



<b>POLICY</b>	<b>Recruitment and Selection Policy and Procedure</b>
<b>STATUS/DATE OF THIS VERSION</b>	<b>September 2025</b>
<b>APPROVED BY</b>	<b>Board PPP Committee</b>
<b>RATIFIED BY</b>	<b>Board of Trustees</b>
<b>REVIEW</b>	<b>September 2026</b>

This policy is operated by all the schools in Unity Education Trust (as listed below).

**There may be sections that are specific to one school and these will be added by the school either as an annex or in place of yellow highlighted sections below.**

**Any queries about the policy should be directed, in the first instance, to the Headteacher/Head of School:**

- **Beeston Primary**
- **Garvestone Primary**
- **Grove House Infant**
- **Kings Park Infant**
- **Northgate High School and Dereham Sixth Form College**
- **The Pinetree School**
- **Churchill Park**
- **Greyfriars Primary**
- **Highgate Infant School**
- **Kings Oak Infant School**
- **Wimbotsham and Stow Primary**
- **Magdalen Primary**
- **St Germans Primary**
- **Great Dunham Primary**
- **UET Compass Belton Academy**
- **UET Pathfinder Douglas Bader Academy**

# Recruitment and Selection policy and procedure MATs

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We, the Trust Board, have adopted this policy and procedure.

## 1. Introduction and scope

- 1.1 This policy is required by statute. The aim of this policy and procedure is to ensure the requirements of *Safer Recruitment Guidance* produced by the Norfolk Safeguarding Children Board (NSCB) and general employment legislation are met. It will do this by supporting the principles and recommendations set out in the DfE document 'Keeping children safe in education' statutory guidance. It provides a detailed, step by step, walk through of legislative requirements and best practice recruitment and selection in education.

- 1.2 This policy and procedure supports the Trust's obligation to work in line with current employment law and ACAS best practice, especially in the area of discrimination. Recruitment and selection are a critical activity within the Trust. Recruitment practices must be safe in the context of appointing people who are suitable to work with children and young people. Recruitment and selection processes will embrace core principles around safeguarding children and young people and employment legislation.
- 1.3 This policy and procedure applies to all teaching and support staff posts in the Trust. As well as students, contractors, agency staff, supply staff, carers or volunteers who work in the school or its extended environment.
- 1.4 Poor appointments to the Trust can lead to unnecessary and costly staff turnover, poor performance, dissatisfaction amongst the workforce and potentially put children at risk of harm. The importance of safer recruitment and recruitment best practice are recognised and underpin the Trust's recruitment processes.
- 1.5 See Recruitment Checklist for a quick reference checklist to ensure all the important elements of the recruitment process are undertaken.

## **2. Equalities and support**

- 2.1 The Headteacher will ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.
- 2.2 Through the implementation of this policy, the Governing Board/Trust will be mindful of their obligation to seek to maintain and protect the mental health and wellbeing of all employees as far as is reasonably practicable.
- 2.3 According to ACAS it is estimated one in seven people are neurodivergent, meaning that the brain functions, learns and processes information uniquely. Where an employee discloses neurodiversity, the Governing Board/Trust understands the employee may require extra support in relation to the application of this policy. Where reasonable adjustments are necessary and can be accommodated, the Headteacher will support these.
- 2.4 All employees will be selected, trained and promoted on the basis of ability, the requirements of the job and other similar criteria that are as objective as possible. The only exception will be by virtue of legislation or an occupational requirement.
- 2.5 The Equality Act extends, beyond *direct* and *indirect* discrimination, the circumstances in which unlawful discrimination can take place. In respect of some 'protected characteristics', *associative* discrimination (i.e., direct discrimination against someone because they associate with another person who possesses a protected characteristic) and discrimination by *perception* (i.e., direct discrimination against someone because others think they have a protected characteristic). In any

recruitment and selection exercise at the Trust, those involved will be alert to any potential unlawful discrimination.

- 2.6 This policy and procedure forms part of the Trust's wider approach to equality, including the Public Sector Equality Duty. The Trust recognise that all public sector organisations are under a single equality duty (from the Equality Act 2010) to demonstrate that they are achieving equality in their workforce across all the protected characteristics.
- 2.7 The applicant's date of birth will not be included within the application form due to the risk of age discrimination. See paragraph 7.3 for further information.
- 2.8 All those taking part in the recruitment and selection process have responsibility for applying the policy on equal opportunities to avoid unlawful discrimination.

### **3. Responsibilities and application**

- 3.1 All governors, trustees, Headteachers and employees involved in a recruitment and selection exercises will adhere to the requirements of this policy and procedure and any related policies when conducting the recruitment process and in their decision making.
- 3.2 The Trust recognises its responsibility for ensuring at least one employee and one Trustee or governor are trained in Safer Recruitment and that at least one appropriately trained individual (employee or governor) is involved in each and every recruitment exercise.
- 3.3 The Trust will ensure their scheme of delegation for appointment of staff is reflected in this policy and procedure, to be clear about where responsibility lies. Decisions taken by the Trust in relation to the discretion to delegate aspects of the appointments process will be reviewed annually and recorded in the appropriate meeting minutes.

This Trust operates in accordance with the School Teachers Pay and Conditions Document and the Burgundy Book are required to pay teaching staff in accordance with the School Teachers Pay and Conditions Document and to apply 'Burgundy Book' conditions of service for teaching staff appointments.

For support staff appointments, the Trust operates in accordance with Norfolk County Council's Modern Reward Strategy (MRS), the Trust will either use model job specifications (which have been job evaluated through the MRS process) or will work with the County Council's HR Service in the development of a bespoke job description which will then either be matched (in grading terms) or evaluated to establish the appropriate grade.

- 3.4 The Trust will give appropriate consideration to redeployees put forward by the local authority, provided details of the nominated candidate are forwarded to the Headteacher by the stated closing date.

#### **4. Establishing the requirements of a role**

- 4.1 In advance of any recruitment exercise, the Trust will consider relevant aspects of workforce planning in advance of advertising a vacancy.
- 4.2 When a vacancy occurs, the relevant post will be reassessed in the context of the Trust's needs, to see if it is still required and, if so, whether changes to the job are needed to meet future needs. Every time a vacancy arises, appropriate individuals within the Trust e.g., Governing Board/Headteacher/Trustees will be clear about its current and anticipated future budget position, number on roll trends, and other data which will help identify whether an appointment needs to be made and, if it does, whether that appointment should be permanent or fixed-term, full or part-time, etc.
- 4.3 The appropriate individuals within the Trust e.g., CEO/Headteacher/ Trustees will consider whether or not recruitment to the post needs to happen, whether a review of the post (and perhaps wider staffing structure) should occur before proceeding. This may be particularly relevant where the Trust is experiencing or anticipate financial 'tightening' perhaps through reducing pupil/student numbers. It may also present an opportunity to remove a post from the structure without the need for a staffing adjustment process. A decision not to recruit or to recruit to a different post (e.g., part-time instead of full-time, for a fixed term, or at a lower scale) may help avoid problems further down the line. A vacant post may well prove to be an opportunity to avoid a redundancy problem in the foreseeable future. The Trust recognises this and is committed to appropriate workforce planning considerations whenever a vacancy arises. See Appendix A for options to consider when filling vacancies.
- 4.4 If any significant change in staffing structure arises from such workforce planning considerations, the Trust will carry out appropriate consultation with staff. This is most likely to be appropriate where the Trust are considering a change to the leadership and/or teaching and learning responsibility payments (TLRPs) structures of the Trust.
- 4.5 In reviewing or creating a job description, person specification and other documents linked to a post which is to be advertised, the Trust will have regard to any statutory or local agreement requirements applicable to the group in which the post falls.
- 4.6 If it is decided to recruit to the post there will be a plan for the recruitment exercise, identifying who should be involved, assigning responsibilities, and setting aside sufficient time for the work needed at each stage so that safeguards are not overlooked. For example, it is important to organise the selection process to allow references to be obtained on shortlisted candidates before interview, wherever possible.
- 4.7 Safer practice in recruitment also means thinking about and including issues to do with child protection and safeguarding and promoting the welfare of children at every stage of the process. It starts with the process of planning the recruitment exercise and, where the post is advertised, ensuring that the advertisement makes clear the Trust's commitment to safeguarding and promoting the welfare of children. It also requires a consistent and thorough process of obtaining, collating, analysing, and

evaluating information from and about applicants. Further information regarding safeguarding and checks that will be carried out during the recruitment process can be found at sections 7, 17 and 18.

## **5. Post specification**

- 5.1 Deliberate consideration will be given to identifying the duties (job description) and the skills/competencies; knowledge; skills; experience; qualifications (person specification) required to do the job. Writing a good job description and person specification help in the process of analysing the needs of the job and underpins the selection process.

The Trust is signed up to NCC's Modern Reward Strategy and will ensure that all job descriptions for support staff are graded before the post is advertised. Generic (already graded) job descriptions are available on InfoSpace. Non-standard job descriptions should be discussed with EducationHR to help determine a suitable grade.

