



# TALBOT HEATH SCHOOL “Honour Before Honours”

## RECRUITMENT AND SELECTION POLICY (SAFER RECRUITMENT)

**Date adopted:** 5<sup>th</sup> December 2023

**Date for next adoption:** Autumn Term 2024

**Reviewed by:** FGB Committee

### SECTION 1

#### Policy Statement

It is the policy of the School:

- To follow the recruitment steps outlined in part 3 of the Department of Education’s Keeping Children Safe in Education 2023 and comply with the Independent School Standards Regulations.
- To make sure the School recruits suitable people. The School will ensure that those involved in the recruitment and employment of staff to work with children have received appropriate safer recruitment training.
- Talbot Heath School is committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination and to provide equality, fairness and respect for all in our employment, whether temporary, part-time or full-time. We do not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex, sexual orientation

#### Related Policies

- Safeguarding and Child Protection policy 2023-24
- Induction of Staff (whole school) policy 2023-26

#### Policy Objectives

It aims to ensure both safe and fair recruitment and selection is conducted at all times. Safeguarding and promoting the welfare of children and young people and creating a safe environment for them is an integral factor in recruitment, selection and resourcing. The school is subject to a statutory requirement to report to the Disclosure and Barring Service any person whose services are discontinued or who withdraws because he or she is considered to be unsuitable to work with children. Independent Schools are also under a duty to consider making a referral to the National College of Teaching and Leadership where a teacher has been dismissed (or would have been dismissed if s/he had not resigned) and a prohibition order may be appropriate for unprofessional conduct, conduct that may bring the teaching profession into disrepute or a conviction, at any time, for a relevant offence.

The School has put the following steps in place during our recruitment and selection process to ensure we are committed to safeguarding and promoting the welfare of children.

#### Recruitment and selection process Advertising

- All employed posts will be appropriately advertised making clear that Talbot Heath is committed to equal opportunities, safeguarding and promoting the welfare of children.
- Applicants must be willing to undergo child protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service.

- The advert will indicate whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account.
- Applications will be received via the TES Online portal where Job Descriptions and other information relating to the role will be made available to candidates, including a Privacy Notice for potential candidates. This is the school's preferred method of application, however, a paper application form is available upon request. A curriculum vitae on its own will not provide adequate information and all applicants must complete the school's application form.
- The School's Safeguarding & Child Protection and Recruitment and Selection policies may be downloaded from the School's website.
- The application must be submitted before the closing date of the position.

## 1. **References**

Written references will be taken up before interview for shortlisted candidates for teaching posts and ideally for candidates for non-teaching posts (unless the candidate withholds permission on the application form) so that any issues of concern can be explored further with the referee and taken up with the candidate at interview.

When seeking references the School will:

- Not accept open references
- Liaise directly with referees and verify any information contained within references with the referees
- Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- Resolve any concerns before any appointment is confirmed

All information received regarding an individual's application for employment, including references, whether received verbally or in writing, will be carefully checked for accuracy and consistency. Any suspected inaccuracy or inconsistency will be specifically challenged and the true position established. If the School is not satisfied that the true position is clear, the applicant will not be appointed to the role.

## 2. **The School's duty**

The provision by applicants of false information or evidence of disqualification from working with children or expressions of serious concern as to suitability for work with children may lead to a referral to the Police or the Disclosure and Barring Service.

## 3. **Shortlisting and Interviews**

Shortlisting will be undertaken by at least two members of staff. As part of the shortlisting, permission will be requested to conduct an online search which will be carried out to help identify any incidents or issues that have happened and are publicly available online. The school may want to explore the findings of this search with the applicant. All shortlisted candidates will be asked to complete a declaration regarding convictions and working with children as posts in schools are exempt from the provisions of the Rehabilitation of Offenders Act 1974.

Teaching posts: For Senior Leadership posts, the panel will include the Head and at least one member of the Board of Governors. For all Academic staff it would be usual for the Head and at least one other senior member of staff to be involved in the selection process, at least one of whom will have undergone accredited Safer Recruitment training. The Head of the relevant faculty will normally be included. In most cases candidates will be required to teach a sample lesson and will be informed in advance of what will be required and at what stage during the interview process this will take place.

