

Safer Recruitment policy

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1. Introduction

Clifton College 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 College is also committed to providing a supportive and flexible working environment to all its employees. The College recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain employees of the highest calibre who share this commitment.

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

- to ensure that the best possible employees are recruited on the basis of their merits, abilities and suitability for the position
- to ensure that all candidates are considered equally and consistently
- to ensure that no candidate 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 2024) (**KCSIE**), *Disqualification under the Childcare Act 2006* (**DUCA**), the Prevent Duty Guidance for England and Wales (2015 updated 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 College 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 employees are responsible for familiarising themselves with and complying with the provisions of this policy.

2. Data protection

The College is legally required to carry out the pre-appointment checks detailed in this procedure. Employees and prospective employees are required to provide certain information to the College to enable the College to carry out the checks that are applicable to the role. The College is also required to provide some 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 College not being able to meet its employment, safeguarding or legal obligations. The College will process personal information in accordance with its Staff Privacy Notice.

3. Advertising jobs

Clifton College is a school and therefore all job roles are considered to amount to Regulated Activity because they provide the opportunity for regular contact with children (excluding work by supervised volunteers).

Therefore, job advertisements for the College contain a commitment to safeguarding statement, include a reference to the Safeguarding Policy on the website and highlight the requirement for successful applicants to undergo an enhanced DBS check and further safer recruitment checks relevant to the role.

Job advertisements will make clear that applicants are required to undergo child protection screening appropriate to the post, including checks with past employers and the Disclosure and

Barring Service (DBS). The College will carry out online searches on shortlisted candidates. Candidates will be asked to provide details of online social profiles as part of the application process.

All posts are exempt from the Rehabilitation of Offenders Act 1974. The College is therefore permitted to ask candidates to declare all convictions and cautions on a self-declaration form in advance of attending an interview (including those which are "spent" unless they are "protected" under the DBS filtering rules) in order to assess their suitability to work with children."

4. Recruitment and selection

Candidates are able to submit a CV in application for a role but **must** have also completed an application form prior to formal interview. The application form requires information regarding academic achievements and employment history since leaving full time education. Candidates are required to complete a personal statement as part of the application form. Candidates are asked to provide details of online social profiles, including account names and social media handles so that online searches can be carried out on shortlisted candidates (see section 6 for more information). This information must be provided by the applicant in order for the application to be accepted.

Applications are managed through an applicant tracking system which ensures that incomplete application forms are not submitted for consideration. In the event of gaps in academic or employment history, these will be explored and recorded at, or before formal interview and forms part of the application record. A curriculum vitae is acceptable *as well as* an application form but not *instead of*.

All vacancies should be accompanied with a current job description which includes a person specification. Job Descriptions that are older than 12 months are required to be updated prior to advertising of the vacancy.

The College Safer Recruitment Policy and the Safeguarding and Child Protection Policy and Procedures are available to download from the College's website.

The College conducts candidate shortlisting by reviewing all applications against the criteria set out in the job description. Candidates who do not meet the baseline requirements for the role will be declined and will not be considered for interview.

Shortlisted applicants will be invited to attend a formal interview. Where there are multiple suitable candidates for the role, hiring managers are permitted to hold 30 minute Zoom (or similar) longlisting calls prior to inviting candidates to a formal interview. Formal interviews should be conducted by **two employees** of which at least one should have received Safer recruitment Training. The formal interview should include

- assessment of technical skills and
- assessment of relevant experience and
- assessment of suitability to work in an education setting

All shortlisted candidates are required to complete a self-declaration prior to interview. This is to provide information about any criminal records history and other factors relevant to the suitability to work with children. If required, this information will be considered and discussed at a formal interview.