- 5.2 The job description is a statement of the purpose and scope, line management relationships and principal duties and responsibilities of a post. All job descriptions will clearly state the individual's responsibility for promoting and safeguarding the welfare of children and young people they are responsible for or come into contact with.
- 5.3 The person specification will translate the duties of the job description into essential and desirable characteristics (the 'core' requirements) needed to undertake the job effectively. It will essentially describe the qualifications, experience, knowledge, skills, competencies, and other attributes of the 'ideal' person to fill the job.
- 5.4 Particular care will be taken when devising a person specification to ensure that the essential and desirable criteria do not unlawfully discriminate against particular groups of people either directly or indirectly. Examples of unlawful discrimination could be:
- Placing an age limit for applications;
  - Stipulating a UK qualification (when a non-UK equivalent may be as high a standard if not higher);
  - Requiring a driving licence when in the post does not require one.
- 5.5 All material in the recruitment pack, e.g., the application form, job description, information for applicants etc, will clearly set out the extent of relationships and contact with children. All work in a school or similar setting will involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.
- 5.6 The recruitment pack will also state that:
- For all posts, a statement will be included, including in the person specification, to make clear the Trust's commitment to safeguarding and promoting the welfare of children: "*The Trust is committed to safeguarding and promoting the welfare of*

*children and young people and expects all staff and volunteers to share this commitment.”*

- All shortlisted candidates will be subject to an online check as stated in Keeping Children Safe in Education;
- where appropriate, the successful applicant will be required to provide a DBS disclosure at the appropriate level for the post and where relevant sign a childcare (disqualification) regulations declaration;
- references will be sought on short-listed candidates, and may approach previous employers for information to verify particular experience or qualifications, before interview;
- if the applicant is currently working with children, on either a paid or voluntary basis, their current employer will be asked about disciplinary offences relating to children, including any in which the penalty is time expired (that is where a warning could no longer be taken into account in any new disciplinary hearing for example). They will also be asked whether the applicant has been the subject of any child protection concerns and, if so, the outcome of any enquiry or disciplinary procedure. If the applicant is not currently working with children but has done so in the past, that previous employer will be asked about those issues;
- the applicant will be notified that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and possible referral to the Police.

5.7 An accurate, comprehensive job description and person specification will enable those shortlisting and conducting the interviews to make decisions against objective criteria. Clear, precise, measurable and objective criteria will help to ensure the later stages of the recruitment process are more straightforward, consistent and less time consuming.

5.8 Importantly, the criteria will also form the basis for the assessment of the candidates called for interview and enable the Trust to identify the most suitable candidate for the job.

## **6. Recruitment advertising**

- 6.1 All posts will be advertised concurrently internally and externally to the Trust, unless:
- the staffing adjustment process is being applied and recruitment from within can avoid or minimise the need for compulsory redundancy selection; or
  - the Trust have agreed to give prior consideration to a person nominated by the Education **HR** Adviser (Redeployment) under its staffing adjustment scheme; or
  - a fixed term worker has occupied the post for a significant period of time (see guidance on employing temporary staff including the use of fixed-term contracts);
  - there are clearly sufficient suitable internal candidates, in which case the vacancy can be advertised internally only, for reasons of cost and expediency.
- Internal only adverts will be made accessible to all staff. Regardless of how the post is advertised all staff (including those on family related leave e.g., maternity) will have the same chance to see the advert so as not to discriminate.

UET will decide if 'internal only' means advertising only within the school/academy where the vacancy is or around the whole Multi-Academy Trust.

6.2 The advert will include the following:

- A statement of the Trust's commitment to safeguarding and promoting the welfare of children that makes clear that safeguarding checks will be undertaken;
- The safeguarding responsibilities of the post as per the job description and personal specification; and
- Confirmation of whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means that when applying for certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to the employer, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the [DBS filtering guide](#).
- If the post is exempt from the Rehabilitation of Offenders Act 1974, the advert will include the following wording: *This post is exempt from the Rehabilitation of Offenders Act and you will be required to undergo an Enhanced DBS check or Enhanced DBS check with barred list. If you have information to declare it may be protected under the Exceptions Orders and you may not be required to declare it. You will be asked to make a criminal conviction declaration if you are shortlisted for the post.* [Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.](#)

6.3 The Trust will provide a copy of the safeguarding and child protection policy and practices and policy on employment of ex-offenders in the applicant pack or refer to a link on the Trust's website for applicants to access.

6.4 The Trust will comply with the fluency duty as laid out in the Code of Practice on the English language requirements for public sector workers (Part 7 of the Immigration Act 2016). The code imposes a duty on public authorities to ensure that public facing workers have the necessary level of fluency in English to perform their role effectively. For further information [see the Code of Practice on the English language requirement for public sector workers on gov.uk](#)

Adverts for roles in scope will include wording to the effect of: *'This post is covered by Part 7 of the Immigration Act (2016) and therefore the ability to speak fluent English is an essential requirement for this role.'*

Job descriptions and person specifications for in scope roles will also reflect this requirement.

## 7. Applications

7.1 The Trust will use an application form to obtain a common set of core data from all applicants. The Trust will only accept CVs alongside application forms. A CV on its own will not provide adequate information.

7.2 Application forms for all types of post will obtain from the applicant:

- current and former names, current address and National Insurance number;
- any academic and/or vocational qualifications the applicant has obtained that are relevant for the position, with details of the awarding body and date of award;
- a full history in chronological order since leaving secondary education, including periods of any post-secondary education or training, and part-time or voluntary work as well as full-time employment, with start and end dates, explanations for periods not in employment, education or training, and reasons for leaving employment;
- a declaration of any family or close relationship to any existing employees or employers (including councillors and governors);
- details of two professional referees from current and/or previous employers;
- a statement of the personal qualities and experience that the applicant believes are relevant to the job description and person specification.

See DBS Checks Model at Appendix C

7.3 The applicant's date of birth will not be included within the application form due to the risk of age discrimination. The applicant's date of birth is provided later on in the recruitment process to enable ID checking and payment of salary (where the applicant is successful) so it will be used then to check any gaps in employment history.

7.4 The application form will include an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974 and therefore that all convictions, cautions and bind-overs, including those regarded as 'spent', must be declared for shortlisted candidates.

7.5 It will also include a signed statement that the person is not disqualified from working with children, or subject to sanctions imposed by a regulatory body, e.g., the Teacher Regulation Agency), and either has no convictions, cautions, or bind-overs, or has attached details of their record in a sealed envelope marked confidential.

7.6 Applicants for teaching posts will also be asked:

- to provide their Teacher Reference number;
- whether they are recognised as having Qualified Teacher Status (QTS) by the Teacher Regulation Agency.

*Further information required for applicants who have lived or worked outside of the UK (including EU and EEA member states):*

7.7 Applicants who have lived or worked outside of the UK will undergo the same checks as all other staff (set out at paragraph 17), as well as additional checks (see paragraph 18). This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK.

- 7.8 There is no requirement for the Trust to obtain an enhanced DBS certificate 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 under the following circumstances, in a post:
- They worked in a post which brought them regularly into contact with children; or
  - They worked in a post to which they were appointed on or after 12th May 2006 and which did not bring them regularly into contact with children or young persons;
  - They worked in another institution within the further education sector in England, or in a 16-19 academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.
- 7.9 Where available, such evidence will be considered together with information obtained through other pre-appointment checks to help assess an applicant's suitability for the role. Where this information is not available the Trust will seek alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to appoint the applicant to the role. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the Trust will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. Further information can be found in the DfE ['Recruit teachers from overseas'](#) guidance.

## **8. Shortlisting**

- 8.1 For most appointments there will only be a need for a shortlisting process. However, if there are a large number of candidates there may also be a need to carry out an initial longlisting process.
- 8.2 Shortlisting (and longlisting where it happens) aims to match the applicants as closely as possible to the person specification, and at least two appropriately trained people will carry out this task.
- 8.3 Every application will be read, and assessed against the person specification, taking into account the requirements of the job description. Only those criteria that can be measured from the application will be included.
- 8.4 The criteria used in shortlisting will be justifiable in terms of the job, have objective validity, will not be changed half-way through and will be applied to all candidates. All candidates will be assessed against the established criteria without exception or variation.
- 8.5 Candidates will only be shortlisted if they meet all the essential elements of the person specification. If the initial shortlisting exercise produces too long a list of suitable candidates, the Trust will use the desirable criteria. It is also appropriate to "weight" the desirable criteria in order of importance in arriving at a final shortlist.
- 8.6 The Trust will not discriminate against any applicant when shortlisting, or at any point through the recruitment process.

- 8.7 All shortlisted candidates will have an online search carried out as part of the Trust's due diligence. This may help identify any incidents or issues that have happened and are publicly available online which the Trust might want to explore with the applicant at interview. See *Guidance for online checks for shortlisted candidates G108h*)
- 8.8 A shortlisting record will be completed for all candidates, whether they have been selected for shortlisting or not, recording the reason(s) for not shortlisting candidates, in case of complaint or requests for feedback. Applicants can request access to the shortlisting record, so it is essential to ensure that the information recorded is relevant to the job and non-discriminatory. Any release of documentation would need to comply with data protection law.

## **9. Scrutinising and shortlisting**

- 9.1 All applications will be scrutinised to ensure that they are fully and properly completed, that the information provided is consistent and does not contain any discrepancies, and to identify any gaps in employment.
- 9.2 Incomplete applications will not be accepted. CV applications will not be accepted.
- 9.3 Any anomalies, discrepancies or gaps in employment will form consideration of whether to shortlist the applicant. As well as reasons for obvious gaps in employment, the reasons for a history of repeated changes of employment without any clear career or salary progression, or a mid-career move from a permanent post to supply teaching or temporary work, will also be explored and verified.
- 9.4 Shortlisted candidates will be asked to complete the *Disclosure of Criminal Convictions and Suitability to Work Form*. Candidates will not be asked to complete this form prior to shortlisting e.g., on the application form. Where this form is completed electronically, applicants will be asked to sign a hard copy at interview.

## **10. Shortlisting disabled applicants**

- 10.1 Public sector organisations, including this Trust, are statutorily required to be proactive in ensuring disabled people are treated fairly. To ensure that a person with a disability is not placed at a substantial disadvantage, the law requires reasonable adjustments to be made at all stages of the recruitment process.
- 10.2 Candidates are asked to state clearly on the application form if they feel this applies to them. In accordance with disability equality legislation, the Trust will provide any appropriate assistance to enable a disabled person (who meets the stated selection criteria for the post) to attend for an interview.