Non-teaching posts: For Senior Leadership posts, the panel will include the Head and at least one member of the Board of Governors. The interview panel will comprise of the Head or Junior School Head and appropriate Line Manager, one of whom has undergone accredited Safer Recruitment training. Dependent on the post, there may be a separate assessment of ability/skills required for the role.

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

- Previous working experience and motivation for applying for the role.
- The candidate's attitude towards children and young people;
- His/her ability to support the School's agenda for Safeguarding and promoting the welfare of children
- Any gaps in the candidate's employment history
- Concerns or discrepancies arising from the information provided by the candidate and/or a referee; and
- Whether the candidate wishes to declare anything in the light of the requirement for a DBS check e.g. their being subject to a prohibition order.

A written record of the interview will be kept on the staff member's file if successful. If the applicant is not successful, they will be kept for 6 months and then destroyed.

For safeguarding purposes, all candidates who attend for interview must bring with them three forms of identification, one of which must be photo identification such as a current passport or driving license, the remaining two must be less than 3 months old and carry the applicant's address.

#### **4. Travel Expenses**

All reasonable expenses, associated with travel to the School (within the UK), for interview will be refunded unless the candidate declines an offer of employment without providing a sound, well rationalised, reason. The School will not pay for overnight accommodation or travel to and from an interview from outside the UK, unless express permission has been granted by the Head.

#### **5. Recruitment and Selection Criteria**

All candidates for teaching posts will be selected after reference to specific criteria for the post advertised. In general, we will satisfy ourselves beyond reasonable doubt that the applicant has:

- Relevant qualifications at degree level from a reputable university or college
- Relevant experience, particularly in comparable schools and colleges
- The ability to teach at all relevant levels
- A willingness to participate in the pastoral system.

Where possible, the successful candidate will be informed by telephone within 48 hours of the interview. After verbal acceptance of the post, a conditional letter of appointment is sent to the

chosen candidate, along with a statement of the Terms and Conditions of Employment. The applicant will be required to accept the post and the related conditions in writing. The appointment is conditional upon the application fulfilling all aspects of the procedures for Safer Recruitment detailed in section 2.

In addition:

- satisfactory completion of the probationary period is a condition of an offer of employment for all roles
- if a candidate has changed his/her name by deed poll or any other mechanism – marriage, adoption, statutory declaration – he/she must provide documentary evidence of the change.
- All documentary evidence must be original and not a photocopy.

Unsuccessful candidates will be informed by letter or email as soon as possible but in any case within 7 working days after interviews have taken place.

#### **6. Internal Appointments:**

Applications for externally advertised posts are encouraged from internal candidates. Equal consideration is given to internal candidates when short-lists are drawn up. For senior posts advertised within the School, the appointments procedure follows a similar pattern to that for external recruitment but minor internal appointments may be made without recourse to the interview procedure.

#### **7. Induction:**

All new staff will be expected to undergo an induction programme organised for them by the Human Resource Manager and their Line Manager. This will include Safeguarding training.

## **SECTION 2**

### **Procedure for Safer Recruitment**

The procedures for Safer Recruitment form part of the School's policy for Recruitment and Selection

See appendices (i) and (ii) for useful definitions of categories of personnel and rationale to determine "Regulated Activity."

### **Key aspects of Safer Recruitment**

- **Reference checks**
- **Identity checks**
- **Qualification checks and previous employment checks**
- **DBS and Children's Barred List checks**
- **Prohibition order and disqualification checks**
- **Overseas Working checks**
- **Medical fitness check**
- **Right to work check**
- **The Single Central Record**
- **Decisions on disclosures**
- **Approach to staff/resource groups**

#### **Reference checks**

All applicants must provide the names and addresses of two referees. Before the interview, the Human Resources Manager will initiate contacting the referees of candidates for teaching posts and ideally candidates for non-teaching posts, to obtain written references. The school should obtain

references before interview, where possible. Original references will be obtained including a school stamp or compliment slip to verify the originality of the reference. The school should ensure that there is a reference from the candidate's current employer which has been completed by a senior person with appropriate authority. The reference should be confirmed by the headteacher with respect to any disciplinary investigation. The school will ensure the information confirms whether the referee is satisfied with the applicant's suitability to work with children and provides the facts (not opinions) of any substantiated safeguarding concerns/ allegations that meet the harm threshold). They should not include information about concerns which are unsubstantiated, unfounded, false or malicious.

