KALEIDOSCOPE
Multi Academy Trust

Disclosure Policy

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DISCLOSURE POLICY

This Policy will be shared with all workers at the Kaleidoscope Multi-Academy Trust (KMAT) and its schools. All staff in the Trust must read at least Part One of the DfE's statutory Keeping Children Safe in Education guidance.

1. POLICY

1.1 KMAT is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. This School/Trust recognises that the best way to protect children and vulnerable adults is through the adoption of nationally recommended safeguarding practices, specifically safer recruitment practices and practices designed to maintain a safe culture.

1.2 This document sets out KMATs requirements in respect of:

- criminal records checks i.e. Disclosure and Barring Service (DBS) Disclosure checks;
- DBS Children's and Adults Barred List checks;
- the disqualification check under the Childcare Act 2006 and the Childcare (Disqualification) (Amendment) Regulations 2018 and
- administrative arrangements to ensure that these checks are carried out in accordance with relevant legislation and the DBS requirements.

It also refers to the Single Central Record of checks that must be maintained and to the other pre-employment checks that are required.

1.3 For further information, including further information regarding the other pre-employment checks that are required, please see the DfE's statutory *Keeping Children Safe in Education* guidance.

For the full list of the responsibilities of school staff with regard to safeguarding, see the statutory Keeping Children Safe in Education guidance

2. RESPONSIBILITIES

2.1 The Headteacher/Executive Headteacher is responsible for:

- ensuring that the requirements to undertake DBS Disclosure, DBS Barred List and disqualification checks are met;
- ensuring that the other required pre-employment checks are carried out as appropriate;
- ensuring that no-one unsuitable to work with children is knowingly permitted to do so;
- ensuring that school workers read the Policy so that they are aware of its contents;
- following the procedure set out in Part 4 of *Keeping Children Safe in Education* 'Safeguarding concerns and allegations made about staff' when there are any safeguarding concerns or allegations regarding any member of staff including supply teachers, trainee teachers, volunteers and contractors in the School/Trust (where the allegation or concern relates to the Headteacher, the Chair of Governors will manage the case);
- following the Disciplinary Procedure where appropriate in such cases; and

- contacting the Local Authority Designated Officer (LADO) when a referral to the DBS may be appropriate. **For guidance on when schools have a duty to refer workers and volunteers, see *Keeping Children Safe in Education*.**

2.2 All School workers are required to:

- inform the Headteacher/Executive Headteacher or line manager immediately if they are subject to police arrest, a criminal conviction, caution, ban, disqualification from working with children, police enquiry or prosecution is pending. Failure to do so may lead to disciplinary action being taken; and
- ensure that any inappropriate behaviour within school towards children is reported immediately to the Headteacher, Designated Safeguarding Lead or line manager or, where the concern relates to any of these individuals, to the LADO.

3. EQUALITY OF OPPORTUNITY

3.1 KMATs commitment to equality of opportunity extends to applicants with a criminal record. A policy statement on recruiting ex-offenders is attached as **Appendix 1.**

4. DBS DISCLOSURE, DBS BARRED LIST AND CHILDCARE DISQUALIFICATION CHECKS

4.1 DBS Disclosure Check

4.1.1 An Enhanced DBS Disclosure check will show unfiltered criminal convictions and cautions (youth cautions, reprimands and warnings will not automatically be disclosed) and any additional information held by the police which a chief officer considers is relevant to the application and ought to be disclosed. In a very small number of circumstances further additional information may be sent separately under Common Law powers to the Registered Body (in this case the Local Authority) by the Police; the content of any 'additional information' must be treated in the strictest confidence and must not be revealed to the applicant. (Full details of the filtering rules and a list of offences which will never be filtered ('protected') is available on the DBS website at www.gov.uk/government/publications/dbs-filtering-guidance).

4.2 DBS Barred List Check

4.2.1 A DBS Barred List check will reveal whether an individual has been barred by the Disclosure and Barring Service from working with either children or vulnerable adults or both of these vulnerable groups (there are separate barred lists relating to work with children and vulnerable adults). It is illegal for employers to engage any individual in a regulated position if they have been barred from such work by the DBS. A DBS Barred List check does not provide information regarding an individual's criminal record.

4.3 Requirements regarding DBS Disclosure and DBS Barred List Checks

4.3.1 Both checks are provided through the completion of the DBS Disclosure application form.

4.3.2 All individuals over the age of 16 years (school staff, supply and casual workers, trainees and students, volunteers, governors, proprietors of academies and free schools, agency workers, contractors (including work experience providers, and consultants) engaging in '**regulated activity'** with children and / or vulnerable adults must be subject to an enhanced level DBS Disclosure check including the appropriate DBS Barred List check. *(For further information about regulated activity, see paragraph 5.)* If the individual will start work in regulated activity before the DBS certificate is available, a separate Children's (and if relevant Adult's) Barred List check must be carried out before they start work. Please note: settings subject to the Early Years Foundation Stage (EYFS) framework, including maintained nursery schools must not allow an individual to start work in regulated activity until they obtain an enhanced DBS plus barred list check.

4.3.3 All of those involved in Governance (Local Partnership Committee, Trust Board, Members) must be enhanced DBS Disclosure checked. All existing members of these groups must have an enhanced DBS Disclosure certificate. The school's governing body must apply for an enhanced DBS Disclosure certificate for all new governors within 21 days of the governor's appointment or election.

4.3.4 Where work does not meet the definition of 'regulated activity' a check against the DBS Barred Lists cannot be carried out for legal reasons.

4.3.5 However the Headteacher/Executive Headteacher will determine whether an enhanced DBS Disclosure check which does not include a barred list check is required in such cases. In these circumstances, the School will undertake a risk assessment using its professional judgment and experience to determine whether an enhanced DBS Disclosure check should be carried out. The results of the risk assessment will be recorded along with the reasons for the decision reached. Advice from the KMAT Safeguarding Lead should be sought.