## **11. Shortlisting job share applications**

- 11.1 Where candidates have applied for a vacancy on a job-share basis, their application will be considered in exactly the same way as other candidates.

## **12. References**

- 12.1 The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They will be sought and obtained directly from the referee. The referee details provided by the candidate will be verified.
- 12.2 Two satisfactory references will be obtained. One of which will be from the applicant's current employer in work with children. If the candidate is not currently employed references will be sought from their last employer, verifying their most recent period of employment and reasons for leaving. Where any applicant who is not currently working with children has done so in the past, a reference will also be obtained from that employer. References will be from a senior person with appropriate authority, not just a colleague.

The Trust will not rely on verbal references of testimonials, i.e. "To whom it may concern".

- 12.3 For safeguarding purposes, every request will ask whether the referee is completely satisfied that the candidate is suitable to work with children. If the applicant is currently working with children, on either a paid or voluntary basis, their current employer with children will be asked about:
- any current disciplinary sanctions (including information obtained from the Teacher Services System);
  - any disciplinary procedures involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired;
  - details of any allegations or concerns (excluding allegations which are made and investigated but are found to be false, unsubstantiated or malicious, including if there is a history of repeated concerns or allegations which have all been found to be false, unsubstantiated or malicious) that meet the harm threshold, which have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, and the outcome of those concerns e.g., whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved.
  - whether that teacher has been subject, in the last two years, to their school's capability procedure.
- 12.4 The Trust will ask the referee whether that teacher has been subject, in the last two years, to their employer's capability procedure. The Trust will also respond to any reference requests asking for this information.
- 12.5 If the applicant is not currently working with children but has done so in the past, that previous employer will be asked about those issues.

- 12.6 Where possible references for all shortlisted candidates, including internal ones, will be sought prior to interview, so that any issues of concern they raise can be taken up with the candidate at interview. Where it is not possible to request and/or receive references prior to interview, satisfactory references must be received prior to appointment.
- 12.7 On receipt, references will be scrutinised to ensure that all specific questions have been answered satisfactorily. If all questions have not been answered or the reference is vague or insufficient, the referee will be contacted and asked to provide written answers or clarify.
- 12.8 All requests for references will seek objective verifiable information and not subjective opinion. The Trust will use a template reference request form to help achieve that.
- 12.9 If the reference includes information regarding disciplinary investigations and the referee is not the Headteacher of the relevant school or academy, then the Trust will ensure that the Headteacher (or Acting Headteacher) has confirmed it as accurate.
- 12.10 Electronically received references will be checked to ensure they originate from a legitimate source.
- 12.11 Retention periods for references received for successful candidates will be kept for the duration the employee is employed by the Trust. These will be kept on the employee personal file. References for unsuccessful candidates will be kept for 6 months.

### **13. Involving pupils and students**

- 13.1 Involving pupils in the recruitment and selection process in some way, or observing shortlisted candidates' interaction with pupils, is recognised as good practice in schools. Candidates for teaching posts may, for example, be asked to teach a lesson; pupils and a member of staff could show candidates round the school. Where the Trust includes this in a recruitment process care will be taken to ensure judgements are as objective as possible, by ensuring evidence from these processes is gathered by an appropriately qualified individual against pre-set criteria.

### **14. Constitution of interview panels**

- 14.1 The membership of an interview panel will depend on decisions taken by the Trust regarding delegation of authority and the type of post:
- Appointing a Headteacher/Head of School or Deputy Headteacher – the Trust will appoint a selection panel consisting of at least three of its members, excluding the Headteacher.
  - Appointing teachers other than Headteachers and Deputy Headteachers and support staff – the Trust delegates the appointment of teachers and support staff to the Headteacher and one or more governors.
- 14.2 As far as possible, interview panels will always have a minimum of two interviewers, and in some cases, a larger panel might be appropriate. A panel of three

interviewers may be chosen to facilitate a fair vote. A panel will, where possible, include both genders for equal opportunities purposes, even if shortlisted candidates are of the same gender.

14.3 The members of the panel will:

- have the necessary authority to make decisions about appointment;
- be appropriately trained (one member of interview panels will have undertaken safer recruitment training);
- meet before the interviews to prepare. See para 15.3 for further information.

14.4 In addition to those individuals who have been given delegated authority by the Trust, other members of the Trust may be involved in the process and be allowed to input into discussions. Only those with delegated authority, however, will make decisions (or recommendations to the Board of Trustees) about who should be appointed.

## **15. Interviewing**

15.1 The interview will assess the merits of each candidate against the job requirements and explore their suitability. The selection process for people who will work with children will always include a face-to-face interview even if there is only one candidate. Interviews will be well structured to be of value. They will be structured to focus on the key areas of the job description and person specification. They will test knowledge and understanding, as well as oral communication skills.

15.2 Other assessment techniques will also be considered as these further assess suitability for the role, e.g., role plays, presentations, occupational tests, written exercises, practical tasks. More than one method of assessment may be used when assessing a candidate's suitability for the role.

15.3 In preparing for the interview the panel will:

- take note of the application form and candidate's previous experience;
- be clear about the focus of the interview, the criteria being assessed against the person specification and the standard required;
- decide in advance on questions appropriate to the focus of the interview (ensuring that all questions are related to the criteria and non-discriminatory).
- In relation to interview questions:
  - agree on the questions, who is going to ask each one and who will take notes
  - ensure that hypothetical questions are avoided.
  - ensure that all questions seek positive examples and evidence.
- consider the issues to be explored with each candidate and who on the panel will ask these
- have a Chair for the interview and a logical ordering of the questions;
- share the questioning out between the panel members;
- be clear about timings and sticking to the programme; and.
- have an agreed way of recording the applicant's responses and scoring/ weighting the applicant.

15.4 In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel will also explore:

- the candidate's attitude toward children and young people;

- their ability to support the Trust's agenda for safeguarding and promoting the welfare of children;
- gaps in the candidate's employment history; and
- concerns or discrepancies arising from the information provided by the candidate and/or a referee. Any information about past disciplinary action or substantiated allegations will be considered in the circumstances of the individual case.

15.5 Safer recruitment questions will be included at the interview. These questions will explore the applicant's attitudes and motives for working with children. This will help to demonstrate the applicant's suitability and approach to safeguarding and promoting the welfare of children.

15.6 The panel will also ask the candidate if they wish to declare anything in the light of the requirement for an enhanced DBS check with barred list check (child) or if references are not obtained before the interview, the candidate will also be asked if there is anything they wish to declare or discuss in light of the questions that have been (or will be) put to their referees.

15.7 The panel will ask interviewees whether they have been subject, in the last two years, to their Trust's capability procedure.

15.8 To comply with the Code of practice on 'English language requirements for public sector workers', interviewers interviewing for roles in scope of the code will assess all candidates, fairly and transparently, to ensure they will meet the required standard. This may be done using a formal test or through conversation during the interview process.

**15.9** The Trust will offer to reimburse candidate's interview expenses. Interview expenses claim form template F203 is available.

15.10 It is the responsibility of the lead recruiter to check that the candidate is who they say they are, are entitled to work in the UK and that they hold the essential qualifications as listed on the person specification. Candidates will be asked to bring documents to prove these checks to interview, along with ID documents for the DBS check.

15.11 The interview panel will take copies of candidate's ID and certificates and sign them to say they have seen the originals. The initial part of the DBS check will be undertaken online at interview. The successful candidate will then complete their part of the online check once they have accepted the offer. Proof of the checks will also be placed on the successful candidate's personal file held by the Trust. Unsuccessful candidate's information will be confidentially destroyed as soon as possible (interview notes and recruitment records will be retained for 6 months from the date of interview), including deleting their DBS information entered online.

15.12 Individuals can join the DBS Update Service at the point an application for a new DBS check is made, enabling status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This allows for

portability of a certificate across employers. Before using the Update Service, the Trust will:

- obtain consent from the applicant to do so;
- confirm the certificate matches the individual's identity; and
- examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g., enhanced certificate/enhanced including barred list information.

Individuals are able to see a full list of organisations that have carried out a status check on their account

## 16. After the interview

- 16.1 An accurate written record of the decision-making process will be kept, with any decisions made based on evidence rather than intuition.
- 16.2 Recording the panel's view of each of the candidates in this way has four main purposes:
- ensures rigorous application of the identified selection criteria to the panel's decision;
  - protects the Trust against any future complaints or allegations of discrimination, provided that the panel has acted in a fair and objective manner;
  - provides agreed, prepared information to the unsuccessful candidates; and
  - provides detailed information, which can be used to evaluate the selection decision.
- 16.3 The Interview record form for the successful candidate will be retained with the appointment papers in accordance with the Trust's data protection policy. Paperwork for unsuccessful candidates will be retained for a period of six months in case individuals wish to receive feedback and/or make an unfair discrimination claim.