If the applicant withholds permission on the application form, for references to be checked prior to interview, contact will be made as soon as possible after the interview (subject to the applicant being seen as a credible candidate for the role being recruited to). References should always be obtained and scrutinised and any concerns resolved satisfactorily, before the appointment is confirmed, including internal candidates.

#### Identity check

During the interview, the Human Resources Manager will carry out an identity check using the applicant's passport or other photo ID (e.g. photographic driving licence) and documentation that includes the applicant's name and address, dated within the last three months immediately preceding the interview. Candidates will be asked to provide a Birth Certificate to validate their identity, where available.

All copies of identification documents will be signed and dated and stored on the applicant's file. A note of this will be made on the central register, by the Human Resources Manager if the applicant is appointed.

#### Qualification check and previous employment check

The Head will also carry out a qualification check (if possible during the interview) and check the application form and career history.

All copies of qualification documents will be signed and dated and stored on the applicant's file. A note of this will be made on the central record by the Human Resources Manager if the applicant is appointed.

The Head will sign and date the interview record form to confirm these checks have been carried out.

#### DBS and Children's Barred List Checks. \* Refer to KCSIE 2023 Part 3

Upon acceptance of a conditional offer of employment, the Human Resources Manager will:

- For applicants who have not previously been DBS checked, initiate an enhanced DBS check including a children's barred list check
- For applicants who have previously been DBS checked and subscribe to the DBS update service, seek permission to access the DBS records to obtain an up to date check.
- For applicants who have previously been DBS checked but do not subscribe to the update service, request a new enhanced DBS check including children's barred list check
- For applicants who have previously been DBS checked and there has been no break in service for 3 months, obtain a new children's barred list check and carefully consider whether an Enhanced DBS check should be carried out in the circumstances.
- Where a full DBS disclosure is not received prior to starting date, initiate a Children's Barred List check and complete a Risk Assessment which is reviewed fortnightly.
- Decide whether applicant's work history means that overseas checks are needed
- Check that the applicant is not subject to a Teaching or Management Prohibition Order

Applicants will be made aware that they must bring the DBS certificate to the School as soon as they

receive it. The Human Resources Manager receives an electronic copy of the DBS certificate directly from the DBS Checking Service, which is identical to the certificate sent to the applicant. This is accompanied by an email verifying that a recruitment decision can be made based on the content of the disclosure. The Human Resources Manager will enter the DBS number and issue date on to the central record and will refer any disclosures made, to the Head. The applicant is still asked to bring the original certificate into school for a visual check before, or as soon as practicable, after appointment.

If a current enhanced DBS check is not available work will only commence:

- once a check of the Children's Barred List has been completed and an DBS application has been made'
- with the express permission of the Head,
- a risk assessment being carried out
- appropriate safeguards being put in place (which are reviewed every two weeks) and discussed with the applicant.

A note will also be made in the Single Central Record and evidence kept of safeguards and measures put in place. The school is aware of its legal duty to refer to DBS when an individual is suspended or moved out of regulated activity to another post, if they meet the "harm" criteria. The legal duty to refer applies equally in circumstances where an individual is deployed to another area of work that is not regulated activity, or they are suspended.

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

- the seriousness of any offence and relevance to the post applied for
- how long ago the offence occurred
- whether it was a one-off incident or a history of incidents
- the circumstances around the incident
- whether the individual accepted responsibility for their actions

#### Prohibition from Teaching and Management

For teaching posts, details of the checks made to establish that the applicant is not subject to a Prohibition Order will be entered on the Single Central Record by the Human Resources Manager. Checks for prohibitions, sanctions and restrictions can be carried out by logging onto the TRA Employer Access Service. These checks will include:

- For all teaching staff including teaching assistants– Checks for Prohibition from Teaching, including historic sanctions and restrictions from the GTCE
- For Headteachers, Governors, all staff on the senior leadership team (including non-teaching staff) and teaching positions with faculty headship – Checks for Prohibition from Management (S.128)

The School needs to satisfy itself that an applicant is not disqualified under the Childcare Act 2006 if they are working in Early Years or involved in childcare for children under the age of 8 in before and after school settings. This information is collected at the shortlisting stage by completion of the Criminal Record declaration. Confirmation that these checks have been done will be entered on the central record.