4.3.6 For further information on the categories of worker on whom schools may carry out an enhanced DBS check which does not include a barred list check please see *Keeping Children Safe in Education*.

4.4 **Timing of DBS Disclosure checks and DBS Barred List checks**

4.4.1 Conditional offers of employment can be made subject to the satisfactory completion of all necessary pre-employment checks, including DBS Disclosure and DBS Barred List checks.

4.4.2 Where schools are subject to the EYFS framework, individuals must not be permitted to begin working within the settings covered by the EYFS framework until the school or maintained nursery school has received the applicant's enhanced DBS certificate including barred list information. Where the setting is **not** covered by the EYFS framework, and where an enhanced DBS certificate is required this must be obtained from the candidate before or as soon as practicable after the person's appointment / engagement. In the case of individuals who will **not** be working in a setting covered by the EYFS framework, whilst all efforts will be made to obtain a DBS Disclosure check before an individual commences work, a successful candidate can, at the Headteacher's discretion, be allowed to commence work prior to a satisfactory disclosure certificate being received. In such

instances, the appropriate separate barred list check(s) must have been carried out (this can be done using the DfE's Check a teacher's record service (available via the DfE's web page: Check a teacher's record - GOV.UK); all the other required pre-employment checks must have been completed and an enhanced DBS Disclosure check must have been initiated, that is, the completed DBS application form will have been checked for accuracy, the submitted evidence of identity checked (identification checking guidelines can be found on the DBS pages of the GOV.UK website) and the completed DBS application form together with the necessary copies of ID submitted to North Somerset HR / the School's/Trust's relevant service provider.

4.4.3 In addition, before a successful candidate is allowed to commence work prior to the completion of the enhanced DBS check, a written risk assessment will be undertaken by the Headteacher or representative and appropriate control measures put in place e.g. supervised working. In the case of school trips additional guidance may be sought from the Health and Safety team to appropriately risk assess the circumstances.

4.4.4 If the successful candidate has been allowed to commence work prior to the certificate being received, they must share the certificate with the School as soon as they receive it. If the individual does not share their DBS Certificate the School will consider the termination of their employment.

4.4.5 The DBS Barred List check must be undertaken before an individual is allowed to commence 'regulated activity'. A separate Barred List check will only be carried out in the following circumstances:

- *in settings **not** covered by the EYFS framework* for newly appointed staff or volunteers who will be engaging in regulated activity pending the receipt of an enhanced DBS certificate with barred list information (where all other relevant checks have been carried out) or
- where an individual has worked in a school that brought them into regular contact with children which ended not more than three months previously prior to that person's appointment to the school / Trust (where all other relevant checks have been carried out).

4.5 Childcare Disqualification Check

4.5.1 The Childcare Act 2006 and the Childcare (Disqualification) (Amendment) Regulations 2018 disqualify workers who have committed a 'relevant offence' under the Regulations or where they meet the other disqualification criteria set out in the Regulations from:

- providing relevant childcare provision or
- being directly concerned in the management of such provision.

4.5.2 This means that in schools, workers who have committed a 'relevant offence' under the Regulations or who meet any of the other disqualification criteria are disqualified from:

- providing early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday) or later years childcare to children who under the age of eight; or
- being directly concerned in the management of that childcare.

For information on 'relevant offences' and on the other disqualification criteria, please see the DfE's *Disqualification under the Childcare Act 2006* guidance of July 2018.

4.5.3 Staff covered by the Childcare Act 2006 and the Childcare (Disqualification) (Amendment) Regulations 2018 in school settings are:

- all new and existing staff who directly provide any care for a child up to and including reception age **both during and outside** of school hours (this includes education in nursery and reception classes and any supervised activity (such as break and lunch time supervision, breakfast clubs and after school care provided by the school);
- all new and existing staff who directly provide childcare **outside** of school hours for children who are above reception age but who are under 8 years of age (this includes breakfast clubs and after school provision but does not include co-curricular learning activities during extended school hours such as school choir or sports teams);
- all new and existing staff who are directly concerned in managing the provision of such childcare

4.5.4In this context:

- 'staff' are those employed or engaged by the School and this includes employees, salaried trainees[1], casual workers (including individuals on work experience) and volunteers (whether 'supervised' or not).
- new staff are those who have not worked in the school for three months or more.

4.5.5 Under the 2018 Regulations, **disqualification by association no longer applies to workers in schools.** Workers in non-domestic settings (including schools) *who are not themselves disqualified* but who live in the same household as a disqualified person or in a household in which a disqualified person is employed are no longer disqualified from providing early years childcare or being directly concerned in the management of that childcare. The School is therefore no longer required to establish whether a worker providing or directly managing childcare is disqualified by association and the School will not ask any worker questions about cautions or convictions of someone living or working in their household. Staff should however discuss matters outside of work that may have implications for the safeguarding of children in the School with the Headteacher or the School's designated safeguarding lead at the earliest opportunity. The School will then identify whether arrangements are needed to support the member of staff and / or to safeguard children. For further information please see the *Disqualification under the Childcare Act 2006* guidance.

4.5.6 Those who work **regularly**[2] providing or managing such early or later years childcare will be disqualification checked. The School will decide, following an evaluation of any risks and control measures put in place, whether those who are **not regularly** required to work providing or managing early or later years childcare should be disqualification checked. A record of the assessment will be retained on the individual's personnel file and a copy supplied to the individual concerned.

[1] Where trainee staff are salaried it is the responsibility of the School/Trust to ensure they comply with the disqualification regulations. If a salaried trainee is disqualified from childcare, schools should inform the training provider of this.

[2] Regular work includes regular supervision of children during break and lunchtimes

4.5.7 The School will use its judgement in determining who is directly concerned in the management of the relevant childcare. The Headteacher/Executive Headteacher/Head of School will be disqualification checked as a direct manager of the relevant childcare and any manager, supervisor, leader or volunteer responsible for the day-to-day management of the provision will be checked.