## 17. Conditional offer of appointment

- 17.1 A conditional offer letter will be sent to the successful candidate(s). This will include confirmation of salary and any forms the individual still needs to complete and return, prior to them commencing employment.
- 17.2 The Trust will notify EducationHR of the new starter to ensure they are set up to be paid and receive a written statement of particulars on or before their first day.
- 17.3 A pre-employment health screening questionnaire will be completed and reviewed by the Lead Recruiter. Where a pre-employment medical referral is required the Headteacher will liaise with the Trust's occupational health provider to ensure the individual goes through the appropriate process and is able to carry out their work responsibilities **before** they start work. Further information regarding health questionnaires can be [read in the Pre-employment health questions: guidance for employers on Section 60 of the Equality Act 2010 on equalityhumanrights.com](#).
- 17.4 An offer of appointment to the successful candidate will be conditional upon:
- the receipt of at least two satisfactory references\*;
  - verification of the candidate's identity\* -this will include viewing a birth certificate as a form of ID when recruiting. This will help to verify a candidate's identity as it is important to be sure that the person is who they claim to be. This includes being aware of the potential for individuals changing their name and potentially not declaring it;
  - receipt of an enhanced DBS check with barred list check (child) or an enhanced DBS check (whichever is appropriate to the appointee/role) \* The Trust will view the DBS certificate in person;

- verification that the candidate has the mental and physical fitness to carry out their work responsibilities including whether any reasonable adjustments are required to provide effective and efficient teaching/performance – NB the Equality Act 2010 makes it generally unlawful to ask questions about disability and health **before** a job offer is made.
- verification of qualifications\*;
- verification of professional status where required (including Instructors and Overseas Trained Teachers from 1st September 2009), e.g., QTS status (unless properly exempted), QTLS status. \*.
- verification of the candidate's right to work in the UK\*; (This now includes individuals coming from EU countries).
- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999). The Teacher Regulation Agency can be used for this;
- (for non-teaching posts) satisfactory completion of the probationary period (see guidance on probation);
- where the appointee has lived outside the UK, additional further checks as are required\*. Please see paragraph 19 for further information.
- The Trust will not obtain an enhanced DBS certificate 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 the person regularly into contact with children or young persons; or
    - to which the person was appointed on or after 12th May 2006 and which did not bring the person regularly into contact with children or young persons; or
    - in an institution within the further education sector in England, or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

All other pre-appointment checks will still be completed, including where the individual is engaging in regulated activity, a barred list check. The Trust may also choose to request an enhanced DBS certificate.

- Prohibition order check (teachers)<sup>1</sup>. This check is a statutory requirement for individuals undertaking unsupervised or undirected teaching work e.g., teachers. The check can be undertaken using the Teacher Regulation Agency\*.
- Prohibition order check (support staff): it is not a statutory requirement, but the Trust will undertake this check on all new appointments where the candidate may be involved in teaching work e.g., HLTA's, cover supervisors or where someone applying for a TA role indicates that they have QTS or have previously worked as a teacher. This is to prevent a person from working in a role that would contravene any Prohibition order in place

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<sup>1</sup> Secretary of state Prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges, 16 to 19 academies, relevant youth accommodation and children's homes in England. A person who is prohibited from teaching must not be appointed to work as a teacher. These checks will also identify any existing prohibitions and sanctions made by the General Teaching Council (GTCE) and NCTL before their abolition. The Teacher Regulation Agency now undertakes the prohibition work.

- Childcare (Disqualification) Regulations 2009 check where relevant. These checks are required of certain staff in the Trust\*. See *Childcare (Disqualification) Regulations requirements guidance G112b* for further information.
- Section 128 direction check: A section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including Trusts. It also prohibits a person from being a governor if they are subject to a section 128 direction. This check will be undertaken for any successful candidate offered a management position within the Trust and Governors who the Trust proposes will be recruited as a governor. This check can be done via the Teacher Services System. Where the person will be engaged in a regulated activity, a DBS barred list check will also identify any section 128 direction\*. The DfE advise that where a DBS barred list check is being undertaken the section 128 check via the Teacher Services System should still be undertaken.

17.4.1 An ESFA suitability check must be carried out for anyone who is appointed as the Academy Trust Chair. [Academy trust chair: Apply for a suitability check - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/organisations/academy-trusts/about-us/academy-trust-chair)

To subscribe to the Teacher Regulation Agency to undertake prohibition order and QTS checks, [visit Teacher status checks: information for employers on gov.uk](https://www.gov.uk/government/organisations/teacher-regulation-agency/about-us/subscribe).

A clear definition of which management roles are affected by the requirement of a section 128 direction check can be found in the Keeping Children Safe in Education document. [Read Keeping Children Safe in Education on gov.uk](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/626372/KCSIE-2019.pdf).

- 17.5 If the new employee is unable to produce their P45 the [HMRC new starter checklist](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/626372/KCSIE-2019.pdf) will be sent to them. Timely completion of the HMRC new starter checklist will prevent the employee from being emergency taxed.
- 17.6 With the exception of an enhanced DBS check with barred list check (child), those mandatory checks above marked \* will be completed **before** a person's appointment.
- 17.7 All checks will be confirmed in writing and retained on the personnel file (subject to the Trust's own data protection arrangements and the arrangements in place for the correct handling, use, storage). Any unsatisfactory checks, or discrepancies in the information provided, will be followed up. No DBS disclosures will be copied or held on file.
- 17.8 Where a decision is made not to appoint someone because of their conviction(s) this will be documented clearly so if challenged, the decision can be defended in line with the Trust's policy on the recruitment of ex-offenders.

## **18. Overseas applicants or applicants who have lived or worked outside the UK (including EU and EEA member states):**

- 18.1 The prescribed checks laid out in para 17.4 will be undertaken, including additional checks as appropriate, in respect of staff members who have lived outside the United Kingdom.

18.2 The Trust will make any further appropriate checks, so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- criminal records checks for overseas applicants (further information can be found [here](#) on the government website)
- obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. This is usually the Department/Ministry of Education but varies across countries. Advice about which regulatory or professional body applicants should contact is available from the [UK ENIC](#) and for EU/EEA and Switzerland via the [Regulated Professions database](#). Applicants can also contact the [UK Centre for Professional Qualifications](#) who can signpost them to the appropriate EEA body.

[DfE guidance on employing teachers from outside of the UK can be found here on gov.uk.](#)

**Further resources** - A list of documents acceptable as proof of entitlement to work in the UK and guidance notes are included in *Right to work in the UK – evidence of entitlement form F108a*.

## **19. Criminal convictions and suitability to work with children**

19.1 Steps will be taken to ensure that candidates are adequately assessed for their suitability to work with children, which includes ensuring that any relevant criminal convictions are identified and taken into consideration where necessary. In assessment of these risks, shortlisted candidates will be asked to complete the *Disclosure of Criminal Convictions and Suitability to Work with Children Form F112f*. Candidates will not be asked to complete this form prior to shortlisting. Where this form is completed electronically applicants will be asked to sign a hard copy at interview.

19.2 DBS clearance, where it is required, will be obtained prior to employment commencing. In exceptional circumstances, where this is not possible, discretion will be used to allow the person to start work but appropriate arrangements will need to be made to ensure the individual does not have unsupervised access to children until the disclosure is received and deemed satisfactory. In these circumstances, other employment checks listed here will be completed: -

- obtaining and scrutinising comprehensive information from the person, and taking up and satisfactorily resolving any discrepancies;
- obtaining independent professional and character references that answer specific questions to help assess the person's suitability to work with children and following up any concerns;
- face to face interview that explores the person's suitability to work with children as well as their suitability for the post;
- verifying the person's identity;
- verifying that the person has any academic or vocational qualifications claimed;
- checking their previous employment history and experience;
- verifying that they have the mental and physical fitness to carry out their work responsibilities;

- a check against the DBS children's barred list. This list contains details of those who are banned or restricted from working in an education setting.
- check of their eligibility to work in the UK;
- prohibition order check;
- section 128 direction check (Academies and Free schools management positions and school governor positions only).

The person will not be deployed to work directly with children or in a situation where they can have unsupervised access to children. In other words, all possible action has been taken to ensure that no risk to children could arise. In these situations, a full risk assessment will be undertaken.

19.3 Appropriate supervision for individuals who start work prior to the result of a DBS Disclosure will reflect what is known about the person concerned, the nature of their duties and the level of responsibility they will carry. For all employees without completed DBS Disclosures it will be made clear that they are subject to this additional supervision, and that the arrangements for this are to be reviewed regularly, at least every two weeks until the DBS Disclosure is received.

#### 19.4 The Single Central Record (SCR)

As required the Trust will maintain records of the recruitment checks they make in a Single Central Record (SCR).

**Note** - The link below to guidance and a template for completing the SCR has been provided to help meet statutory requirements and should be used in conjunction with the statutory guidance on the requirements of the SCR as outlined in Part 3 of *Keeping Children Safe in Education* statutory guidance.

**Strategy consideration** - It is strongly recommended that Trusts access the additional advice and information regarding safer recruitment checks and the SCR which can be found via InfoSpace and on the Ofsted website.

[View the Single Central Record template on schools.norfolk.gov.uk.](https://schools.norfolk.gov.uk/Single-Central-Record-Template)

## 20. Feedback

20.1 Unsuccessful candidates will be informed of the result as soon as possible. However, it may be appropriate to delay this for certain candidate(s) until the successful candidate has definitely accepted the post in case the second (or third) choice needs to be considered should the first-choice candidate decline the offer of employment.

20.2 Unsuccessful candidates will be offered feedback. All panel members will discuss and agree the feedback to be given to unsuccessful candidates.

20.3 Feedback will be constructive, focusing on strengths and areas for development in relation to the agreed selection criteria for the post.

20.4 Where feedback is being given face-to-face, arrangements will be made to ensure privacy, freedom from interruption and sufficient time. Timescales for the process may result in feedback being given over the telephone. The quality of feedback and the time taken in such circumstances will be no less than would be given through face-to-face feedback.

## **21. Other types of workers**

### **Supply and agency staff**

21.1 It is important that the same thorough checks are made on anybody who will be working in the Trust on a supply basis as would be made if they were being directly employed by the Trust (or who will be providing education on the Trust's behalf, including through online delivery). Supply teachers who have not been subject to the appropriate checks will not be employed to work with children.

**Strategy consideration** - All supply teachers who are available on the Norfolk Supply Register (NSR) have been subject to robust safer recruitment checks and evidence has been produced. Where you book teachers with the NSR, you will receive confirmation that all checks have been undertaken.