From 1 January 2021 the Teaching Regulation Agency will no longer maintain a list of EEA teachers with sanctions. These checks have now become part of the overseas/further checks.

#### Overseas Working Checks

For all applicants that have lived or worked outside of the UK, including the European Economic Area, schools must make any further checks they think appropriate so that relevant events that occurred

outside the UK can be considered, including obtaining an enhanced DBS certificate with barred list information (even if the teacher has never been to the UK).

Where a member of staff has worked in a school in the UK since moving from overseas, with no more than a 3 month period prior to appointment, it is not necessary to repeat the overseas checks.

In addition, schools must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- criminal records checks for overseas applicants by following the Home Office guidance which can be found on [GOV.UK](http://GOV.UK);  
and for teaching positions
- obtaining a letter (via the applicant) of professional standing from the professional regulating authority in the country in which the applicant has worked. (This is often the Department/ Ministry of Education). (Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC.

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Whilst the safeguarding and qualified teacher status (QTS) processes are different, it is likely that this information will be obtained from the same place. It is important to note that holding a teaching qualification (wherever it was obtained) does not provide suitable assurances for safeguarding purposes that an individual has not been found guilty of any wrongdoing or misconduct, and/or is suitable to work with children. Where this information is not available schools and colleges should seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, schools should consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

The checks will be recorded on the Single Central Record within the Overseas/Further Checks column with any relevant details in the comments section.

#### Medical fitness check

The applicant will complete an online health questionnaire and declaration prior to start date. Should it be required, the Human Resources Manager will coordinate a medical appointment, which will be carried out by the School's Occupational Health provider who may contact the applicant if he/she deems it necessary.

#### Right to work check

All applicants will be checked by the Human Resources Manager to ensure that they provide the necessary Right to Work in UK documentation.

#### The Single Central Record

The Human Resources Manager is responsible for ensuring all relevant information relating to teaching staff, non-teaching staff, volunteers and governors is entered into the Single Central Record. The Head and Chair of Governors and/or a nominated Governor will check the Single Central Record each term on different occasions.

The Single Central Record must indicate whether the following checks have been carried out:

- an identity check (identification checking guidelines can be found on the GOV.UK website)
- a standalone children's barred list check
- an enhanced DBS check (with children's barred list check) requested/ certificate provided
- a prohibition from teaching check
- further checks on people who have lived or worked outside the UK (see KCSIE 2023 paras 280-285)
- a check of professional qualifications (where required)
- a check to establish the person's right to work in the United Kingdom (see para 278 in KSCIE 2023)
- Section 128 check for member of the senior leadership team.

#### Decisions on disclosures

Where the DBS discloses information, the Head and Chair of Governors will decide whether the offer of employment should be withdrawn with reference to the Rehabilitation Act 1974.

**No member of staff may start work without ALL PRE-EMPLOYMENT checks in place including references, health check and Enhanced DBS Check (including any overseas Police Checks). If references and health checks are not received in time for start date, that applicant may not start work.**

#### Approach to staff/resource groups

- Peripatetic Staff.  
The procedure for Teaching Staff will be followed. The Human Resources Manager will carry out the identity, qualifications and application form checks. The Head of Music will sign the interview form.
- Boarding House Staff.  
The procedure for Teaching Staff will be followed. The Human Resources Manager will carry out the identity, qualifications and application form checks. The Head/Deputy head Pastoral will sign the interview form.
- Sports Coaches  
The procedure for Teaching Staff will be followed. The Human Resources Manager will carry out the identity, qualifications and application form checks. The Head of PE will sign the interview form.
- Support Staff  
The procedure for Teaching Staff will be followed. The Human Resources Manager will carry out the identity, qualifications and application form checks. The interviewer will sign the interview form. On-site catering and cleaning contractors will follow the School's procedures unless an alternative approach is agreed.
- Replacement Staff  
If a member of the peripatetic or sport coaching staff is substituted for one not known to the School, then they must provide evidence of a current DBS check. This will be verified by the Human Resources Manager. The lesson will be supervised by a member of staff.
- Voluntary Staff  
The School is mindful of KCSIE guidance, when vetting volunteers.  
Where volunteers are supervised and therefore not involved in a regulated activity they do not require a DBS check and will not be included in the Single Central Record.