4.5.8 The School's Local Partners and Trusts Trustees and Members will be disqualification checked if they volunteer to work providing relevant childcare or are directly concerned with the day-to-day management of such provision.

4.5.9 The School will keep a record of those staff directly providing or managing childcare in school. For further information on which staff are covered by the Regulations, please see the DfE's *Disqualification under the Childcare Act 2006* guidance.

4.5.10 The School will ensure that anyone covered by the Childcare Act and the Regulations are aware of them. The School will ensure that it is not knowingly employing a person who is disqualified under the Regulations in connection with relevant childcare provision. In gathering the information to meet this requirement the School will act proportionately and will handle information fairly and lawfully. For further information on data protection in connection with disqualification checking, please see the DfE's *Disqualification under the Childcare Act 2006* guidance.

4.5.11 The disqualification check will be carried out using the appropriate self-disclosure form (see para 4.6 'Individual Self Disclosure' and **Appendix 5** and **Appendix 6**). The disqualification check will be undertaken before an individual is allowed to commence work. Any relevant existing workers who started prior to the adoption of this Policy will also be checked. The self-disclosure check will be supplemented by reference to the individual's DBS certificate or the DBS Update Service, whichever is applicable (see paragraph 7).

4.5.12 All staff providing or managing relevant childcare must inform the School if their circumstances change.

4.5.13 The School will ensure that providers of relevant childcare who hire or rent school facilities or premises have appropriate policies and procedures in place in regard to safeguarding children including under the Childcare Disqualification Regulations.

4.5.14 Where the School uses staff from any agency, contractor or other third-party organisation to work in relevant childcare or contract out such childcare or where trainee suppliers are placing *fee or self-funded* students / trainees at the school/in the Trust in a relevant setting, the School will obtain written confirmation from the agency, contractor, organisation or trainee supplier that they:

- have informed the relevant staff / trainees that they will be committing an offence if they provide relevant childcare or are directly concerned in the management of such provision if they are disqualified under the Regulations
- have checked whether any of the relevant staff / trainees have been disqualified under the Regulations.

4.5.15 If any of the relevant staff have been disqualified, the agency / contractor / organisation will be informed by the School that the individual will not be permitted / no longer permitted to work with children in early years or the relevant later years provision or to manage such provision.

4.5.16 The School/Trust will carry out the disqualification check on anyone who is self-employed who will be providing the relevant childcare.

4.6 Individual Self-Disclosure

4.6.1 KMAT will require all candidates short-listed for a job vacancy and those prospective new casual workers and volunteers who are due to be DBS Disclosure checked to complete a self-disclosure form (see **Appendix 5** and **Appendix 6**). Trust has elected to renew the self-disclosure check on an annual basis. Workers will be asked to disclose *unfiltered* convictions and cautions only. For information about which convictions must be disclosed during job applications please see the Ministry of Justice's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 and further information about filtering offences can be found in the DBS filtering guide .

5. CHECKS, REGULATED ACTIVITY AND CATEGORIES OF WORKER/VOLUNTEERS

5.1 The following categories of worker/volunteers will or may be regarded as undertaking regulated activity. If what they will be undertaking is regarded as regulated activity, an enhanced DBS Disclosure check and a Children's (and if applicable, Adult's) DBS Barred List check will be required. No-one who is on the barred list can take part in regulated activity under any circumstances. See **Appendix 2** for a summary definition of regulated activity taken from *Keeping Children Safe in Education*.

5.2 Paid Workers

The following paid workers will be regarded as undertaking regulated activity:

- All paid workers who undertake work that involves teaching, training, instructing, caring for or supervising children, or providing advice and guidance on physical, emotional or educational well-being (including on-line), or driving a vehicle only for children, who work frequently or on more than three days in a 30-day period or overnight for the School;
- All workers who undertake any other type of paid work for the School (including on-line) with the opportunity for contact with children frequently or on more than three days in a 30-day period or overnight;
- All workers involved in the provision of relevant **personal care or health care*** to children at the School (even if this happens only once) and
- All health care professionals delivering or supervising the delivery of health care to children at the School (even if this happens only once).

Paid work in the School which is undertaken in pursuance of a contract for the provision of occasional or temporary services **and** does not involve teaching, training, instructing, caring for or supervising children, or providing advice and guidance on physical,

emotional or educational well-being, or driving a vehicle only for children will not be regarded as regulated activity.

*****For the definitions of **personal care** and **health care** please see the summary definition of regulated activity in Appendix 2.

Paid workers undertaking regulated activity will be DBS enhanced Disclosure and Barred List checked. No worker who will be undertaking regulated activity in a setting covered by the EYFS framework will have a separate Barred List check carried out on them: their barred list check will be carried out along with their enhanced DBS check and they will not be permitted to start until the DBS certificate including barred list information has been received.

The School will consider whether to carry out an enhanced DBS check without the Barred List check on all paid workers who are not undertaking regulated activity having taken account of relevant guidance and following a risk assessment. Details of the risk assessment will be recorded.

5.3 Volunteers

5.3.1 Volunteers will be undertaking regulated activity if they:

- undertake work that involves teaching, training, instructing, caring for or supervising children, or providing advice and guidance on physical, emotional or educational well-being (including on-line), or driving a vehicle only for children, and work frequently or on more than three days in a 30-day period or overnight for the School or
- undertake work frequently or on more than three days in a 30-day period or overnight in/for the School which gives them the opportunity to have contact with children or
- are involved in the provision of relevant **personal or health care*** to children at the School (even if this happens only once);

*****For the definitions of **personal care** and **health care** please see the summary definition of regulated activity in Appendix 2.

5.3.2 Volunteering in the School which is occasional or temporary **and** does not involve teaching, training, instructing, caring for or supervising children, or providing advice and guidance on physical, emotional or educational well-being, or driving a vehicle only for children will not be regarded as regulated activity.

