



**RADLEY**

# **Recruitment, Selection and Disclosure Policy and Procedure**

**April 2025**

# Recruitment, selection and disclosure policy and procedure

## 1 Introduction

Radley College (“the school”) is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The school is also committed to providing a supportive and flexible working environment to all its members of staff. The school recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of the school's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position
- to ensure that all job applicants are considered equally and consistently
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability or age
- to ensure compliance with all relevant legislation, recommendations and guidance including the Education (Independent School Standards) Regulations 2014 (**ISSRs**), the statutory guidance published by the Department for Education (**DfE**), *Keeping children safe in education* (1 September 2023) (**KCSIE**), *Disqualification under the Childcare Act 2006* (**DUCA**), the Prevent Duty Guidance for England and Wales (2015 updated on 1 April 2021) (the **Prevent Duty Guidance**) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
- to ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

## 2 Data protection

The school is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the school to enable the school to carry out the checks that are applicable to their role. The school will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency. Failure to provide requested information may result in the school not being able to meet its employment, safeguarding or legal obligations. The school will process personal information in accordance with its Data Processing Procedures.

### **3 Recruitment and selection procedure**

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role. Applicants who have been shortlisted will also be asked to provide details of their online profile, including account names and social media handles so that online searches can be carried out. This information must be provided by the applicant in order for the application to be accepted. Incomplete application forms will be returned to the applicant where the deadline has not passed. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form.

The College uses My New Term for its application process and candidates must use the link on the school's website to complete an application. Job descriptions and the school's safeguarding policy are available to download from the school's website and can be printed and forwarded to applicants on request. If a candidate is unable to complete an online application, a hard copy may be sent to them.

The school will then conduct a shortlisting exercise by reviewing all application forms received in order to determine which applicants will be invited for interview. The shortlisting exercise will usually be conducted by two members of staff who will ideally also be involved in the interview process.

Shortlisted applicants will be invited to attend a formal interview at which their skills and experience will be discussed in more detail. All shortlisted applicants will be tested at interview about their suitability to work with children.

All shortlisted applicants will be required to complete a self-declaration form prior to interview in which they will be asked to provide information about their criminal records history and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview.

If the school decides to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- verification of the applicant's right to work in the UK
- any further checks which the school decides are necessary as a result of the applicant having lived or worked outside of the UK which may include an overseas criminal records check, certificate of good conduct or professional references
- the agreement of a mutually acceptable start date and the signing of a contract incorporating the school's standard terms and conditions of employment
- verification of the applicant's identity (where that has not previously been verified)
- verification of qualifications, whether professional or otherwise, which the school takes into account in making the appointment decision, whether a requirement for the role or not
- verification of the applicant's employment history

- the school being satisfied that any information generated through online searches does not make the applicant unsuitable to work at the school
- the receipt of two references (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory
- for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency which renders them unable or unsuitable to work at the school
- for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unable or unsuitable to work at the school
- where the position amounts to "regulated activity" (see section 5.4.2 below) the receipt of an enhanced disclosure from the DBS which the school considers to be satisfactory
- where the position amounts to "regulated activity" (see section 5.4.2 below) confirmation that the applicant is not named on the Children's Barred List\*
- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the school
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the school
- confirmation that the applicant is not disqualified from acting as a trustee / governor or senior manager of a charity under the Charities Act 2011 (if applicable, see section 5.7 below); and
- verification of the applicant's medical fitness for the role (see section 5.8 below).

\*The school is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The school is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the school can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

Whether a position amounts to "regulated activity" must therefore be considered by the school in order to decide which checks are appropriate. It is however likely that in nearly all cases the school will be able to carry out an enhanced DBS check and a Children's Barred List check.

#### **4 Artificial intelligence**

The school does not use artificial intelligence software as a decision-making tool at any stage of the recruitment process, including in respect of external and internal applications and promotion proposals.

## 5 Pre-employment checks

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the ISSRs and the *National minimum standards for Boarding Schools (September 2022)* the school carries out a number of pre-employment checks in respect of all prospective staff.

In fulfilling its obligations to carry out pre-employment checks, the school does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability or age.

### 5.1 Online searches

In addition to the checks set out below, the school reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the school. In accordance with KCSIE this may include online searches on shortlisted candidates. The online searches the school carries out may include searches of internet search engines, websites and social media platforms based on the information provided by the applicant in the application form. Applicants are not required to provide account passwords or grant access to social media or professional networking account content that is not publicly available. However, if information is publicly available when a social media or professional networking site is locked and can therefore be viewed by the school, it may be taken into account as part of the online search. The school will not carry out online searches as part of its initial sift of applications.