Where a formal interview results in an offer of employment, the offer will be conditional to:

- the agreement of a mutually acceptable start date
- signing of a contract incorporating the College'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, that have been taken into account in making the appointment decision, and which are referenced in the job description as a requirement for the role
- verification of the applicant's employment history
- information generated through online searches does not make the candidate unsuitable to work at the College
- the receipt of two satisfactory references (one of which must be from the applicant's most recent employer)
- for roles involving "teaching work", information about whether the candidate 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 College
- for candidates 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 College
- where the position amounts to "regulated activity (see section 6.6 below) the receipt of an enhanced disclosure from the DBS which the College considers to be satisfactory
- where the position amounts to "regulated activity" (see section 6.6 below) confirmation that the applicant is not named on the Children's Barred List¹
- information about whether the candidate 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 College
- for management positions, information about whether the candidate 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 College
- 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 6.12 below)
- confirmation that the candidate is not disqualified from working in connection with early or later years provision (if applicable, see section 6.13 below)
- verification of the applicant's medical fitness for the role (see section 6.14 below)
- verification of the applicant's right to work in the UK; and

¹ The College is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The College is required to carry out an enhanced DBS check for all employees, supply workers and governors who will be engaging in regulated activity. The College can also carry out enhanced DBS checks on persons 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 College in order to decide which checks are appropriate. It is however likely that in nearly all cases the College will be able to carry out an enhanced DBS check and a Children's Barred List check.

- any checks deemed necessary as a result of the candidate having lived or worked outside the UK. This might include an overseas criminal records check, certificate of good conduct or professional references.

5. 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.

6. 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 College carries out a number of pre-employment checks in respect of all prospective employees.

In fulfilling its obligations to carry out pre-employment checks the College 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.

In addition to the checks set out below, the College reserves the right to obtain formal or informal background information about a candidate as is reasonable to determine whether they are suitable to work at the College.

6.1 Online searches

In addition to the checks set out below, the College reserves the right to obtain such formal or informal background information about a candidate as is reasonable in the circumstance to determine whether they are suitable to work in the College. In accordance with KCSIE this includes online searches on shortlisted candidates (**online searches**). Online searches may include searches using internet search engines of websites and social media platforms. Candidates are asked in the application form to provide details of their online profiles, including account names, social media and professional networking site handles and websites on which the candidate is featured or named on. Candidates will not be asked to provide account passwords or grant the College access to private social media or professional networking accounts. However, if information (such as profile pictures and/or account bios) is publicly available when a social media or professional networking site account is locked and can therefore be viewed by the College, the publicly available information may be taken into account as part of the online search.

Online searches may be carried out at shortlisting stage or after a conditional offer of employment has been made but should be **prior** to work commencing.

Online searches will be undertaken by a person independent of the recruitment and appointment decision. The search should extend only to publicly available information that:

- may be relevant to the suitability to carry out the role for which the candidate has applied;
- may be relevant to the suitability to work at the College or in an education setting;
- is of a safeguarding nature; and/or
- may have an impact on the College's reputation (whether positive or negative).

Any information generated from online searches will be entered in an 'Online search results record'. Online searches are undertaken on shortlisted applicants. Search results that give rise to concerns regarding suitability to work in an educational setting will be escalated to the Head of People, who will then discuss this with the Director of Safeguarding. In the event that searches impact final candidate selection, the hiring manager will be advised.

In evaluating online search information for relevance, the following criteria applies:

- whether the information is relevant to the position applied for;
- whether the information is relevant to the candidate's suitability to work at the College or in an education setting;
- whether the information could have an impact on the College's reputation (whether positive or negative);
- whether the information calls into doubt the candidate's willingness or ability to uphold the College's commitment to safeguarding and promoting the welfare of children;
- the length of time since the information became publicly available and whether the candidate's circumstances have changed since the information was published;
- whether the information reveals a pattern of concerning behaviour; and
- the relevant circumstances and the explanation(s) offered by the candidate

For successful candidates, the College will retain information generated through online searches for the duration of the individual's employment and in accordance with its Information and Records Retention Policy after employment ends.

For unsuccessful candidates, the College retains the information generated from online searches for six months from the date on which they are informed their application was unsuccessful, after which it will be securely destroyed.

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

All candidates who are invited to a formal interview are required to bring with them evidence of

- identity,
- right to work in the UK,
- address and
- qualifications that are relevant to the role

This information is used to validate identity, right to work and proof of qualifications.