5.3.3 Volunteers undertaking regulated activity will be DBS enhanced Disclosure and Barred List checked. No volunteer who will be undertaking regulated activity in a setting covered by the EYFS framework will have a separate Barred List check carried out on them: their barred list check will be carried out along with their enhanced DBS check and they will not be permitted to start until the DBS certificate including barred list information has been received.

5.3.4 Where an individual meets the frequent or on more than three days in a 30-day period condition by volunteering at multiple settings, the School/Trust will work with the other settings to decide who will apply for the enhanced DBS check with barred list information and the enhanced DBS certificate will then be supplied by the individual to each setting.

5.3.5 The School will check the barred list status of any volunteer at the School who will be in regulated activity from 1 September 2026 because of the change brought in by the Crime and Policing Act 2026 (namely that from 1 September 2026 any volunteer in a role that involves teaching, training, instructing, caring for or supervising children frequently or on more than three days in a 30-day period or overnight is undertaking regulated activity). This will be done by obtaining an enhanced DBS check with children's barred list information unless the School has recently obtained an enhanced DBS check without barred list information and there has been no break in service, in which case a standalone barred list check will be undertaken.

5.3.6 If, at the Headteacher's/Executive Headteacher's discretion, a volunteer (who will be engaged in regulated activity in a setting not covered by the EYFS framework) is allowed to commence work prior to a satisfactory disclosure certificate being received, the appropriate separate barred list check must have been carried out; all the other required pre-employment checks must have been completed and an enhanced DBS Disclosure check must have been initiated (see para 4.4.2). In addition, before the volunteer is allowed to commence work prior to the completion of the enhanced DBS check, a written risk assessment will be undertaken by the Headteacher or representative and appropriate control measures put in place e.g. supervised working.

5.3.7 The School/Trust will consider whether to carry out an enhanced DBS check without the Barred List check on any volunteers who are not undertaking regulated activity having taken account of relevant guidance and following a risk assessment. Details of the risk assessment will be recorded. For information on what the risk assessment should consider, please see Part 3 of the *Keeping Children Safe in Education* guidance.

5.3.8 Under no circumstances will a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

5.3.9 For further information about requirements relating to volunteers, including when an enhanced DBS Disclosure check is appropriate for those volunteers not undertaking regulated activity, please see the *Keeping Children Safe in Education* guidance and the DBS workforce guides on GOV.UK

5.4 **Governors**

5.4.1 **Academies** An enhanced DBS check is required for all proprietors of Academies. Before an individual becomes either the proprietor of an Academy or the Chair of a body of people which is the proprietor of an Academy, the Secretary of State carries out an enhanced DBS check on that individual unless the Academy is converting from a maintained school and the individual has already been subject to an enhanced DBS check carried out by the local authority. Where the proprietor is a body of people (i.e. a Trust Board or Local Partnership Committee) the Academy / Academy Trust will carry out enhanced DBS checks on all other members of that body and ensure that an enhanced

DBS certificate has been obtained. Where the Academy Trust delegates responsibilities to any delegate or committee (including a Local Partnership Committee), the Academy / Academy Trust will carry out an enhanced DBS check on all such delegates and members of such committees and ensure that an enhanced DBS certificate has been obtained. The check will include a barred list check where regulated activity is being undertaken. **For further guidance on checks on governors / proprietors of Academies including Section 128 checks please see *Keeping Children Safe in Education*.**

5.4.3 **Associate members** Enhanced DBS checks and Barred List checks are not mandatory for 'associate members' of governing bodies unless they are undertaking regulated activity. 'Associate members' undertaking regulated activity will be DBS enhanced Disclosure and Barred List checked. The School/Trust will consider whether to carry out an enhanced DBS check without the Barred List check on any associate member(s) of the Local Partnership Committee not undertaking regulated activity following a risk assessment. Details of the risk assessment will be recorded.

5.5 Contractors and Agency Workers

5.5.1 Contractors and agency workers will be undertaking regulated activity if:

- they are involved in the provision of relevant **personal or health care*** to children at the School (even if this happens only once) **or**
- their presence on site (or their provision of services to the School or on the School's behalf) is expected to be frequent or on more than three days in a 30-day period or overnight **and**
- these services involve teaching, training, instructing, caring for or supervision of children or providing advice and guidance on physical, emotional or educational well-being (including on-line), or driving a vehicle only for children **or**
- their work will provide them the opportunity for contact with children.

5.5.2 Work by contractors in the School which is occasional and temporary and does not involve teaching, training, instructing, caring for or supervising children, or providing advice and guidance on physical, emotional or educational well-being, or driving a vehicle only for children will not be regarded as regulated activity.

5.5.3 Where a contractor or agency worker is undertaking regulated activity, the enhanced DBS Disclosure check and the Children's (and, if applicable, Adult's) DBS Barred List check must be carried by the contractor /or agency and the School/Trust will then require the contractor / agency to confirm in writing that the checks have been carried out and that the individuals concerned are suitable to work with children. (The School/Trust will obtain written notification from any agency, contractor or third party organisation that they have carried out the same checks as the School/Trust would otherwise have done on any individual from an agency, contractor or third party organisation who will be working in the School or providing education on the School's behalf including on-line.) In respect of the enhanced DBS certificate the School/Trust will require the contractor / agency to confirm that they have seen the certificate. A model letter requesting this information from contractors / personnel suppliers is attached as **Appendix 3.**

5.5.4 **Agency supply teachers** are covered by the definition of 'regulated activity'.

5.5.5 For all contractors who are not engaging in regulated activity but whose work provides them with an opportunity for regular contact with children (whether on one site or across several sites) an enhanced DBS check (not including children's barred list check) will be carried out. Where the contractor does not have the opportunity for regular contact with children, the School will decide if a basic DBS check is appropriate.

5.5.6 If an individual who will be working at the School is self-employed, and they will be engaging in regulated activity or have an opportunity for regular contact with children the School will either carry out the DBS check (with the children's barred list check if they will be undertaking regulated activity) or, if the individual has obtained their own check and they subscribe to the DBS Update Service, request to see the certificate.