Our staff are expected to maintain high standards of ethics and behaviour, within and outside the school, and also online. Analysing up to date social and behavioural online data will help us gain a clear picture of the values our staff will bring to the school and view any available information which may be relevant to their suitability to carry out the role for which they have applied and to work at the school, or is of a safeguarding nature and/or may have an impact on the school's reputation. Any relevant information will be discussed at interview. Checks will be carried out by a third-party professional screening company who will also be a member of the Professional Background Screening Association ([PBSA](#)). Checks will be kept confidential, and for successful candidates the school retains the information generated for the period of employment and 7 years after leaving and for unsuccessful candidates for a period up to 3 months, after which it will be securely destroyed. We expect our staff to present themselves online to the same [Teacher Standards](#) as they would in the workplace.

### 5.2 Verification of identity, address, right to work in the UK and qualifications

All applicants who are invited to an interview will be required to bring with them evidence of their identity, right to work in the UK, address and qualifications. Details of this will be given when invited to interview.

The school asks for the date of birth of all applicants in order to verify identity and check for any unexplained discrepancies in the employment and education history. The school does not discriminate on the grounds of age.

The school asks for this information at interview to ensure that the person attending interview is who they claim to be, to ensure that they are permitted to work for the school if appointed and that they hold the qualifications that have been requested (if any).

Identity and address: all applicants must bring with them to interview, original documents which evidence their identity and address, details of which will be given when invited to interview.

Right to work in the UK: all applicants must also bring to interview a valid form of evidence which confirms their right to work in the UK. Valid forms of evidence can be found in the Home Office 'Right to Work Checklist' [Right to work checklist - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/right-to-work-checklist)

The school will check this evidence in accordance with the Home Office 'Code of Practice on preventing illegal working in force from 6 April 2022:

<https://www.gov.uk/government/publications/illegal-working-penalties-codes-of-practice-for-employers/code-of-practice-on-preventing-illegal-working-in-force-from-6-april-2022-accessible-version>

### 5.3 References

For all teaching posts, references will be taken up on short listed applicants prior to interview. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the school. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job description for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, sickness\* and disciplinary record
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be unsubstantiated, unfounded, false or malicious
- whether any allegations or concerns 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, except where the allegation or concerns were found to be unsubstantiated, unfounded, false or malicious
- whether the applicant could be considered to be involved in "extremism"

\*questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made.

The school will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

The school will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

If it has not been possible to obtain a reference prior to interview it will be reviewed upon receipt. Any discrepancies identified between the reference and the application form and/or the interview assessment form will be considered by the school. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.

If factual references are received i.e. those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage an applicant although additional references may be sought before an appointment can be confirmed.

The school will make telephone contact with the last employer to verify the details of the written reference provided.

The school treats all references given or received as confidential which means that the applicant will not usually be provided with a copy.

All references received from a school must be countersigned by the Head of that school.

All internal candidates who apply for a new role at the school will have their application assessed in accordance with this procedure. References may be taken up on internal candidates as part of the application process and can be provided by colleagues as the school will be the most recent employer and will previously have taken up references from past employers.

#### **5.4 Criminal records checks**

Prior to 29 May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records which a chief police officer considered relevant to the role applied for at the school.

##### **5.4.1 DBS filtering rules**

Since 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The filtering rules developed by the DBS and the Home Office designate certain spent convictions and cautions as "protected" and which are not included in a DBS certificate and applicants are not required to disclose during the recruitment process. If a protected conviction or caution is inadvertently disclosed to the school it must be disregarded when making a recruitment decision.

The DBS and the Home Office have developed a set of filtering rules relating to spent convictions which work as follows:

### **For those aged 18 or over at the time of an offence**

A spent criminal conviction for an offence committed in the United Kingdom when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by the job applicant) if:

- (a) eleven years have elapsed since the date of conviction;
- (b) it did not result in a custodial sentence; and
- (c) it was not imposed for a “specified offence”.

A spent caution for an offence committed when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:

- (d) six years have elapsed since the date it was issued; and
- (e) was not issued for a “specified offence”.

### **For those aged under 18 at the time of an offence**

A spent conviction for an offence committed when a person was under the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:

- (a) five and a half years have elapsed since the date of conviction;
- (b) it did not result in a custodial sentence; and
- (c) it was not imposed for a “specified offence”.

