated activity with children ie, where they are unsupervised and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges. We are not permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

To determine the level of supervision required, we will have regard for the statutory guidance in Annex E in KCSiE 2024 (P180).

Volunteers do not have to be re-checked if they have already had a DBS check. However, we will consider obtaining a new check at the appropriate level if we have any concerns about the person.



### **3.6 School Governors**

Our governors are required to have an enhanced DBS check and the governing body will apply for this.

Governance is not a regulated activity relating to children, so governors do not need a children's barred list check unless they also engage in regulated activity in addition to governance duties.

We will also carry out a S128 check for governors because a person prevented from participating in the management of an independent school by a S128 Direction is also disqualified from being a governor of a school. We can store this check in our single central record as non-statutory information.

### **3.7 Alternative Provision**

If we place a pupil with an alternative provision provider, we remain responsible for the safeguarding of that pupil and will ensure the provider meets the needs of the pupil, including obtaining written information that appropriate safeguarding checks have been carried out on individuals working at the establishment.

### **3.8 Adults who supervise children on work experience**

Where we organise work experience placements for our children, we will ensure the placement provider has policies and procedures in place to protect our children from harm.

Children's barred list checks via the DBS may be required on some people who supervise a child under 16 on a work placement experience and we will give specific consideration to the nature of supervision and the frequency of the activity being supervised to determine what, if any, checks are necessary.

If the pupil's supervisor is engaging in regulated activity by virtue of performing that role, we will seek assurance that this person is not a barred person.

We are not able to request an enhanced DBS with children's barred list information for staff supervising children aged 16-17 on work experience.

If our pupils are engaged in work experience in a school or college with the opportunity for contact with other children, this may be considered as regulated activity and we will consider if an enhanced DBS check should be requested if they are 16 or over.

We are not able to request DBS checks for children under 16.

## **4. HOW WE ENSURE THE ONGOING SAFEGUARDING OF CHILDREN AND OUR LEGAL REPORTING DUTIES AS EMPLOYERS**

Our governing body and all staff demonstrate a continuing commitment to the safety and welfare of our children beyond the recruitment process and this is embedded in all of our processes and procedures, therefore ensuring safety and welfare are enshrined in our ethos.

We have processes in place for continuous vigilance which deter and prevent abuse and challenge inappropriate behaviour.

We have created a culture and environment where staff feel comfortable to discuss matters which may have implications for the safeguarding of our children.

All our staff understand the process and procedures to follow if they have a safeguarding concern about another staff member.

We will carry out new checks on existing staff in certain circumstances:

- i) Where an individual moves from an activity that was not regulated into a post which is considered to be regulated activity with children;
- ii) Where there has been a break in service of 12 weeks or more;
- iii) Where there are concerns about an individual's suitability to work with children.

### **4.1 Duty to report to the Disclosure and Barring Service**

If an allegation is made and investigated, and has foundation, we will ensure we have consulted the referral duty criteria in the DBS referral guidance. (Appx 19, P19)

We have a legal duty to make a referral to the DBS where we remove an individual from regulated activity and believe the individual has:

- i) Engaged in relevant conduct in relation to children and/or adults, and/or
- ii) Satisfied the harm test in relation to children and/or vulnerable adults, and/or
- iii) Been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence. (Appx 20, P19);
- iv) The DBS will consider whether to bar the individual.

#### **4.2 Duty to consider referral to the TRA**

If a teacher is dismissed or we cease to use their services, because of serious misconduct, or might have dismissed them had they not left first, we will consider whether to refer the case to the Secretary of State as required by sections 141D and 141E of the Education Act 2002. (Appx 21, P19)

The Secretary of State will investigate and make the decision.

## Self-Declaration of Criminal Record or Criminal Information

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):

***Trinity CE High 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 note the following before answering the 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](mailto:helpline@nacro.org.uk) or phone 0300 123 1999

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

1. Do you have any convictions or adult cautions that are unspent? Yes / No
If yes, please provide details here
2. Do you have any other cautions or convictions that would not be filtered? Yes / No
If yes, please provide details here
3. Do you have any cautions or convictions for offences committed in another country which would be relevant to your suitability for this post in line with the law in England / Wales? Yes / No

If yes, please provide details here
4. Are you currently being investigated by the police or have you been charged with an offence which has not yet reached court? Yes / No
If yes, please provide details here
5. Are you known to the police or children's social care for any other reason that could affect your suitability for this post? Yes / No
If yes, please provide details here
6. <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 / No
If yes, please provide details here
7. ( <i>Teaching posts only</i> ) Are you, or have you ever been, prohibited from teaching by the TRA or NCTL or sanctioned by the GTCE? Yes / No / Not applicable
If yes, please provide details here
8. Have you been prohibited from management of an independent school (s128)? Yes / No / Not applicable
If yes, please provide details here
9. Have you lived or worked outside the UK for more than 3 months in the last 5 years? Yes / No
If yes, please provide details here
10. Are you subject to any sanctions relating to work with children in any country outside the UK? Yes / No
If yes, please provide details here
<p><b>Please complete the declaration below:</b></p> <p>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.</p> <p><b>Signed:</b> _____ <b>Date:</b> _____</p>

**Please return this form to: Helen Redford, HR Manager, or Carol Tsui, HR Administrator**

## Reference Request Form

[illegible]