21.2 Before taking on agency or NSR supply staff, the agency/NSR will be asked to provide direct written confirmation certifying that all the checks required by the Trust for its own employees have been satisfactorily completed by the agency.

21.3 The written confirmation will state that relevant DBS checks have been requested for that individual, whether or not the checks have been received, and if received, whether it included any disclosed information. Where there is disclosed information, the Trust, will obtain a copy of this from the agency/NSR. It must also state, where relevant, that a satisfactory childcare (disqualification) regulations declaration has been provided.

21.4 If a DBS disclosure is pending, this fact will also be notified to the Trust with details of when the disclosure was sought.

21.5 Confirmation of relevant checks from the supply agency/NSR will be recorded on the Single Central Record.

### **Students (Work experience)**

21.6 Where individuals undertake work experience placements with the Trust, those aged 16 and over may require a DBS check. Where individuals undertake work experience placements with the school, those aged 16 and over may require a DBS check dependent upon whether they will be left unsupervised with the children at any point as well as the length of their placement. If the length of their placement is short e.g. one week and they are not to be left with the children unsupervised, a risk assessment may suffice as opposed to a DBS check. Identification checks are required for all volunteers. The Childcare Regulations (including disqualification from childcare) apply to all volunteers providing early years or later years childcare.

## **Contractors**

- 21.7 Where contractors are used the Trust will ensure that any necessary pre-employment checks, such as the appropriate level of DBS checks, have been completed. Where the checks have been undertaken by an agency, written confirmation of completed checks will be included on the Single Central Record, including the date confirmation was received and whether details of any enhanced DBS certificate has been provided.
- 21.8 Where contractors and agency staff are used the Trust will ensure that the terms of the contract require the contractors to adopt and implement measures in accordance with their safeguarding requirements. Agencies and contractors' compliance with this requirement will be monitored
- 21.9 If an individual working in the Trust is self-employed the Trust will consider obtaining the DBS check.

## **Volunteers**

- 21.10 For some types of voluntary work, the recruitment process can be very informal. However, because the volunteer roles, in most cases, have some degree of responsibility (e.g., working with pupils), selection processes need to be robust to ensure only the right volunteers are recruited. Therefore, a similar process to paid staff will be followed when securing volunteers. The recruitment process and checks may need to be adapted dependent upon the particular role, but the principal safeguards and features of the recruitment and selection process will be the same.

Barred list checks cannot be undertaken for volunteers except in very specific circumstances (such as unsupervised volunteers). Risk assessments and professional judgement will be used when deciding whether to obtain an enhanced DBS certificate (free of charge) for any volunteer not engaging in regulated activity.

Existing volunteers will not have to be re-checked if they have already had a DBS check (which will include children's barred list information if engaging in regulated activity). However, if there are concerns a new DBS check will be considered.

Where volunteers are recruited from another organisation, assurance will be obtained from the organisation that the person has been subject to a proper recruitment process that includes the necessary safeguards.

## **22. Induction of new employees**

- 22.1 The final stage of the recruitment process is effective induction. It is essential to induct the new employee so that they are properly equipped to work well and feel part of the Trust. The degree of induction will vary dependant on the type of role the person will undertake, whether the employment is short or long term and other factors. Whatever the induction does cover, no new member of staff will begin without clarity about safeguarding and child protection arrangements, emergency

procedures (fire alarm, etc), knowing who they report to, and the location of toilets, staff room, drink/food facilities and so on. In addition, safeguarding and child protection training (including online safety, which will include an understanding of the expectations, applicable roles and responsibilities in relation to filtering and monitoring) will be undertaken at induction. This training will be regularly updated thereafter.

All new employees will follow the Trust's induction process.

## **23. Employee Files**

- 23.1 The Trust will establish and maintain employee files for all Trust staff. These will contain copies of all documents relating to the employee throughout the recruitment process (including copies of documents used to verify the successful candidate's identity, right to work and required qualifications) and a copy of the statement of particulars, confirming the terms and conditions of the appointment.

## **24. Probation**

- 24.1 non-teaching staff will be subject to a probationary period. Those subject to a probationary period will be made aware of this and any concerns are raised with the individual as and when they arise with appropriate support being made available.

## **25. Data Protection**

Personal data collected and processed for the purpose of this policy and procedure will be handled in accordance with the data protection policy and applicable statutory obligations. Any personal data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of employee management or to comply with statutory reporting obligations. Inappropriate access to, or disclosure of, employee data constitutes a data breach and should be reported without delay, in accordance with the data protection policy. It may also constitute a disciplinary offence in which case it would be dealt with under the disciplinary policy and procedure.

## Appendix A-Options the Trust may wish to consider when a vacancy arises:

Type	Description
Is the job still required?	Consider if the job is still required. If so, give consideration to if it is still required in the same way as before. Could it become a flexible working opportunity? Do the hours still need to be the same? Could the work be shared amongst/reallocated to existing employees?
Acting up opportunities	Consider whether the role could provide a development opportunity for another member of staff. This may include 'acting up' to a higher graded post.
Supply	Consider if a supply teacher could undertake the work on a short term basis. The Norfolk Supply Register can provide supply teachers on the same day or for more long term cover e.g. maternity leave.
Agency workers	Agency workers can quickly cover work and may be more cost effective than advertising externally for a short-term appointment. However, agency workers can be expensive if used over a long period of time and the agency worker will acquire various employment rights. If an agency worker has been on an assignment for six months a decision must be made to determine if this is still an appropriate way to provide cover. Additionally, the agency may charge if the worker is taken onto a contract.
Talent pools	Consider requesting a search of EducationHR talent pools for a suitable candidate(s) to interview for the post. The following talent pools are available: <ul style="list-style-type: none"> <li>• ECT Talent pool</li> <li>• SEND Teacher Talent pool</li> <li>• Teacher talent pool</li> <li>• Teaching Assistant Talent pool</li> </ul>
Redeployment talent pool	All vacant posts can be considered for redeployees.
Advertising	The post could be advertised internally to the school or externally (e.g. via Education Job Finder and/or geo-targeted recruitment campaigns from Education <b>HR</b> ). There are many advertising options to consider ensuring the post has maximum exposure.

## Appendix B



<b>POLICY</b>	<b>Recruitment of Ex-offenders Policy</b>
<b>STATUS/DATE OF THIS VERSION</b>	<b>September 2025</b>
<b>APPROVED BY</b>	<b>PPP Committee</b>
<b>RATIFIED BY</b>	<b>Board of Trustees</b>
<b>REVIEW</b>	<b>September 2026</b>

This policy is operated by all the schools in Unity Education Trust (as listed below).

**There may be sections that are specific to one school and these will be added by the school either as an annex or in place of yellow highlighted sections below.**

**Any queries about the policy should be directed, in the first instance, to the Headteacher/Head of School:**

- **Unity Pathfinder Douglas Bader Academy**
- **Unity Compass Belton Academy**
- **Beeston Primary**
- **Garvestone Primary**
- **Grove House Infant**
- **Kings Park Infant**
- **Northgate High School and Dereham Sixth Form College**
- **The Pinetree School**
- **Churchill Park**
- **Greyfriars Primary**
- **Highgate Infant School**
- **Kings Oak Infant School**
- **Wimbotsham and Stow Primary**
- **Magdalen Primary**
- **St Germans Primary**

# Recruitment of Ex-offenders Policy

## Contents

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### 1. Introduction

- 1.1 The Trust recruits individuals with varied talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records.
- 1.2 This policy assists in enabling candidates to be selected for interview based on their skills, qualifications and experience, with criminal records only being taken into consideration where the circumstances of the offences are relevant to the nature of the position.

### 2. Scope

- 2.1 This policy sets out the best practice for the Trust's recruitment and selection processes where a Disclosure and Barring Service (DBS) certificate has been obtained and a criminal record or other information has been revealed, or where an applicant has voluntarily disclosed a criminal conviction. It applies to all applicants and employees of the school/academy involved in the recruitment process.

### 3. Policy principles

- To ensure that all applicants are treated fairly in the recruitment process
- To ensure that ex-offenders are not unfairly discriminated against in the recruitment process.

### 4. Relevant legislation

- **Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975** - sets out rehabilitation periods and establishes that individuals do not have to disclose spent convictions unless they are covered by the order.

### 5. DBS checks and the recruitment process

*Requirements of the recruitment process:*

- 5.1 In 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), the Trust complies fully with the [DBS code of practice](#) and undertakes to treat all applicants for positions fairly.
- 5.2 The Trust undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- 5.3 The Trust will 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).
- 5.4 The Trust can only ask an individual about convictions and cautions that are not protected.
- 5.5 The Trust's *Disclosure Barring Service (DBS) Checks Model Policy and Procedure 2* addresses the legal framework relating to the recruitment of ex-offenders, which is made available to all DBS applicants at the start of the recruitment process.
- 5.6 The Trust will make every subject of a criminal record check submitted to the DBS aware of the existence of the [DBS code of practice and this Recruitment of ex-offenders policy](#) and make a copy available on request.
- 5.7 The Trust will ensure 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.
- 5.8 The Trust will ensure that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- 5.9 The Trust will ensure that such staff have also received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

*Equal opportunities:*

- 5.10 The Trust actively promotes equality of opportunity for all with a variety of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

- 5.11 The Trust 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 or belief; sex; or sexual orientation; responsibilities for dependants; physical/mental disability or offending background.

*The interview process:*

- 5.12 The Trust will select all candidates for interview based on their skills, qualifications and experience.
- 5.13 At interview, or in any other separate discussion, the Trust will 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
- 5.14 The Trust undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
- 5.15 Where a decision is made not to appoint someone because of their conviction(s) this will be documented clearly so if challenged, the decision can be defended in line with this policy.