A caution issued for an offence committed when a person was under the age of 18 will never be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant).

A conviction will always be disclosable if it was imposed for a “specified Offence” committed at any age and a caution issued for a “specified offence” committed over the age of 18. “Specified Offences” are usually of a serious violent or sexual nature, or are relevant for safeguarding children and vulnerable adults. The list of “specified offences” can be found at <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>.

#### **5.4.2 Regulated activity**

The school applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the school which amount to “regulated activity” as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. Any position undertaken at, or on behalf of the school will amount to “regulated activity” if it is carried out:

- (a) frequently, meaning once a week or more; or
- (b) overnight, meaning between 2.00 am and 6.00 am; or



- (c) satisfies the "period condition", meaning four times or more in a 30 day period; and
- (d) provides the opportunity for contact with children.

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

It is for the school to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the school amount to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in the school office outside of term time or voluntary posts which are supervised.

#### **5.4.3 The Enhanced DBS disclosure certificate**

The DBS issues the DBS disclosure certificate to the subject of the check only, rather than to the school. It is a condition of employment with the school that the original disclosure certificate is provided to the school prior to appointment. A convenient time and date for bringing the certificate into the school should be arranged with the HR department as soon as it has been received.

Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the school.

#### **5.4.4 Starting work pending receipt of the DBS disclosure**

If there is a delay in receiving a DBS disclosure the HR Director has discretion to allow an individual to begin work pending receipt of the disclosure certificate. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place. A Risk Assessment will be completed in these cases, signed by the HR Director, Bursar, Line Manager and Employee agreeing to the restrictions put in place.

#### **5.4.5 Applicants with periods of overseas residence**

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. The school will take into account the "DBS unusual addresses guide" in such circumstances.

For applicants who are living overseas, or who have lived overseas previously, obtaining a DBS certificate may be insufficient to establish their suitability to work at the school. In such cases the applicant will be required to provide additional information about their suitability from the country (or countries) in which they have lived. The school's policy is to request the applicant seeks such information from each overseas country in which they have lived for a period of three months or more in the previous five years.

When requesting such information the school has regard to relevant government guidance and will therefore always require the applicant to apply for a formal check from the country in question, ie a criminal records check (or equivalent) or a certificate of good conduct.

The school recognises that formal checks are not available from some countries, that they can be significantly delayed or that a response may not be provided. In such circumstances the

school will seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country.

In addition, where an applicant for a teaching position has worked as a teacher outside of the UK, the school will ask the applicant to obtain from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher, evidence which confirms they have not imposed any sanctions or restrictions on the applicant and that they are not aware of any reason why the applicant may be unsuitable to work as a teacher. The school will also ask shortlisted applicants (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction issued by, the regulator of the teaching profession in the countries in which they have carried out teaching work.

Sanctions and restrictions issued by the regulating authority of another country will not prevent a person from working as a teacher at the school. However, the school will take all relevant information into account in determining whether an applicant is suitable to work at the school.

The school may allow an applicant to commence work pending receipt of a formal check from a particular country if it has received a reference and/or letter of professional standing from that country and considers the applicant suitable to start work. Decisions on suitability will be based on all of the information that has been obtained during the recruitment process. Unless expressly waived by the school, continued employment will remain conditional upon the school being provided with the outcome of the formal check and it being considered satisfactory.

If no information is available from a particular country the school may allow an applicant to commence work if they are considered suitable based on all of the information that has been obtained during the recruitment process.

The school will take proportionate risk based decisions on a person's suitability in these circumstances. All suitability assessments must be documented and retained on file if the formal check is delayed and the school is not satisfied about the applicant's suitability in the absence of the information, the applicant's proposed start date may be delayed until the formal check is received.

## **5.5 Prohibition from teaching check**

The school is required to check whether staff who carry out "teaching work" are prohibited from doing so. The school uses the Department for Education's system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency.

In addition, the school asks all shortlisted applicants to declare whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency or other equivalent body in the UK.

Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the Teaching Regulation Agency (or other equivalent body), whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the school will consider whether the factors of the case render the applicant unsuitable to work at the school.

The school applies the definition of ‘teaching work’ set out in the Teachers’ Disciplinary (England) Regulations 2012, which states that the following activities amount to “teaching work”:

- Planning and preparing lessons and courses for pupils;
- Delivering lessons to pupils;
- Assessing the development, progress and attainment of pupils; and
- Reporting on the development, progress and attainment of pupils.

The above activities do not amount to “teaching work” if they are supervised by a qualified teacher or other person nominated by the Warden. If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches.