5.5.7 Contractors for whom no checks have been obtained will not be allowed to engage in regulated activity or to work unsupervised if they have any opportunity for contact with children.

5.5.8 For further information about requirements relating to agency and third-party staff / contractors, please see the *Keeping Children Safe in Education* guidance.

5.6 Trainee / Student Teachers

5.6.1 Where applicants for initial teacher training *are salaried by the School/Trust*, the School will carry out the DBS enhanced Disclosure check and the DBS Barred List check. (Where teacher trainees are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks, including the DBS enhanced Disclosure check and the DBS Barred List check. The School will obtain conformation from the training provider that it has carried out all pre-employment checks that the School would otherwise be required to perform and that the trainee has been judged by the provider to be suitable to work with children.)

5.7 Alternative Provision

5.7.1 Where the School places a pupil with an alternative provision provider, the School/Trust will obtain written confirmation from the alternative provider that those checks that the School would otherwise perform on its own staff have been carried out on the individuals working at the establishment. This includes written confirmation that the alternative provider will inform the School of any arrangements that may put the child at risk (i.e. staff changes), so that the School can ensure itself that appropriate safeguarding checks have been carried out on new staff working at the alternative provision establishment.

5.8 Work Experience Placements

5.8.1 If someone is teaching, training, instruction, providing care to or supervising a child from the School/Trust under the age of 16 on a work experience placement the School/Trust

will consider whether the supervisor is undertaking regulated activity with reference to this Policy and paragraphs 406 to 410 in the DfE's *Keeping Children Safe in Education* guidance.

5.8.2 If the person providing the teaching, training, instruction, care or supervision to a child under the age of 16 on a work experience placement or activity will be doing so frequently or on more than three days in a 30-day period or overnight this is regulated activity. The School/Trust will ask the employer providing the work experience to carry out an enhanced DBS Disclosure check with a Barred List check on the individual and to confirm in writing that the checks have been carried out and that the individual(s) concerned are suitable to work with children.

5.8.3 'Activity undertaken by a person aged 16 or over on work experience which takes place in a 'specified place' (such as a school), which gives them opportunity for contact with children may be considered to be regulated activity' (see *KCSIE*, para 410). Therefore, the School/Trust will carry out the necessary DBS checks if the person aged 16 or over is being sent on a work experience placement to another school and this is requested and, if a person aged 16 or over from another school is coming on a work experience placement to this School and they will be providing teaching, training, instruction, care or supervision to a child under the age of 16 and will be doing so frequently or on more than three days in a 30-day period or overnight or they will have the opportunity to have contact with children frequently or on more than three days in a 30-day period or overnight, this School will request that the school of origin carry out an enhanced DBS check with a Children's Barred List check and confirm in writing that checks have been carried out and that the individual(s) concerned are suitable to work with children. Children under 16 years of age cannot be DBS Barred List or DBS Disclosure Checked.

5.9 Host Families

5.9.1 With regard to 'host families' (families who provide care or accommodation to children to whom they are not related, often described as 'homestay' arrangements), the School will follow the guidance set down in Part Three of *Keeping Children Safe in Education.* In some circumstances the arrangement where children stay with UK families could amount to 'private fostering'. The School will refer to the guidance on private fostering in *Keeping Children Safe in Education* to establish if the 'homestay' arrangement also counts as 'private fostering' and, if so, will act in accordance with that guidance.

5.10 Private Fostering

5.10.1 The School will follow the guidance on private fostering in Part Three of *Keeping Children Safe in Education.*

5.11 Visitors

5.11.1 The School/Trust will follow the guidance on visitors in Part Three of *Keeping Children Safe in Education.*

6.0 DBS DISCLOSURE AND DBS BARRED LIST PROCESS

6.1 A flow chart setting out the DBS Disclosure Process is attached as **Appendix 4.**

6.2 The School/Trust will follow any relevant guidance in the government's *Keeping Children Safe in Education* guidance.

6.3 **Recruitment Documentation** (Paid Workers/Employees)

6.3.1 Job Advert/Supporting Information must:

- include the following statement: Name of School] 'the School/Trust' is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment'
- clearly state that the post is subject to a DBS Barred List and DBS Disclosure check (where appropriate).

6.3.2 Documents issued to applicants to include:

- a full Application Form that complies with the requirements on 'written information about previous employment history' laid down in the DfE's *Keeping Children Safe* guidance*;*
- a Policy Statement on the Recruitment of Ex-Offenders; and
- a job description and person specification clearly stating the individual's responsibility for promoting and safeguarding the welfare of children and as essential criteria, a satisfactory DBS Disclosure check and a DBS Barred List check (where appropriate).

6.3.3 Document for Shortlisted Candidates

A standard form requiring shortlisted candidates to declare their 'unfiltered' criminal record and *(if they will be in a role which involves providing the relevant childcare or directly managing such provision*) declare whether they are disqualified from doing so (see **Appendix 5**).

6.3.4 Employment Contracts: all employment contracts will include the following wording

> "*Your appointment to this post is subject to a Children's [*if applicable **and Adult's] DBS Barred List check, a satisfactory Enhanced Disclosure and Barring Service (DBS Disclosure) check and (if you are providing or managing childcare in School) a Disqualification check. These checks may be required to be repeated at any other time during your employment in this post as deemed reasonable by the School. Failure to give your consent to these checks being undertaken on this basis, or if information is received which renders you potentially unsuitable to work with children/vulnerable adults may mean that your continued employment will need to be considered, the outcome of which may be dismissal. You are referred to the Schools' DBS Disclosure Policy and Procedure"*

6.4 Recruitment Documentation (Volunteers)

6.4.1 Documents issued to any prospective volunteer who will be working regularly in the school must:

- include the following statement: [Name of School] 'the School' is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment;
- clearly state, where appropriate, that the role is subject to DBS Disclosure check and a Children's (and, if applicable Adult's) DBS Barred List Check and a Disqualification check.