<p>To the best of your knowledge has the applicant ever had an allegation made against them, which was founded, in regard to his/her behaviour towards children?</p> <p>Yes [ ]      No [ ]</p>
<p>If Yes please give full details of the nature and date(s) of the allegation(s), by whom they were investigated, what conclusion was reached as a result of the investigation, whether any action was taken and if so what that was?</p>
<p>Has the applicant been the subject of a disciplinary action in respect of which penalties or sanctions remain in force?</p> <p>Yes [ ]      No [ ]</p>
<p>If Yes please give full details of the nature and date(s) of the misconduct and of the penalty or sanctions still in force.</p>
<p>Printed name:</p>
<p>Signature:</p>
<p>Position:</p>
<p>Organisation:</p>
<p>Date:</p>

## **MONITORING AND EVALUATION**

The policy will be the responsibility of the Head and Leadership team to review and approve.

## **APPENDIX 1 – RECRUITMENT OF EX-OFFENDERS POLICY**

### **INTRODUCTION**

The Revised Code of Practice for Disclosure and Barring Service Registered Persons, November 2015, published under section 122 of the Police Act 1997, advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed.

The Code also obliges registered bodies to have this written policy on the Recruitment of Ex-Offenders; a copy of which or link to which can be given to DBS applicants at the outset of the recruitment process.

### **FURTHER INFORMATION ABOUT CONVICTION INFORMATION**

On 29 May 2013, legislation came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure. In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions. However, all cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.

Guidance and criteria which explains the filtering of old and minor cautions and convictions which are now 'protected', and therefore not subject to disclosure to employers, can be found at [www.gov.uk/government/collections/dbs-filtering-guidance](http://www.gov.uk/government/collections/dbs-filtering-guidance), along with the list of offences that will never be filtered from a DBS certificate.

### **RECRUITMENT OF EX-OFFENDERS**

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Trinity CE High School complies fully with the Revised Code of Practice for Disclosure and Barring Service Registered Persons, November 2015, and undertakes to treat all applicants for positions fairly.

The school undertakes not to discriminate unfairly against any subject of a criminal record check based on a conviction or other information revealed.

The school can only ask an individual to provide details of convictions and cautions that it is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended), the school can only ask an individual about convictions and cautions that are not protected.

Trinity CE High School is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

The school has this written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.

Trinity CE High School 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 criminal records. We select all candidates for interview based on their skills, qualifications and experience.

An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.



Trinity CE High School ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that those staff have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, eg the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences 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. We undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

We make every subject of a criminal record check submitted to DBS aware of the existence of the DBS Code of Practice [www.gov.uk/government/publications/dbb-code-of-practice](http://www.gov.uk/government/publications/dbb-code-of-practice) and make a copy available on request.

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## **APPENDIX 2 - RELEVANT CONDUCT IN RELATION TO CHILDREN**

[Gov.UK Guidance - making barring referrals to the DBS](#)

A child is a person under 18 years of age.

Relevant conduct is conduct that:

- endangers a child or is likely to endanger a child;
- if repeated against or in relation to a child would endanger the child or be likely to endanger the child;
- involves sexual material relating to children (including possession of such material);
- involves sexually explicit images depicting violence against human beings (including possession of such images);
- is of a sexual nature involving a child.

A person's conduct endangers a child if they:

- harm a child;
- cause a child to be harmed;
- put a child at risk of harm;
- attempt to harm a child;
- incite another to harm a child,

Examples of harm to children can be found via this link: [Gov.UK - Examples of harm in relation to children.pdf](#)

[Additional Appendices](#)

1. [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](#)
2. [DBS filtering guide - GOV.UK \(www.gov.uk\)](#)
3. [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](#)  
Self-disclosure example at end of document
4. Keeping Children Safe in Education 2024, para 221
5. Reference request example at end of document
6. [How to prove and verify someone's identity - GOV.UK \(www.gov.uk\)](#)
7. DBS checks – see KCSiE p67-71  
[Keeping Children Safe in Education 2024](#)
8. [Checking a job applicant's right to work - GOV.UK \(www.gov.uk\)](#)
9. [Criminal records checks for overseas applicants - GOV.UK \(www.gov.uk\)](#)
10. [Regulated professions database - European Commission \(europa.eu\)](#)
11. [Regulated Professions Register | Find a regulated profession \(regulated-professions.service.gov.uk\)](#)
12. [Recruit teachers from overseas - GOV.UK \(www.gov.uk\)](#)
13. [Qualified teacher status \(QTS\): qualify to teach in England - GOV.UK \(www.gov.uk\)](#)
14. [The Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018 \(legislation.gov.uk\)](#)
15. [Disqualification under the Childcare Act 2006 - GOV.UK \(www.gov.uk\)](#)
16. [Keeping Children Safe in Education 2024.pdf](#)
17. [Keeping children safe in education 2023 \(publishing.service.gov.uk\)](#)
18. [Children Act 1989: private fostering - GOV.UK \(www.gov.uk\)](#)
19. [DBS barring referral guidance - GOV.UK \(www.gov.uk\)](#)
20. [Making barring referrals to the DBS - GOV.UK \(www.gov.uk\)](#)
21. [Teacher misconduct: referring a case - GOV.UK \(www.gov.uk\)](#)