Identity and address

Candidates should produce original documents as set out below and in the list of valid identity documents at Appendix 1. All requirements comply with DBS identity checking guidelines:

- one document from Group 1*²; and
- two further documents from either Group 1², Group 2a or Group 2b, one of which must verify the applicant's current address

Where an applicant has changed their name by deed poll or any other means such as marriage, adoption, statutory declaration, they are required to provide documentary evidence of the change.

² Candidates are asked to provide a birth certificate as one form of identity. If this can not be provided, candidates are asked to disclose the reason

Applicants are also required to provide a birth certificate, unless there is good reason why this cannot be provided.

Date of birth information is used to

- verify identity
- check against unexplained discrepancies in employment and education history

The College does not discriminate on the grounds of age.

Right to work in the UK

All candidates must produce a valid form of evidence to confirm the right to work in the UK. Valid forms of evidence can be found in the [Home Office 'Right to Work Checklist'](#).

Right to Work evidence is checked in accordance with the Home Office 'Code of Practice on preventing illegal working: Civil penalty scheme for employers: 6 April 2022' (Code of practice on preventing illegal working (which can be found here: <https://www.gov.uk/government/publications/illegal-working-penalties-codes-of-practice-for-employers>)).

Qualifications

Candidates are required to produce original documents which evidence educational and professional qualifications referred to in the application form and are relevant to the role.

Retention of records

The College will retain copies of the documents used to verify candidates' identity, right to work, and qualifications in accordance with the Information and Records Retention policy.

6.3 References

References are taken for short listed applicants prior to interview where possible. In some instances it is recognised that this might not always be possible however best endeavours should be made. Where this is not possible³ references will be taken prior to start of employment.

Employment is subject to receipt of two satisfactory references. One of the references must be from the applicant's current or most recent employer.

- For roles that directly involve working with children, one reference should be provided by the employer with whom the applicant most recently worked with children
- References should be obtained directly from the referee

References are not accepted from

- from a relative
- from someone known to the candidate solely as a friend or acquaintance
- a personal email address⁴
- from the candidate directly

³ for example, due to confidentiality or applicants sensitivity

⁴ references should represent previous employment therefore should be presented on company letterhead, or from a company email address

All referees are asked whether the applicant is suitable for the job for which they have applied and whether there are known reasons why the applicant is unsuitable to work with children. All referees are 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 are also asked to confirm :

- the candidate's dates of employment, salary, job title / duties, reason for leaving, performance, and sickness⁵
- whether the candidate has ever been the subject of disciplinary procedures involving 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 allegations or concerns have been raised about the candidate 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 candidate could be considered to be involved in "extremism". The definition of "extremism" set out in KCSIE which states:
""Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

References are cross-checked with the candidate application form. Discrepancies or inconsistencies are validated with the candidate and, where applicable, the relevant referee prior to the commencement of work.

Where factual references are received i.e. those containing limited information such as job title and dates of employment, the College reserves the right to seek additional references prior to appointment.

The College may at its discretion make telephone contact with any referee to verify the details of the written reference provided.

References are handled in Confidence. References are not shared with the applicant or hiring manager. Where a reference for a Preferred Candidate gives cause for concern, the College will adopt an internal escalation path. This is to the Head of People. The escalation should be taken

- prior to a conditional offer of employment (where the reference is available)
- prior to formal offer of employment (where the reference is received after conditional offer but before formal offer)
- in all instances, before the candidates starts work

References received from a school must be countersigned by the Head of the school.

6.4 Internal Candidates

Internal candidates for vacancies will have their application assessed in accordance with this policy. References may be taken on internal candidates as part of the application process and can

⁵ questions regarding health or sickness records are included in reference requests after the offer of employment has been made

be provided by the appropriate line manager or Head of College (if teacher transfer applies) as the College will be the most recent employer.

6.5 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 College.

DBS filtering rules

With effect from 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". "Protected" convictions and cautions are not included in a DBS certificate and job applicants are not required to disclose them during the recruitment process. It is unlawful for an employer to take into account a conviction or caution that should not have been disclosed. If a protected conviction or caution is inadvertently disclosed to the College during the recruitment process it must be disregarded when making a recruitment decision.