## **6. Data Protection**

When handling information relating to previous convictions, the school/trust processes personal data collected in accordance with its data protection policy. Data collected by the school/trust as part of the operation of the DBS checking process is held securely and accessed by, and disclosed to, individuals only for the purpose of recruiting ex-offenders. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the school's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.

## Appendix C



POLICY	Disclosure Barring Service (DBS) checks model policy and procedure
STATUS/DATE OF THIS VERSION	September 2025
APPROVED BY	PPP Committee
RATIFIED BY	Board of Trustees
REVIEW	September 2025

his policy is operated by all the schools in Unity Education Trust (as listed below).

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# Disclosure Barring Service (DBS) checks model policy and procedure

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## 1.

### 1. Introduction

This policy document sets out the procedures for Disclosure and Barring Service (DBS) checks. These checks will be undertaken where required and form part of a sound and safe recruitment process. Safer employment processes extend beyond recruitment and the Headteacher will ensure every employee understands their duty of care as well as which behaviours make up safer practice and which behaviours to avoid.

The Trust is committed to complying with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information.

The Trust will also fully comply with its obligations under the Data Protection Act and other relevant legislation regarding the safe handling, use, storage, retention and disposal of disclosure information.

Through the implementation of this policy and procedure, the Trust will be mindful of the employer obligation to seek to maintain and protect the mental health and wellbeing of all staff as far as is reasonably practicable.

#### 1.1 Regulatory/Independent Regulatory Bodies

The primary role of the DBS is to help employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups including children. The DBS was established under the Protection of Freedoms Act 2012 and merged the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

It enables organisations to obtain criminal record information about prospective employees and volunteers by accessing information from the Police National Computer and local police. The DBS is responsible for deciding who should be barred from working with children or vulnerable adults, or both. In terms of barring the DBS has four main duties:

1. To maintain a list of individuals who are barred from engaging in regulated activity\* with children – the DBS children's barred list.
2. To maintain a list of individuals who are barred from engaging in regulated activity with adults who may be vulnerable – the DBS adults barred list.
3. To reach decisions about whether an individual should be included in one or both barred lists.
4. To reach decisions as to whether to remove a person from a barred list.

Inclusion on the DBS barred lists has the same effect as inclusion on the previous lists; List 99, PoCA, PoVA, POCVA or the Unsuitable Person's Lists.

\*Regulated activities are the activities that the DBS can bar people from doing. For a definition of 'Regulated Activity for children' see Appendix A.

## **2. Legal position**

### **2.1 Legal framework**

#### **The Rehabilitation of Offenders Act 1974 and The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) (England and Wales) Order 2012**

The Rehabilitation of Offenders Act 1974 aims to ensure that a person who has been convicted of a criminal offence in the past and who has not re-offended for a specified period is, so far as possible, freed from the stigma of that conviction, and is treated as if the offence and conviction for it never occurred.

Under the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) (England and Wales) Order 2012, some jobs and categories of employment are exempt from the provisions of the Act and in such cases 'spent' convictions must be disclosed. If a person is employed in a school, they must disclose their convictions.

The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be taken into account. More recently, minor offences are automatically filtered from standard and enhanced DBS checks subject to specific time periods elapsing. Applicants will not be asked to disclose such convictions. Further information can be [found in the DBS filtering guidance on gov.uk](#). If an applicant discloses an offence which they did not need to, it will not be taken into consideration during the recruitment process.

Further information and [guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 can be found on gov.uk](#).

#### **Safeguarding Vulnerable Groups Act 2006**

This provides the legislative framework for a Vetting and Barring scheme. It introduced the requirement for two separate but aligned barred lists, the provision for ISA (now DBS) to make decisions around individuals that should be barred from working with vulnerable groups, outlined monitoring arrangements and proposed two types of activities where DBS checks would be required which were for controlled and regulated activity.

#### **Protection of Freedoms Act 2012**

This act includes the restriction of the scope of the 'vetting and barring' scheme for protecting vulnerable groups and makes changes to the system of criminal records checks. As a result, the Safeguarding Vulnerable Groups Act 2006 was amended by this act and the major changes were:

- A new definition of regulated activity.
- The repeal of controlled activity.
- The repeal of registration and continuous monitoring.
- The introduction of a minimum age of 16 at which someone can apply for a DBS check.
- Only posts which meet the definition of regulated activity can have an enhanced DBS check with barred list check.

- Establishing the Disclosure and Barring Service (DBS) as a merger of the functions of the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) as a non-department public body sponsored by the Home Office.

## 2.2. Legal requirements of the DBS

- All staff on payroll, whether supervised or not, are in regulated activity. This includes cleaners and caretakers.
- Enhanced DBS checks can be obtained where a post or situation meets the criteria outlined in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006. Where reference is made to this check throughout this policy, this criteria will need to be met. [Read the Safeguarding Vulnerable Groups Act 2006 on legislation.gov.uk](https://www.legislation.gov.uk).
- A volunteer will not be in regulated activity if they are supervised to a reasonable level, in which case an enhanced DBS check with barred list check will not be required (for guidance on what is a reasonable level of supervision [read Annex E of Keeping Children Safe in Education statutory guidance for schools and colleges on gov.uk](#)). Option - The Governing Board/Trust will, however, request an enhanced DBS check for a volunteer. If the volunteer is unsupervised, they will be in regulated activity and will therefore be required to undertake an enhanced DBS check with barred list check.
- It is an offence for the Governing Board/Trust to engage someone in regulated activity who they know has been barred by the DBS.
- A person who is barred by the DBS from working in regulated activity will be breaking the law if they work or volunteer or try to work or volunteer in regulated activity. If a DBS certificate indicates the person is barred this will be reported to the LADO and the police and/or DBS.
- There is a legal requirement for schools to make a referral to the DBS where they remove an individual from regulated activity (or would have removed an individual had they not left), and they believe the individual has:
  - engaged in relevant conduct in relation to children and/or adults, and/or
  - satisfied the harm test in relation to children and/or vulnerable adults, and/or
  - been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.
- Police may use common law powers to provide information directly to employers in cases where this is necessary, for example to prevent harm to others. Where information is disclosed from the police using their common powers, this will not be fed back to the candidate(s). Discussions will take place and an agreement reached with the police in terms of the information that will be provided to the candidate to ensure current police investigations are not compromised.

## 2.3 DBS Updates Service

For a small sum (£13 per annum), individuals can take their DBS check with them from role to role, within the same type of workforce (i.e. working with children and/or working with adults), where the same type and level of check is required.

Where this is the case, the school may carry out an online status check, via the Update Service, to see if the information presented is still current and valid. This will provide an instant result. The school will seek permission from the individual they are checking and ensure the type of check required is the same as the original check e.g. if an enhanced DBS check is required but the original certificate is for an enhanced DBS check with children's barred list check, then a new enhanced DBS check will be requested.

Strategy consideration - Please note the 'status check' cannot be done through Norfolk Disclosures, the check can be undertaken via the Disclosure Barring Website.

Where possible, the school will give the applicant their DBS application form reference number so they can subscribe to the DBS Update Service when they apply for their DBS check. If they wait to subscribe with their DBS certificate number, they will only have 14 calendar days from the date the certificate is issued to subscribe.

If the individual is not subscribed to the DBS update service (this is not mandatory) or they do not give their permission, then a DBS check will be requested via Norfolk Disclosures in the usual way.

DBS certificates are issued to individuals rather than to the school.

### **3. Local Authority position**

An enhanced DBS check with barred list check is compulsory for all new appointments to the school workforce, where they have transferred from a non-Norfolk school or different Local Authority, or an independent school inside or outside the county (including academies and free schools). It also includes former members of staff who have had a break in service of more than three months<sup>2</sup>. A DBS update service check can be undertaken in place of a full DBS check if the individual is subscribed to the service and gives their permission for the check to go ahead. If this is the case, the school will request to see the individual's original DBS certificate to check that the name on the certificate matches the identity of the individual and ensure that it is for the same level of check and for the right workforce.

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<sup>2</sup> Maternity leave and long term sick leave are not classed as a break in service.

Standard DBS disclosures are not acceptable and this applies equally to all appointments whether permanent, temporary or casual. All DBS checks will be enhanced.

Re-checking – there is no legal requirement for the school to re-check individuals after three years. The school will hold evidence that staff appointed before 1 March 2002 have been checked against List 99. In addition, any staff and volunteers appointed on or after 1 March 2002, who come into regular contact or have unsupervised access to children and who have not had continuity of employment in a school in England (i.e., a break of service longer than three months), will have been subject to enhanced DBS checks with barred list check and other designated recruitment checks.

#### **4. The deployment of staff**

Offers of employment to successful candidates will be conditional upon a satisfactory enhanced DBS check with barred list check where applicable (this may be a DBS update service check where the individual is subscribed to the service, give their permission for the check to be undertaken and the type of check required is the same as the original check - the original DBS certificate must also be viewed).

Until a satisfactory enhanced DBS check with barred list check has been viewed by the Headteacher, the person will not be deployed to work directly with children or in a situation where they can have unsupervised access to children.

However, if an enhanced DBS check with barred list check has been applied for but has not been received by the individual before they are due to start work, the Headteacher has the discretion to allow the person to start work provided that they are confident that all other pre-employment checks have been carried out, i.e.:-

- obtaining and scrutinising comprehensive information from the person, and taking up and satisfactorily resolving any discrepancies;
- obtaining independent professional and character references that answer specific questions to help assess the person's suitability to work with children and following up any concerns;
- a face to face interview that explores the person's suitability to work with children as well as their suitability for the post;
- verifying the person's identity;
- verifying that the person has any academic or vocational qualifications claimed;
- checking their previous employment history and experience;
- verifying that they have the health and physical capacity for the job;
- a check against the DBS children's barred list.
- check of their eligibility to work in the UK;
- prohibition from teaching check
- Childcare disqualification and Section 128 checks (where relevant),

and provided that the person is not deployed to work directly with children or in a situation where they can have unsupervised access to children. In other words, all possible action will be taken to ensure that no risk to children could arise. In these situations, a full risk assessment will be undertaken. *DBS risk assessment for commencing employment before DBS received F112b* - can be found on InfoSpace.