“One off” volunteers for day outings, school events will not undergo any checks but will be supervised at all times and will not undertake any forms of personal care. Volunteers that have registered to help in this way and be on call as needed, will be DBS checked even though they will be supervised and will not undertake personal care. This is a school requirement to mitigate any risk against unforeseen circumstances that may occur on a school trip. These volunteers will be recorded on the Single Central Record.

If the volunteer will be regularly involved in unsupervised activities the school will obtain a DBS certificate with barred list information and this will be recorded on the Single Central Record. The guidance set out in KCSIE September 2023 will be followed. Volunteers do not have to be rechecked if they have already had a DBS check (which should include children’s barred list information if engaging in regulated activity), however, if the school has any concerns the school should consider obtaining a new DBS check at the level appropriate to the volunteer role.

- Members of the Governing Body

As part of Talbot Heath Trust Limited, the DfE will perform the relevant checks on the Chair of Governors and the chair is responsible for ensuring that all other members of the governing body have the following checks in place:

- DBS Enhanced Disclosure
- Identity Check
- Overseas Check (where relevant)
- Right to Work in the UK Check
- Section 128 check

The School is aware that a Section 128 direction prohibits a person from taking up a position as a governor.

The Clerk to the Governing body will ensure that the Human Resources Manager is contacted to perform the required checks and update the SCR accordingly prior to appointment of a new governor.

- Supply Staff

The School will check with the relevant supply agency that the required checks have been carried out: identity, enhanced disclosure, Children’s Barred List, right to work in the UK, medical fitness, qualifications, overseas checks and a check to ensure that the applicant is not the subject of a Prohibition Order or, where relevant, is not disqualified under the Childcare Act 2006.

An entry will be made in the Single Central Record which must show that all these checks have been carried out by the agency and, in addition, that the school has carried out its own identity check. The school will be provided with details of enhanced disclosure certificate by the agency. The supply staff member will be asked to bring the original document with them and the Human Resources Manager will record having had sight of the original before the placement commences.

- Contractors Staff and staff TUPED to an on-site service provider

The School will carry out its own identity check of all contractors’ staff who regularly work on site. The School will check with the service provider that the required checks have been carried out: enhanced disclosure, Children’s Barred List, right to work in the UK, medical fitness, qualifications, overseas checks and a check to ensure that the applicant is not the subject of a Prohibition Order or, where relevant, is not disqualified under the Childcare Act 2006.

### Visiting Speakers

In accordance with the Prevent statutory guidance, staff responsible for the speaker will perform a background check of any visiting speaker to ensure that they are suitable. They will also ensure that they are appropriately supervised while on school premises. The checks will include an

internet search and details will be recorded on a 'Prevent' Check Record sheet. A record of these checks will also be recorded by the Human Resources Manager on the SCR.

- Employees of Third Parties

KCSIE September 2023 Guidance states that all individuals working in a school but employed by third-parties should have been checked by their employer. As such procedure for Supply Staff will be followed. The Human Resources Manager will carry out the identity check and will check with the employer that all applicable checks have been carried out: identity, enhanced disclosure, Children's Barred List, right to work in the UK, medical fitness, qualifications and overseas

An entry will be made in the Single Central Record which must show that all these checks have been carried out by the agency and, in addition, that the school has carried out its own identity check. The school will be provided with a copy of the enhanced disclosure certificate.

- All Existing staff

Should any valid concern be raised about an existing member of staff the Head will require that all relevant checks are undertaken, as if the member of staff was applying to join the School for the first time.