A conviction will always be disclosable if it was imposed for a "specified offence" committed at any age. A caution issued for a "specified offence" committed over the age of 18 will always be disclosable. However, a caution issued for a "specified offence" committed under the age of 18 is never disclosable. "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 [here](#)

The filtering rules are as follows:

Those aged 18 or over at the time of an offence	Those aged under 18 at the time of an offence
<p>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:</p> <ul style="list-style-type: none"> (a) eleven years have elapsed since the date of the conviction; (b) it did not result in a custodial sentence; and (c) it was not imposed for a "specified offence". <p>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:</p> <ul style="list-style-type: none"> • six years have elapsed since the date it was issued; and • it was not issued for a "specified offence". 	<p>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:</p> <ul style="list-style-type: none"> (a) five and a half years have elapsed since the date of the conviction; • it did not result in a custodial sentence; and • it was not imposed for a "specified offence". <p>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).</p>

6.6 Regulated activity

The College 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 College which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). This is to identify whether a candidate 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 College, is considered "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30 day period; and
- provides the opportunity for contact with children.

Roles carried out on a voluntary basis⁶ amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

The College will determine whether a role amounts to "regulated activity" taking into account all relevant circumstances. For the avoidance of doubt, all roles at the College are treated as undertaking regulated activity.

6.7 DBS Checks

DBS disclosure certificates

Candidates are required to request a DBS disclosure certificate prior to the start of employment. Certificates are issued directly to the applicant. As a condition of employment, candidates are required to produce an original DBS certificate on or before the first day of work. Originals should be produced and not sent by post or scanned. Employment will remain conditional until the original certificate has been provided.

DBS checks where there is a break in service

Where an employee has a break in service from the College for 3 months or more, a refreshed DBS Certificate will be required. The break in service applies to paid and volunteer workers. The break in service applies to all workers - teaching and non teaching. A break in service refers to a break in *contractual* service. Where the employer has not had a break in contractual service, but has had a break in work for 6+ months (eg. casual workers), internal checks will be taken to confirm where and how the employee has spent time.

DBS Update Service

Where workers are frequently involved in directly working with children, the College encourages those workers to subscribe to the DBS Update service. This enables the worker and College to have up to date DBS Certificate checks without the requirement for new applications.

6.8 Starting work pending receipt of the DBS disclosure

Should there be a delay in receiving a DBS Certificate,

⁶ Voluntary basis means that work is unpaid

- where the role require direct contact with children, commencement of employment will be delayed
- where the roles do *not* require direct contact with children, a candidate will be subject to a risk assessment. This should apply only where all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and where appropriate supervision has been put in place. Risk assessments should be updated every 2 weeks until such time that the pre-employment checks have been completed.

6.9 Applicants with periods of overseas residence

Where applicants have periods of overseas residence, additional checks will be taken. For applicants living overseas, or who have lived overseas previously, the applicant will be required to provide additional information about their suitability to work in an educational setting from the country (or countries) in which they have lived.

The College's policy is to request information from each overseas country in which the applicant has lived for a period of three months or more in the previous five years.

When requesting overseas information the College will refer to relevant government guidance.

The College recognises that formal checks are not available from some countries, and that they can be significantly delayed or that a response may not be provided. In such circumstances the College will seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country.

6.10 Applicants with overseas teaching experience

Where a candidate for a teaching position has worked as a teacher outside of the UK, the College will

- ask the candidate 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 that 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 and/or
- ask shortlisted candidates (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 and/or
- obtain an employment reference from the educational setting in the country in question

Sanctions and restrictions issued by the regulating authority of another country will not prevent a person from working as a teacher at the College. The College will consider all available and relevant information in determining whether a candidate is suitable to work at the College.

The College may allow a candidate to commence work pending receipt of a formal check from an overseas country if it has received a reference and/or letter of professional standing from that country and considers the candidate suitable to start work. Unless expressly waived by the College, continued employment will remain conditional upon the College being provided with the outcome of the formal check and it being considered satisfactory.

There are some countries from which such information cannot be obtained. The College 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 College will take

proportionate risk based decisions on an applicant's suitability in these circumstances. All suitability assessments will be documented and retained on file.

6.10 Prohibition from teaching check

The College will check whether employees undertaking "teaching work" are prohibited from doing so. The College uses the Teaching Regulation Agency Teacher Services 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 College asks shortlisted candidates 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.