6.4.2 Documents issued to volunteer applicants to include, where appropriate:

- a full Application Form that complies with the requirements on 'written information about previous employment history' laid down in the DfE's *Keeping Children Safe* guidance and which clearly states whether the DBS Barred List check applies and
- a Policy Statement on the Recruitment of Ex-Offenders.

6.4.3 Document for all volunteers the School intends to use and for whom it is determined that an enhanced DBS check will be necessary:

- A self-disclosure form requiring the volunteer to declare their 'unfiltered' criminal record and *(if they will be in a role which involves providing the relevant childcare or directly managing such provision)* declare whether they are disqualified from doing so. (For those volunteers undertaking regulated activity the form in **Appendix 5** should be used, for those volunteers who will not be undertaking regulated activity the form in **Appendix 6** should be used.)

6.4.4 Welcome Letters: all 'welcome letters' for new volunteers appointed to positions requiring a DBS Disclosure should contain wording equivalent to that in the contracts / appointment letters for paid workers as stated in paragraph 6.3.4 above.

7. PROCESSING OF DBS DISCLOSURE APPLICATIONS FOR NEW WORKERS OR VOLUNTEERS

7.1 Before asking the applicant to complete a DBS Disclosure Application form the School will:-

- *If LA maintained school*: check the portability within North Somerset of any existing DBS Disclosure Certificate (see paragraph 15 below); or, where no portability then
- check with the applicant whether they are subscribed to the DBS Update Service. If they are subscribed the School will obtain consent from the individual to carry out the check, then carry out an on-line 'status check' / notify North Somerset HR / the School's/Trusts's relevant service provider and request that an on-line 'status check' be carried out. For further information on the DBS Update Service please see *Keeping Children Safe in Education* and the GOV.UK website. Where the Status Check indicates that the applicant's enhanced DBS certificate is 'current' the School must see the applicant's original DBS certificate and verify that the certificate matches the individual's identity *(see Paragraph 15.2 below).*

7.2 If the individual does not have a portable DBS Disclosure or has not subscribed to the DBS's Update Service or has subscribed but a check using this service reveals that the individual's DBS Disclosure is not current they must be asked to apply for a DBS certificate.

7.3 The School/Trust will issue the successful applicant or volunteer with a DBS Disclosure application form and relevant guidance on how to complete the form at the time they are provisionally offered the position.

7.4 The successful applicant or volunteer must complete the DBS Disclosure application form and return it, along with appropriate evidence of identification to the School/Trust unless exceptional circumstances apply and government guidance in this respect temporarily changes. The School/Trust will check the completed form along with the proofs of identity. When verifying an individual's identity it is important to be aware of the potential for them to change their name. Best practice is to check the name on their birth certificate, where this is available. Once the applicant's identity has been verified and the relevant lines on the form completed by the designated identity checker at the School/Trust the form (together with copies of the submitted forms of ID) will be forwarded to the North Somerset HR / the School's/Trust's relevant service provider for processing).

7.5 Completed DBS Disclosure application forms received by the North Somerset HR Team / the School's/Trust's relevant service provider will be checked carefully before being counter-signed and forwarded to the DBS. If the form is not completed correctly and/or insufficient evidence of identity has been provided by the applicant/ the North Somerset HR Team / the School's/Trust's relevant service provider will liaise with the School/Trust and the applicant to rectify the position and will also keep the school informed of the position.

7.6 Once the DBS Disclosure application is processed by the DBS a Disclosure Certificate will be issued by the DBS to the applicant. Applicants will be required to share their Disclosure Certificate with the School/Trust as part of the recruitment process (this must be the *original*, not a copy). Any delay in doing so may result in a delay in their appointment being confirmed and them being allowed to commence work.

7.7 The School/Trust recognises that there may be occasions when an applicant wishes to dispute the contents of the DBS Disclosure with the DBS. In such cases a recruitment decision will not be finalised until the outcome of the dispute is known.

7.8 Once the certificate has been shared by the applicant the School//Trust will inform the North Somerset HR Team / the School's/Trust's relevant service provider of the recruitment decision.

8. DBS DISCLOSURE CHECK AND A DBS BARRED LIST CHECK FOR EXISTING WORKERS OR VOLUNTEERS

8.1 In addition to its normal review of relevant safeguarding checks, the School/Trust may deem it necessary to carry out an enhanced DBS Disclosure check on an existing worker or volunteer for one of the following reasons:

- Where checks have not been implemented previously for certain roles but on review by the Headteacher become necessary;
- where an existing volunteer or worker moves from a role that did not require a DBS Disclosure check to be carried out to one that does; or

- where the School has concerns (for example, information comes to light or the circumstances are judged by the Headteacher to warrant a re-check).

8.2 It may be necessary to carry out a DBS Barred List check for one of the following reasons:

- where a certain role has previously been judged to fall outside the definition of 'regulated activity' but is now judged by the Headteacher to fall within the definition of regulated activity (if an enhanced DBS check has not already been carried out, this will need to be carried out too);
- where an existing worker or volunteer moves from a role that is not 'regulated activity to one that is 'regulated activity' (if an enhanced DBS check has not already been carried out, this will need to be carried out too; if the role is in a setting covered by the EYFS framework then the individual must not be allowed to start in the role until an enhanced DBS check with a DBS check has been carried out);
- where the School has concerns (for example, information comes to light or the circumstances are judged by the Headteacher/Executive Headteacher to warrant a re-check.

8.3 In these circumstances the Headteacher/Executive Headteacher will arrange for a notification letter to be issued to the individual with a copy of the DBS application form to complete. The individual should be advised that they must share their DBS Disclosure Certificate with the School promptly once it is received (unless they wish to dispute the information disclosed by the DBS, in which event further advice should be sought).