Detailed records relating to the recruitment and selection process for all staff will be retained securely as evidence that sound and safe processes have been followed. Some information will be kept on the Single Central Record. Recruitment appointment information will be kept on the successful candidate's personal file in line with the school's HR Document Retention Schedule. The school will not keep copies of DBS certificates. If the school were to keep a copy, consent from the individual would be sought and would not be retained for any longer than six months.

Strategy consideration - *Model HR Document Retention Schedule G320d* is available on InfoSpace.

## **5. Supply teachers**

Supply teachers who have not been subject to an enhanced DBS check with barred list check will not be employed to work directly with children.

All supply teachers provided through the Norfolk Supply Register have been through the appropriate DBS checking process and evidence has been produced. All booked supply teachers will be asked to produce a photographic ID document and written confirmation will be sought from the Norfolk Supply Register that the individual has been appropriately vetted for the role. If the school use Teacher Booker to manage their supply, the Teacher Booker system will confirm the checks have been undertaken. Where there are matters to disclose on a supply teachers' DBS certificate, the school will request sight of the certificate and undertake its own risk assessment process.

The service of supply teachers from the Norfolk Supply Register in Norfolk academies, which buy a full EducationHR service, will count in the same way as service in a Norfolk school for the purposes of assessing the three-month break.

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## **6. Agency Supply teachers**

Where Agency Supply Teachers can produce evidence of a satisfactory enhanced DBS check with barred list check and evidence that they have worked from 1 June 2002 onwards, then they are eligible to work in the school. Agency Supply Teachers who are unable to produce this evidence will not be used.

If the school is using a supply agency rather than the Norfolk Supply Register, the booked supply teacher will be asked to produce a photographic ID document to ensure the person presenting themselves for work is the same person on whom the checks have been carried out. The school will ensure written confirmation and evidence that all relevant checks have been undertaken, is received. Where there are matters to disclose on a supply teachers' DBS certificate, the school will request sight of the certificate and undertake its own risk assessment process.

## **7. Invigilators**

By the very nature of examinations, there will necessarily be a gap in excess of three months between them. An enhanced DBS check with barred list check will be obtained when the Invigilator is first employed as well as undertaking all the other pre-employment checks listed above. Then, where an Invigilator is used regularly by the school, the school will not require a DBS disclosure each time the Invigilator is subsequently used.

However, a check of the DBS Children's barred list will be undertaken on each occasion the Invigilator is used. Norfolk Disclosures will be used for this purpose. The school may use the DBS Update Service to check the invigilator's certificate is still current, where possible. The invigilator must be subscribed to the DBS Update Service, have given the school permission to undertake the check and the level of check required must be the same as the original check - the original DBS certificate must also be viewed.

## **8. Individuals who have lived or worked outside the UK**

Individuals who have lived or worked outside the UK will undergo the same pre-employment checks as all other staff. This includes obtaining (via the applicant) an enhanced DBS certificate (including children's barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, we will make any further checks we think appropriate so that any relevant events that occurred outside the UK can be considered. We will make these checks in line with paragraphs 280-285 of [Keeping Children Safe in Education](#).

## **9. Volunteers**

A volunteer on whom no checks have been obtained will not be left unsupervised or allowed to work in regulated activity.

The school recognises that volunteers play an important role and are often seen by children as being safe and trustworthy adults. However, because the nature of voluntary roles varies, the school will undertake a written risk assessment and use their professional judgement and experience when deciding what checks, if any, are required. The risk assessment will be recorded and stored appropriately. Evidence of any processes undertaken in determining a volunteer's suitability will be kept

securely and may be recorded on the Single Central Record. However, there is no requirement to do so.

*Model risk assessment: volunteers and supervision F112d* can be found on InfoSpace

Supervision of volunteers - under the Protection of Freedoms Act 2012 volunteers who are supervised to the statutory level will not be considered to be undertaking a regulated activity so will not be eligible for an enhanced DBS check with barred list check. Option - However, in addition to the risk assessment, the school will request an enhanced DBS check for any volunteer.

The school will determine whether a volunteer is considered to be supervised and what the appropriate level of supervision is. The decision will be made using [Annex E of Keeping Children Safe in Education statutory guidance on gov.uk](#). For a person to be considered supervised, the supervision must be:

- by a person who is in regulated activity relating to children
- regular and day to day
- reasonable in all the circumstances to ensure the protection of children.

A DBS with barred list will be obtained for volunteers who are new to working in regulated activity with children, i.e. where they are unsupervised and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges. Employers are not legally permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

Existing volunteers do not have to be re-checked if they have already had a DBS check (which should include children's barred list information if engaging in regulated activity). However, if the school has any concerns, it will consider obtaining a new DBS check at the level appropriate to the volunteering role.

#### 9.1 Examples in support of the risk assessment:

The school approaches a parent who is well known to the school to take on a particular role, a streamlined procedure will be adopted - seeking references, checking to ensure others in the school community know of no concerns and can make a positive recommendation, conducting an informal interview to gauge the person's aptitude and suitability, and undertaking an enhanced DBS check. Evidence of such processes should be kept securely and can be recorded on the Single Central Record, although there is no requirement to do so.

A volunteer's role will be "one-off", accompanying teachers and pupils on a day outing, helping at a concert or school fete, those kinds of measures would not be eligible for an enhanced DBS check with barred list check, in the majority of cases. The school will put in place procedures to ensure that such people are not charged with taking children to the toilet, for example. These scenarios will be dealt with by regular school safeguarding procedures

such as risk assessments. In the few cases where the person is left alone and unsupervised in charge of children an enhanced DBS check with barred list check may and can be requested.

Parents who voluntarily transport pupils for school activities (e.g. sports activities and visits) would not be expected to undergo an enhanced DBS check with barred list check. However, if the transport is organised by the school and is a regular occurrence (4 or more days in a 30-day period) there is a requirement for the parent to undergo an enhanced DBS check with barred list check, if they are not supervised by someone who is in a regulated activity.

Where volunteers recruited by another organisation to work in the school, e.g. sports coaches from a local club, the school will obtain written assurance from that organisation that the person has been properly vetted and this confirmation will be retained and produced, if required, during an Ofsted inspection.

Where volunteers will be working unsupervised in the school, they are in regulated activity so will be required to undergo full checks including an enhanced DBS check with barred list check.

The school may use the DBS Update Service to check the volunteer's certificate is still current. The volunteer must be subscribed to the DBS Update Service, have given the school permission to undertake the check and the level of check required must be the same as the original check - the original DBS certificate must also be viewed.

## **10. Contractors**

- 10.1 Where the school uses contractors that are provided by a contractor, it is the responsibility of that contractor to have its staff checked. This must be a specific requirement contained in any contract for these services with the school. The school will seek written confirmation that these checks have been carried out by the contractor and the Headteacher will routinely check with workers the contractor sends to the school, that they have had an enhanced DBS check and bring to the attention of the contractor any concerns arising. An enhanced DBS check with barred list check cannot be requested for contractors unless they meet the definition of regulated activity under the Protection of Freedoms Act 2012.
- 10.2 If the contractor working is self-employed, the school will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

- 10.3 The school may use the DBS Update Service to check the contractor's certificate is still current, where possible. The contractor must be subscribed to the DBS Update Service, have given the school permission to undertake the check and the level of check required must be the same as the original check - the original DBS certificate must also be viewed.

## **11. NQT's**

- 11.1 Students undertaking Initial Teacher Training are subject to an enhanced DBS check with barred list check via their teacher training institution. However, a further check will be made by the school before a Newly Qualified Teacher is deployed to work directly with children. This school may use the DBS Update Service as long as the NQT is subscribed to the service, has given the school permission to undertake the check and the level of check required is the same as the original check - the original DBS certificate must also be viewed.

## **12. Governors**

- 12.1 Legislation - The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 - deems that enhanced DBS checks are mandatory for all governors in maintained schools. It is the responsibility of the governing board to apply for the check for any of their governors who do not already have one. For new governors, an enhanced DBS check will be carried out within 21 days of appointment. Governance is not a regulated activity, so governors do not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity e.g. working as an unsupervised volunteer or is already an employee of the school. [Read the School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2016 on legislation.gov.uk.](#)

The DfE Governance handbook and funding agreements for academies require that all academy Members, Trustees and local governing boards in a MAT have an enhanced DBS check. [Read the DfE Governance handbook on gov.uk.](#)

Associate members are appointed by the governing body to serve on one or more governing body committees. The School Governance (Constitution and Federations) (England) (Amendment) Regulations 2016 made enhanced DBS checks mandatory for maintained school governors but not associate members. However, if an associate member is involved in regulated activity, they will need an enhanced DBS check with barred list check.

- 12.2 As long as a Governor is subscribed to the service the check may be made using the DBS Update Service. The governor must give the school permission to undertake the check and the level of check required must be the same as the original check - the original DBS certificate must also be viewed.

If a governor has already undergone an enhanced DBS check, either because a check was undertaken when they were appointed, or the governor is already an employee of the school or working as an unsupervised volunteer (they will already

have had an enhanced DBS check with barred list), then a new check will not be required.