The Teaching Regulation Agency's (TRA) Employer Access Service will also be used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.

Where a candidate 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 College will consider whether the facts of the case render the applicant unsuitable to work at the College.

The College 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 Head. Where there is doubt, or where the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches.

6.11 Prohibition from management check

The College is required to check whether applicants for management positions are 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 College will undertake checks for section 128 directions when appointing applicants into management positions from both outside the College and by internal promotion.

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

- Head of School
- all posts on the senior leadership team
- teaching posts which carry a departmental head role

The College assesses on a case by case basis whether the check should be carried out when appointments which carry additional responsibilities.

Candidates who are appointed to the Council of Trustees will be subject to a section 128 direction check.

The relevant information is contained in the enhanced DBS disclosure certificate. It can also be obtained through the Teaching Regulation Agency Teacher Services system. The College will use either, or both, methods to obtain this information.

In addition all shortlisted candidates are asked 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 where a section 128 direction or other sanction has lapsed or been lifted, the College will consider whether the facts of the case render the applicant unsuitable to work at the College.

6.12 Disqualification from acting as a charity trustee or senior manager

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.

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 College the disqualification rules will be applicable to all members of Council, the Heads of Schools, the COO and any other positions that report directly to the Council of Trustees.

There is no single list or register that covers all of the disqualification criteria and the College 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.

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 College'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 College 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.

Checks by the College

To ensure that it has accurate and up to date information the College will also check the following registers in respect of each governor and senior manager who is already in post or is appointed in future:

- the Bankruptcy and Insolvency Register;
- the register of disqualified directors maintained by Companies House; and
- and the register of persons who have been removed as a charity trustee.

Waiver

A person who discloses that one or more of the disqualification criteria is applicable to them may apply to the Charity Commission for a waiver of the disqualification.

The College may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appointment to the governing body if a waiver application becomes necessary or is rejected by the Charity Commission. The College is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

6.13 Childcare disqualification

The Childcare Act 2006 (**Act**) and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (**Regulations**) state that it is an offence for the College to employ anyone in connection with the early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP.

- **Early Years Provision** includes usual College activities and other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place on the College premises during or outside of the normal College day;
- **Later Years Provision** includes provision for children not in EYP and under the age of 8 which takes place on College premises outside of the normal College day, including, for example, breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.

DUCA states that only individuals employed directly to provide childcare are covered by the Regulations. "Childcare" means any form of care for a child, which includes education and any other supervised activity for a child who is aged 5 or under. "Childcare" in LYP does not include education during school hours but does cover before and after school clubs.

Relevant roles

Roles covered by the Regulations are

- teaching and teaching assistant positions in EYP,
- those which involve the supervision of under 8s in LYP

Those who are directly involved in the management of EYP and LYP include the Head, and may also include other members of the leadership team as well as those involved in the day to day management of EYP or LYP at the College.

Cleaners, drivers, transport escorts, catering and office employees are *not* covered by the Regulations.

Some roles at the College may involve the provision of childcare in EYP or LYP on an occasional basis. They will not automatically be within the scope of the Regulations and the College will consider whether they do on a case by case basis. The Regulations apply to a limited number of roles but do extend to governors and volunteers who carry out relevant work in EYP or LYP.

Grounds for disqualification

The grounds on which a person will be disqualified from working in connection with EYP or LYP are set out in the Regulations. They are not only that a person is barred from working with children (by inclusion on the Children's Barred List) but also include:

- having been cautioned (after 6 April 2007) for, or convicted of, certain criminal offences including violent and sexual criminal offences against children and adults whether committed in the United Kingdom or overseas;
- grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
 - having been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), having been disqualified from any such registration or having had that registration cancelled;
 - having been refused an application for registration of a children's home or having had any such registration cancelled; or
 - having been prohibited, restricted or disqualified from private fostering.

Self-declaration form

All candidates taking relevant roles in EYP or LYP, are required to complete a self-declaration form confirming whether they meet any of the criteria for disqualification under the Regulations.

The College will decide whether a role is relevant and within the scope of EYP or LYP by having regard to the guidance in DUCA. Employment with the College in any relevant role will be conditional upon completion of the self-declaration form and upon the candidate not being disqualified.