8.4 Where an individual does not give their consent to a DBS Barred List check and/or a DBS Disclosure check being made OR does not share the DBS Disclosure Certificate (the certificate must be the *original*, not a copy) with the School once received, the Headteacher/Executive Headteacher / relevant manager will provide the opportunity for the worker to discuss the matter. If, despite such discussions, the worker still refuses to co-operate the School reserves the right to move the individual to a position which does not require a DBS Barred List Check and/or a DBS Disclosure check or where a suitable alternative position does not exist, to terminate the individual's employment/supply/casual or voluntary work. Further advice can be sought from the North Somerset HR team / the School's//Trust's relevant service provider.

9. PROCEDURE FOR MANAGING AN UNSATISFACTORY DBS DISCLOSURE (CRIMINAL RECORD)

9.1 **New starters**

9.1.1 Where the DBS Disclosure Certificate reveals a criminal record which the Headteacher/Executive Headteacher judges may be relevant to the suitability of the individual to work with children, the applicant must not under any circumstances be permitted to commence working until the steps below have been followed and the Headteacher/Executve Headteacher and Local Partnership Committee Chair are satisfied of the suitability of the individual to work with children.

9.1.2 **Step 1** **Headteacher/Executive Headteacher to** discuss the DBS Disclosure content with the applicant before any recruitment confirmation is made. The purpose of this discussion will be to obtain further relevant information from the applicant to enable the Headteacher/Executive Headteacher to make an informed decision regarding the applicant's suitability for the position applied for.

Step 2 **Headteacher/Execuitve Headteacher to** complete a 'Suitability Pro Forma' (attached as **Appendix 7**) recording relevant information relating to the applicant's criminal record and the final decision regarding their suitability for the position applied for. The Suitability Pro-Forma will need to be signed off by the Headteacher and counter-signed by the Chair of Governors then forwarded to the North Somerset HR team / the School's/Trust's relevant service provider. Where a decision is taken by the Headteacher/Executive Headteacher and Chair of Local Partnership Committee not to recruit based on an unsatisfactory DBS Disclosure, the Suitability Pro-Forma will be retained by the School/Trust along with the candidates completed DBS Disclosure Application for up to a period of 6 months after which they will be destroyed in an appropriate manner to ensure confidentiality. Feedback will be given to the applicant.

9.2 **Existing Workers: Employees**

9.2.1 Should a DBS Disclosure containing relevant convictions and / or cautions and / or other information be received for an existing **employee**, the Headteacher/Executive Headteacher//Chair of Local Partnership Committee should consider their suitability to work with children using the assessment of suitability checklist in the 'Suitability Pro Forma' (attached as **Appendix 7**). If necessary, the Headteacher will discuss the DBS Disclosure content with the employee. If the Headteacher's/Executive HEadteacher'sChair of Governor's assessment is that the relevant convictions and / or cautions and / or other information on the DBS certificate calls into question their suitability to work with children the Headteacher/Chair of Local partnership Committee will arrange to investigate the matter under the School's/Trust's Disciplinary Procedure and this procedure should then be followed as appropriate. A risk assessment will be undertaken and consideration will be given to whether the employee should be transferred to an alternative role not working with children pending the outcome of the investigation, or where this is not possible, suspension on normal pay will be considered.

9.3 **Existing Workers: Volunteers, Supply Teachers and Casual Support Workers**

9.3.1 If the individual is not an employee, for example a volunteer or a supply teacher or casual support worker, the continued use of individual's services will cease pending an investigation into their suitability. The assessment of suitability checklist in the Suitability Pro-forma (attached as **Appendix 7**) will be used in the assessment of their suitability. The individual will be given the opportunity to provide any relevant information he/she wants taken into consideration by the School when reaching a decision regarding the individual's suitability to work with children.

9.4 **All workers**

9.4.1 Where the School decides that the individual is unsuitable to continue in their role working with children, the decision will be conveyed in writing to the individual.

9.4.2 If a decision is taken to remove an individual (employee, volunteer, supply teacher or casual support worker) from working in regulated activity/their role (or if they would have been removed had they not resigned or ceased working), this will be notified by the School to the Local Authority Designated Officer (LADO) to determine whether a DBS referral is appropriate. For information on referrals to the DBS please see the *Keeping Children Safe in Education* guidance and GOV.UK

9.4.3 In the event of any decision to remove a teacher or someone carrying out 'teaching work' from their employment or to cease to use their services (or if they would have been removed had they not resigned or ceased working), the School will consider whether to refer the case to the Teaching Regulation Agency (TRA). For information on referrals to the TRA please see the *Keeping Children Safe in Education* guidance and GOV.UK

10. INCLUSION ON THE DBS CHILDREN'S AND/OR VULNERABLE ADULTS BARRED LISTS

10.1 All Barred Persons

10.1.1 It is a criminal offence for a person who is barred from undertaking regulated activity to knowingly apply for, offer to do, accept or undertake regulated activity work, paid or unpaid. Similarly it is an offence for the School/Trust to knowingly offer a position which involves regulated activity to any person whose name is included on the relevant DBS Barred List.

10.1.2 If such a person inadvertently applies for, offers to do, accepts or undertakes any such work he/she should bring the fact immediately to the attention of the Headteacher/Executive Headteacher.

10.2 New Starters

10.2.1 Where the DBS Barred Check reveals the inclusion of a person on the relevant DBS Barred List:

- the Headteacher/Executive Headteacher will arrange to discuss the matter with the person before any final decision is made regarding the person's suitability for the position applied for in case the person believes the information provided by the DBS to be incorrect regarding their inclusion on the DBS Barred List. If the person believes the information provided by the DBS to be incorrect regarding their inclusion on the DBS Barred List they should contact the DBS who will be able to provide them with details of the DBS disputes procedure. The School will consider

deferring the final recruitment decision until the outcome of the disputes process is known

- While any dispute is being resolved the applicant will not, under any circumstances, be permitted to commence working. If the applicant accepts their inclusion on the DBS Barred List or the dispute is resolved to the effect that they are rightfully included on the list, they will be informed that any provisional offer of work (paid or unpaid) is withdrawn.
- the Headteacher/Executive Headteacher will notify the DBS and the police that a barred individual has sought to engage in 'regulated activity'.