- 12.3 The *Keeping Children Safe in Education statutory guidance* recommends that a section 128 direction check<sup>3</sup> is undertaken for individuals who the school proposes will be recruited as a governor. This will show if the prospective governor has been subject to a section 128 direction. If they are subject to a section 128 direction, they are prohibited from being a governor. The school will undertake this check by checking the 'children's workforce independent schools' part of the DBS application form or by [visiting the Teacher Regulation Agency \(TRA\) on teacherservices.education.gov.uk](https://www.teacherservices.education.gov.uk).

### **13. Educational visits (including residential)**

(See also sections 9.1, 9.3 and 9.4 which are also relevant to Educational Visits)

- 13.1 It will be necessary for employees and volunteers accompanying residential visits, to undergo enhanced DBS checks with barred list check before the visits take place. For day visits only, where volunteers will be supervised at all times, an enhanced DBS check will not be required. See also sections 9.1 to 9.6 where volunteers are being used. Where this is not the case the volunteer will be required to undergo an enhanced DBS check only.
- 13.2 Residential visits will be planned well in advance to give sufficient time for the DBS process to be completed.
- 13.3 The school will satisfy themselves that the appropriate safeguarding procedures have been followed in terms of checks on employees and volunteers going on the trip.
- 13.4 When using external providers for activities, transport or accommodation where staff could have significant unsupervised access to young people, the school will seek assurances that the provider has sufficient safeguarding systems in place by either checking on Evolve that they hold the Learning Outside the Classroom Quality Badge or ensure they have supplied a suitably completed 'NCC Providers Contract'
- 13.5 The school may use the DBS Update Service to check the eligible employee and volunteer certificates are still current. The individuals must be subscribed to the DBS Update Service, have given the school permission to undertake the check and the level of check required must be the same as the original check - the original DBS certificate must also be viewed.

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<sup>3</sup> A section 128 direction check checks the names of individuals who have been prohibited from taking part in the management of any independent school (including academies and free schools) or being a school governor. For a clear definition of what management roles this affects see para 124 of KCSE.

## **14. Work experience placements**

Where the school arranges work placements for pupils it will ensure that employers and training organisations are aware of safeguarding issues and that they are asked to co-operate in putting appropriate safeguards in place, including undertaking DBS checks on the organisation's staff where required.

All staff in school will have undergone a DBS check so will meet the criteria for supervising any work experience individual within their school, who is under the age of 18 (or 16 if employed).

Enhanced DBS checks with or without a barred list check cannot be requested for anyone who is under the age of 16.

## **15. Apprentices**

The Criminal Justice Court Service Act (CJCSA) defines a child as someone who is under 18 (under 16 if the child is employed). No apprentice should be younger than 16, so staff are not required to undergo DBS checks to supervise an apprentice.

If the post being filled by the apprentice legally requires an enhanced DBS Check or enhanced DBS check with barred list check(s), the individual will undergo these checks. Please contact Education **HR** by telephone on 01603 307760 or by emailing [EHRenquiries@norfolk.gov.uk](mailto:EHRenquiries@norfolk.gov.uk) if further advice is required.

## **16. Storage and Access**

Schools do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. In line with data protection legislation, when a school chooses to retain a copy, there will be a valid reason for doing so and it will not be kept for longer than six months. When the information is destroyed the school may keep a record of the fact that vetting was carried out, the result and the recruitment decision taken if they choose to.

### **16.1 Handling**

In accordance with section 124 of the Police Act 1997, disclosure information may only be passed to those who are authorised to receive it in the course of their duties. It will be recognised that unauthorised revealing of information contained in the disclosure to anyone not entitled to receive it is a criminal offence.

### **16.2 Usage**

Disclosure information will be used only for the specific purpose for which it is requested and in line with data protection legislation i.e. to assist with determining the suitability of an individual for employment in a particular position. It will not be used at any other time for other purposes.

### **16.3 Retention**

Having made a recruitment decision, disclosure information will not be kept for any longer than is absolutely necessary. This will generally be for a period not exceeding

six months and will be to allow for the consideration and resolution of any disputes or complaints.

If there are circumstances requiring a disclosure to be kept for longer than six months, the DBS will be consulted and full compliance and consideration given to Data Protection legislation and Human Rights aspects. Throughout any extended period of retention, the same conditions of storage and access will apply.

## 16.4 Disposal

Disclosures will be destroyed by suitably secure means to ensure they cannot be accessed by anyone who is not authorised to do so. No copy (electronic or otherwise) of the disclosure will be retained.

The following record of a Disclosure is retained in subjects HR personnel file

- date of issue;
- name of the subject;
- level of disclosure;
- position to which subject was recruited;
- unique reference number of the disclosure.

## 17. Administrative arrangements

17.1 For this procedure to work effectively, it is important that DBS Disclosure online application forms are completed as early as possible in the selection process, i.e. at the time of the successful interview. Where possible, the applicant will be provided with their application form reference number so they can subscribe to the DBS Update Service when they apply for their DBS check. Candidate's identities will be verified at interview stage from a range of selected ID documents and they will be asked to bring the necessary evidence of identification to the interview to facilitate this. Norfolk Disclosures provides a link to what documents are deemed acceptable. [Read further information on gov.uk](#). The list will be checked each time recruitment takes place as the acceptable document list is subject to change. Once an appointment is made and position is accepted by the candidate, the link to the application will be emailed to the candidate for them to complete their portion of the application. If the candidate is unsuccessful at interview, their ID documents will be destroyed securely.

17.2 EducationHR will be notified of the appointment in the usual way, using WorkSpace. Formal confirmation of the offer of appointment will be sent to the successful candidate(s), making it clear that the offer is conditional upon a satisfactory DBS disclosure.

17.3 DBS certificates are issued to the individual applying for the check. As such, the school will ask the individual for sight of their DBS certificate. Registered Bodies are

only entitled to ask the DBS for a copy of the individual's DBS Certificate if all of the following conditions apply:

- The individual is subscribed to the Update Service; and
- The employer has carried out a status check which revealed a change to the DBS Certificate; and as a result
- The individual has applied for a new DBS check as the result of a change to an existing DBS Certificate; and
- The DBS issued the new DBS Certificate to the applicant more than 28 days ago; and
- The applicant has not shown the employer their new DBS Certificate.

Until Norfolk's policy position on status updates changes (see 3.5 above), the criteria listed will not all be met. This means that in all cases where an enhanced DBS check is required, the school will need to view the DBS certificate which has been issued to the individual.

Having viewed the DBS certificate, the Headteacher will take appropriate action in each case. Where there are no matters disclosed, appropriate note of the viewing of the DBS certificate (number etc) will be recorded on the school's Single Central Record. Where matters are disclosed on the DBS certificate, the Headteacher will undertake a risk assessment. If it is unclear what appropriate action should be taken advice will be sought from EducationHR by telephone on 01603 307760.

- 17.4 The average time taken by the Norfolk Disclosures' online DBS application system to complete a check is in the region of 5-10 days. This does, however, still vary from case to case and can be influenced by the amount of time it takes Police Authorities to check against previous addresses. In all cases the Local Police Force have up to 60 days to respond to the request for information from the DBS. Where applications reach these periods, no assumption should be made about the potential outcome.
- 17.5 The turnaround time for DBS checks should be quick enough in most cases to enable the individual to obtain their DBS certificate and provide it to the school before the effective date of appointment. The individual will not be able to start their appointment without their DBS check being obtained. If the individual is registered with the DBS Update Service and the criteria for checking is met, the checking process will be instant.
- 17.6 Copies of DBS certificates will only be retained with the permission of the individual. If a copy is kept, it will be stored in line with the storage and retention of disclosure information, in this policy, and the Data Protection Act.

## **18. DBS checks and the wider recruitment process**

- 18.1 It is important to emphasise that the DBS process is just one part of a sound and safe recruitment process. It is important not to rely solely on criminal record checks to screen out unsuitable applicants. Those checks are an essential safeguard, but they will only pick up the small percentage of abusers who have been convicted, have come to the attention of the Police, or who have been listed. Many individuals who are unsuited to working with children will not have any previous convictions and will not appear on the DBS Barred Lists.
- 18.2 The Headteacher will ensure they have [read the DfE's 'Keeping Children Safe in Education' document on gov.uk](#) and ensure it is shared with the Governing Boards. Additionally, least one member of the recruitment panel will have undertaken the accredited safer recruitment training. This is a statutory requirement.
- 18.3 The Recruitment and Selection Policy and Procedure P108 will used to review and, where appropriate, modify recruitment and selection practice and procedure in ways that will strengthen safeguards for children. The school will use an application form to ensure a common set of core data from all applicants. CV's will not be accepted in place of an application form because these will only contain the information the applicant wishes to present and may omit relevant details.

## **19. Data Protection**

Personal data collected and processed during the DBS checking process is in accordance with the data protection policy and linked to certain statutory obligations. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the DBS checking process or to comply with statutory reporting obligations. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary [policy and] procedure *P303 (for schools) or P303a (for trusts)*.

### **3. Appendix C – Regulated Activity – Children**

Regulated activity relating to children comprises of:-

- (i) Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children;
- (ii) Work for a limited range of establishments ('specified places'), with opportunity for contact: for example, schools, children's homes, childcare premises. Not work by supervised volunteers;

Work under (i) or (ii) is regulated activity only if done regularly. Regularly means carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period (or in some cases, overnight). The statutory guidance about supervision of activity, which would be regulated activity if unsupervised (for volunteers in schools) can be found in Annex F of the Keeping Children Safe in Education statutory guidance.

- (iii) Relevant personal care, for example washing or dressing; or health care by or supervised by a professional. This includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, bathing, washing or dressing for reasons of age, illness or disability but is not intended to include activities such as helping with costumes for school plays or lacing up football boots;
- (iv) Registered childminding; and foster-carers