The College cannot permit any person who is currently disqualified to start work in a relevant role. The College reserves the right to withdraw an offer of employment if, in the opinion of the College, information disclosed in the self declaration form renders that person unsuitable to work at the College.

Candidates who have criminal records information to disclose about themselves must also provide the following information:

- details of the order, restriction, conviction or caution and the date that this was made;
- the relevant court or body and the sentence, if any, which was imposed; and
- a copy of the relevant order or conviction.

Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules. For the avoidance of doubt the College does not require applicants to request any criminal records information directly from the DBS. The College only requires applicants to provide relevant information about themselves "to the best of their knowledge".

Waiver of a disqualification

Candidates who disclose information which appears to disqualify them from working in a relevant teaching role may apply to Ofsted for a waiver of the disqualification. In this instance, the College has discretion to withdraw an offer of employment. There is no obligation for the College to wait for the outcome of an Ofsted waiver application. If a waiver application is rejected the College will withdraw the conditional offer of employment.

Retention of disqualification information

The College will securely destroy information provided by a candidate which is not relevant to the childcare disqualification requirements as soon as it is established that it is not relevant.

Where a person appointed to a role at the College is found to be disqualified the College will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the College, after which it will be securely destroyed.

Continuing duty to disclose change in circumstances

After making this declaration employees in a relevant role are under an on-going duty to inform the College if their circumstances change in a way which would mean they subsequently meet any of the criteria for disqualification. Any failure to disclose relevant information now, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.

6.14 Medical fitness

The College is legally required to verify the medical fitness of candidates after an offer of employment has been made and before employment starts.

- Candidates are required to self-declare fitness for the role as part of the onboarding activity
- In the event that a medical condition is disclosed, the College will make reasonable adjustments wherever possible and complete an individual risk assessment
- If required, an occupational health referral will be advised

The College is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first

- consulting with the candidate,
- obtaining medical evidence,
- considering reasonable adjustments and suitable alternative employment

Questions regarding health or medical fitness will not be asked prior to an offer of employment being made.

7. Contractors and agency workers

The College will complete the same checks for contractors and their associated workers as it does for its own employees.

- The College requires written confirmation from contractor companies that it has completed checks for all workers it intends to supply to the College before the worker can start work
- Agencies supplying workers to the College must complete the pre-employment checks which the College would otherwise complete for direct hires. The College requires confirmation that the checks have been completed before an individual can commence work at the College. Confirmation should be written

The College will independently verify the identity of workers supplied by contractors or an agency and requires the provision of the DBS disclosure certificate before those workers can start work.

8. Volunteers

All Volunteer workers are assumed to be undertaking regulated work. As such, the College will request enhanced DBS disclosure and Children's Barred List information before volunteering work commences.

- Volunteer workers are not permitted to have unsupervised contact with pupils.
- Pre employment checks for Volunteer Workers might include (but is not limited to)
 - references from the volunteer's place of paid work
 - references from other relevant volunteering work and
 - a safer recruitment interview

9. Visiting speakers

Visitors are subject to the Visitors Policy provided they are not undertaking regulated activity. In the event that regulated activity applies, the College will adopt the framework as per Volunteers. Visiting Speakers should be treated as guests at the College and as such be accompanied at all times.

10. Recruitment of ex-offenders

The College will not unfairly discriminate on the basis of conviction or other details disclosed. Where a candidate has a criminal record this does not automatically bar them from employment. Recruitment of ex-offenders will be decided on a case-by-case basis with consideration to the objective assessment criteria set out in paragraph 9.1 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 6.5 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. Failure to disclose a previous conviction may amount to a criminal offence.

It is unlawful for the College 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 College. The College 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.

10.1 Assessment criteria

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

- whether the conviction or matter revealed is relevant to the post in question
- the seriousness of the offence or matter revealed
- the length of time since the offence or matter occurred
- whether the candidate has a pattern of offending behaviour or other relevant matters
- whether the candidate'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 candidate

Where the post involves regular contact with children, it is the College'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.