For all staff engaged in roles which could require work in areas of the School where pupils under the age of 8 years old we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

All staff DBS checks will be renewed every 3 years and historical details remain on the Single Central Record

## **SECTION 3**

### **Recruitment of Ex-Offenders**

As an organisation using the Disclosure Barring Service (DBS) to assess applicants' suitability for positions of trust, Talbot Heath School Trust Ltd, complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly any subject of a Disclosure on the basis of a conviction or other information revealed.

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

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A Disclosure is always requested as being both proportionate and relevant to working in a school environment. All application forms and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

As a Disclosure is to form part of the recruitment process, all applicants called for interview are requested to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person with

Talbot Heath School Trust Ltd and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

We only ask about “unspent” convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in Talbot Heath School Trust Ltd who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

**Having a criminal record will not necessarily bar you from working with us.** This will depend on the nature of the position and the circumstances and background of your offence(s).

## **POLICY REGARDING SECURE STORAGE, HANDLING, USE, RETENTION AND DISPOSAL OF DISCLOSURES AND DISCLOSURE INFORMATION**

### **General Principles**

As an organisation using the Disclosure Barring Service (DBS) to help assess the suitability of applicants for positions of trust, Talbot Heath School Trust Ltd complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the General Data Protection Regulations 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

### **Storage and Access**

Disclosure information is kept securely in the strong room with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **Handling**

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and it is a **criminal offence** to pass this information to anyone who is not entitled to receive it.

### **Usage**

Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

**Retention**

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

**Disposal.**

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure once an employee has left the school. However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken. This is recorded on the Single Central Record and is stored in accordance with the ISI regulations.

## **Appendix (i)**

### **Definition of REGULATED ACTIVITY**

The definition of regulated activity (i.e. work that a barred person must not do) in relation to children comprises, in summary:

- (i) regular work in schools with opportunity for contact with children. Not work by supervised volunteers.
- (ii) unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children, if done 'regularly' (see above)
- (iii) relevant personal care, e.g. washing or dressing; or health care by or supervised by a professional; Applies to any child, even if done only once.

*Note: Regular is defined as being frequently (once a week or more often), or on 4 or more days in a 30-day period, or overnight (between 2am and 6am).*

### **Definition of STAFF**

Any person working at the school, whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer. The following are included: teachers, peripatetic teachers and coaches, part-time staff, administrative staff, caretakers and other ancillary staff, staff appointed from overseas.

### **Definition of SUPPLY STAFF**

Any person working at the school supplied by an employment business – this does not only cover supply teachers, but any individuals supplied by an agency and catering, medical and cleaning staff may also be included.

### **Definition of VOLUNTEER**

A person who performs an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives.

### **Definition of CONTRACTOR**

Staff working for a company engaged by the school under a contract to provide services, for example catering, cleaning or undertaking building works.

## **Appendix (ii)**

### **WORKING IN REGULATED ACTIVITY**

Is the activity they will do “work”? (A person, for example, visiting the head or their own child would not be working.)

Is the work regular? (See definition of “regular” in the Note within this appendix, above)

Does it give rise to opportunity for contact with children? (This applies whether or not that contact is required by the work and whether or not it actually takes place. The issue is whether there is “opportunity”.)

Is the work for the purposes of the school? (This would not include, for example, those working for bodies hiring premises for other purposes out of school hours.)

If the answer to all these questions is “yes”, the person is working in regulated activity unless an exception as below applies:

Is the person a volunteer?

If YES, does their work involve personal care of pupils?

If YES, the volunteer is engaged in regulated activity because personal care work is always **regulated activity**.

If NO, are they supervised?

If YES, the volunteer is not engaged in regulated activity as a supervised volunteer, not doing personal care work, is not in regulated activity.

Is the person a contractor?

If YES, are they administering personal care or healthcare? These are **always regulated activity**.

If NO, are they teaching pupils? Regular teaching is **always regulated activity**. If not teaching work, is the contract for occasional or temporary non-teaching work (such as, a quick plumbing task)?

If NO, the contractor is not in regulated activity as non-teaching work by occasional or temporary contractors is **not regulated activity**.

Appendix (iii) Flowchart from KCSIE updated copy from KCSIE 2023