#### 5.6 **Prohibition from management check**

The school is required to check whether any applicant for a management position is subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (a **section 128 direction**).

The school will carry out checks for Section 128 directions when appointing applicants into management positions from both outside the school and by internal promotion.

This check applies to appointments to the following positions made on or after 12 August 2015:

- Warden
- posts on the College Management Team;
- posts which carry a departmental head role; and
- the school will assess on a case by case basis whether the check should be carried out when appointments are made to teaching and operational roles which carry additional responsibilities.

All individuals who are appointed to the governing body will be subject to a section 128 direction check.

The school asks all shortlisted applicants to declare whether they have ever been the subject of a referral to the Department for Education, or are subject to a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body, whether or not that resulted in the imposition of a section 128 direction or other sanction or such direction or sanction has lapsed or been lifted, the school will consider whether the facts of the case render the applicant unsuitable to work at the school.

## **5.7 Disqualification from acting as a charity trustee or senior manager**

### **5.7.1 Background**

Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

### **5.7.2 Who is covered**

A person is considered to be a charity trustee if they are one of the people who have general control and management of the administration of the charity. In an independent school the trustees will typically be the governors of the school.

Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the school the disqualification rules will be applicable to all governors, the Warden, Bursar and potentially other senior staff who report directly to the governors.

There is no single list or register that covers all of the disqualification criteria and the school therefore adopts a pragmatic approach to checking whether a person is disqualified. This is achieved by the use of a self-declaration form and the checking of relevant publicly accessible registers.

### **5.7.3 Self-declaration**

All those who are covered by the disqualification rules are required to complete a self-declaration form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria.

A failure to disclose relevant information, or the provision of false information, which subsequently comes to the school's attention may result in the termination of an appointment as a governor or senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence.

All those who are required to complete a self-declaration form are also under an ongoing duty to inform the school if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

## **5.8 Medical fitness**

The school is legally required to verify the medical fitness of anyone to be appointed to a post at the school, after an offer of employment has been made but before the appointment can be confirmed.

It is the school's practice that all applicants to whom an offer of employment is made must complete a standard Health Questionnaire. If an applicant indicates 'yes' to any of the standard questions then a fuller questionnaire is given to them and reviewed by the school's Occupational Health Nurse. If the school's Occupational Health Nurse has any doubts about an applicant's fitness the school will consider reasonable adjustments in consultation with the

applicant. The school may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

Successful applicants will be required to sign a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with the school instead, or to attend an occupational health assessment to consider their fitness for the role, they should contact the HR department so that appropriate arrangements can be made.

The school is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

## **6 Contractors and agency staff**

The school must complete the same checks for contractors (and their employees) undertaking regulated activity at the school as it does for its own employees. The school requires written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at the school before any such individual can commence work at the school.

Agencies who supply staff to the school must also complete the pre-employment checks which the school would otherwise complete for its staff. Again, the school requires confirmation that these checks have been completed before an individual can commence work at the school.

The school will independently verify the identity of individuals supplied by contractors or an agency in accordance with section 5.2 above and requires the provision of the DBS disclosure certificate before those individuals can commence work at the school.

## **7 Volunteers**

The school will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the school (the definition of regulated activity set out in section 5.4.2 above will be applied to all volunteers).

Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with pupils.

It is the school's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the school for three consecutive months or more. Those volunteers who are likely to be involved in activities with the school on a regular basis may be required to sign up to the DBS update service as this permits the school to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition the school will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers

- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.

## **8 Policy on recruitment of ex-offenders**

### **8.1 Background**

The school will not unfairly discriminate against any applicant for employment on the basis of conviction or other details disclosed. The school makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar them from employment with the school. Each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 8.2 below.

All positions within the school are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules (see section 5.4.1 above).

A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the school to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the school. The school will make a report to the police and / or the DBS if:

- it receives an application from a barred person
- it is provided with false information in, or in support of an applicant's application; or
- it has serious concerns about an applicant's suitability to work with children.

### **8.2 Assessment criteria**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the school will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question
- the seriousness of any offence or other matter revealed
- the length of time since the offence or other matter occurred
- whether the applicant has a pattern of offending behaviour or other relevant matters
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and

- the circumstances surrounding the offence and the explanation(s) offered by the applicant.

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

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

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

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

### **8.3 Assessment procedure**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the school will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the HR Director and the Bursar before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the school may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### **8.4 Retention and security of disclosure information**

The school's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.