Where the post involves access to money or budget responsibility, it is the College's normal policy to consider it a high risk to employ anyone who has been convicted at any time of

- robbery, burglary, theft
- deception or
- fraud

Where the post involves driving responsibilities, it is the College's normal policy to consider it a high risk to employ anyone who

- has been convicted of drink driving within the last ten years

10.2 Assessment procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by a candidate during the recruitment process or obtained through a disclosure check, the College will carry out a risk assessment by reference to the criteria in 9.1. The risk assessment form must be signed by the COO and the Head of College before a position is offered or confirmed.

Where a candidate disputes information contained in a disclosure, they may do so by contacting the DBS. In cases where the candidate would otherwise be offered a position were it not for the disputed information, the College may, where practicable and at its discretion, defer a final

decision about the appointment until the candidate has had a reasonable opportunity to challenge the disclosure information.

10.3 Retention and security of disclosure information

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

11. Referrals to the DBS and Teaching Regulation Agency

This policy is primarily concerned with the promotion and practice of safer recruitment. Candidates should be aware that the College has legal responsibilities to fulfil when employment comes to an end. In particular, the College has a legal duty to make a referral to the DBS where:

- an individual has applied for a position at the College despite being barred from working with children; and / or
- an individual has been removed by the College from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child

It is a DBS duty to consider whether to impose sanctions in these instances.

Where a teacher is dismissed due to serious misconduct, or a breach of the Teachers' Standards, or they resign prior to dismissal on such grounds, the College will make a referral to the Teaching Regulation Agency.

It is the Teaching Regulation Agency duty to consider whether to impose a prohibition from teaching order.

12. Queries & Complaints

Where a candidate has queries on how to apply for a post at the College they should contact the Head of People.

Where a candidate has a complaint regarding non-selection for interview they should contact dpa@cliftoncollege.com

Where a candidate has a complaint regarding unfair treatment at interview they should contact dpa@cliftoncollege.com

Appendix 1 **List of valid identity documents**

Group 1: primary identity documents

- current valid passport
- biometric residence permit (UK)
- current driving licence photocard - full or provisional (UK / Isle of Man and Channel Islands)
- birth certificate - issued within 12 months of birth (UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces)
- adoption certificate (UK and Channel Islands)

Group 2a: trusted government documents

- current valid driving licence: photocard - full or provisional (all countries outside the UK excluding Isle of Man and Channel Islands)
- current driving licence: paper version if issued before 1998 - full or provisional (UK / Isle of Man and Channel Islands)
- birth certificate - issued after time of birth (UK, Isle of Man and Channel Islands)
- marriage / civil partnership certificate (UK and Channel Islands)
- immigration document, visa or work permit (issued by a country outside the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa / permit must relate to the non-UK country in which the role is based)
- HM Forces ID card (UK)
- fire arms licence (UK, Channel Islands and Isle of Man)

All driving licences must be valid.

**Group 2b:
history documents**

Financial and social

- mortgage statement (UK)**
- bank / building society statement (UK and Channel Islands)*
- bank / building society statement (countries outside the UK)*
- bank / building society account opening confirmation letter (UK)*
- credit card statement (UK)*
- financial statement - e.g. pension or endowment (UK)**
- P45 / P60 statement (UK and Channel Islands)**
- council tax statement (UK and Channel Islands)**
- letter of sponsorship from future employment provider (non UK only; valid only for applicants residing outside the UK at the time of application; must be valid at time of application)
- utility bill (UK; not mobile telephone bill)*
- benefit statement - e.g. child benefit, pension (UK)*
- a document from central or local government/ government agency / local council giving an entitlement - e.g. from the Department for Work and Pensions, the Employment Service , HM Revenue & Customs (UK and Channel Islands)*
- EEA national ID card (must be valid at time of application)
- Irish passport card (cannot be used with an Irish passport; must be valid at time of application)
- cards carrying the PASS accreditation logo (UK, Isle of Man and Channel Islands; must be valid at time of application)
- letter from Head or College Principal (UK; for 16-19 year olds in full-time education. This is only used in exceptional circumstances if other documents cannot be provided; must be valid at time of application).

Note

Documents denoted with * should be less than three months old

Documents denoted with ** should be less than 12 months old