10.3 Existing Workers

10.3.1 Where the DBS Barred Check reveals the inclusion of a person on the relevant DBS Barred List:

- the Headteacher/Executive Headteacher will arrange to discuss the matter with the person before any final decision is made regarding the person's suitability to continue in their role. If the person believes the information provided by the DBS to be incorrect regarding their inclusion on the DBS Barred List they should contact the DBS who will be able to provide them with details of the DBS disputes procedure. The School will consider deferring the final decision with regard to whether the person should continue in their role until the outcome of the disputes process is known
- While any dispute is being resolved the applicant will be suspended from work at the School under the Disciplinary Procedure. If the applicant accepts their inclusion on the DBS Barred List or the dispute is resolved to the effect that they are rightfully included on the list, a Hearing will be held under the School's/Trust's Disciplinary Procedure to consider their dismissal.
- the Headteacher/Executive HEadteacher will notify the DBS and the police that a barred individual has engaged in 'regulated activity'.

11. PROCEDURE FOR MANAGING A WORKER DISQUALIFIED

11.1 Any relevant information passed to the School/Trust relating to any relevant member of staff (paid or unpaid) must be provided to Ofsted as soon as reasonably practicable, but at the latest within **14 days** of the date the School/Trust became aware of the information or ought reasonably to have become aware of it if they had made reasonable enquiries.

11.2 Where the School/Trust becomes aware that a member of staff is disqualified the Headteacher/Executive Headteacher will explain the implications to the individual, tell them that Ofsted has been informed and advise them that they can usually apply to Ofsted for a waiver of disqualification (Ofsted cannot, for example, grant a waiver to an individual who is on the Children's Barred List). Individuals should be directed towards the Ofsted guidance on who can apply and how to apply: *Applying to waive disqualification: early years and childcare providers.*

11.3 Ofsted may grant a full or partial waiver, including a waiver that would allow an individual to work in the school settings described above. Whilst a waiver application is under consideration the individual must not commence or continue to work in these settings.

11.4 New Starters

11.4.1 Where the School/Trust becomes aware that an applicant for employment is disqualified it will write to the individual informing them that their appointment will not be confirmed due to their disqualification status and they will not be allowed to commence work. In the letter the individual will be informed that they can apply to Ofsted for a waiver of disqualification. Further details about how to make an applications for a waiver can be found in the Ofsted guidance '*Applying to waive disqualification early years and childcare providers'.*

11.4.2 Where no application for a waiver is made the School/Trust will withdraw the offer of employment and will notify the individual in writing of this decision.

11.4.3 Where the individual notifies the School they will be applying for a waiver, [*the School/Trust will hold the offer of the job open pending the result of the application to Ofsted for a waiver. If Ofsted does not grant the waiver the School will withdraw the offer of employment and will notify the individual in writing of this decision ***OR*** *the School/Trust will consider whether to hold the offer of the job open pending the result of the application to Ofsted for a waiver. The School/Trust reserves the right to withdraw the offer of employment in the event the prospective employee declares they are disqualified. Should the School/Trust decide to hold the offer open pending the result of the waiver application, where Ofsted does not grant a waiver the School/Trust will withdraw the offer of employment and will notify the individual in writing of this decision.****include as appropriate***

11.5 Existing Employees

11.5.1 If the individual is already working in the School, the Headteacher/Executive Headteacher will consider whether the employee's role can be adjusted so that it does not involve providing or managing the relevant childcare and / or whether the employee can be temporarily moved to an alternative role which does not involve providing or managing the relevant childcare. Where this is not possible, the School will consider whether to grant paid leave or to suspend the employee under the School's/Trust's Disciplinary Policy, pending the result of any application to Ofsted for a waiver. Whether paid leave is granted or the employee is suspended will depend on the circumstances of the individual case.

11.5.2 Where Ofsted does not grant a waiver or no application for a waiver is made, a Panel will be convened under the Disciplinary Policy to consider whether the employee's role should be permanently adjusted or the employee should be permanently moved to an alternative role or the employee should be dismissed.

11.5.3 When making decisions about the possible adjustment of roles / redeployment of employees on a temporary or permanent basis the School/Trust will take into account the risk of harm to the children concerned and its safeguarding obligations.

11.6 Workers who are not Employees

11.6.1 If the existing worker is not an employee, the volunteer or supply teacher / casual support worker will be informed that their services are not / no longer required.

12. DISCREPANCY IN CRIMINAL RECORDS INFORMATION

12.1 Where there is a discrepancy between the information provided by the applicant through the self-disclosure process and the information contained within the DBS Disclosure Certificate, the relevant manager should arrange to discuss the matter with the individual before any decision is made regarding the person's suitability for the position applied for. If the person believes the information provided by the DBS to be incorrect they should contact the DBS who will be able to provide them with details of the DBS disputes procedure. The person should not be allowed to commence work and, in those instances where they have commenced work prior to the DBS check being completed), they must be removed from that work with immediate effect.

12.2 Recruitment decisions should be deferred until the outcome of the disputes process is known.

13. GATHERING INFORMATION, RECORDING AND MONITORING

13.1 Data Protection

13.1.1 In processing information under this Policy, the School/Trust will ensure that it acts proportionately and minimise wherever possible the intrusion into the private lives of staff. The School/Trust will process data fairly and lawfully in accordance with data protection laws (the General Data Protection Regulation (GDPR), the Data Protection Act 2018 and the Data (Use and Access) Act 2025), the Rehabilitation of Offenders Act 1974 (ROA), the Human Rights Act 1998 and the Equality Act 2010.

13.1.2 The School/Trust will not ask applicants or staff details of protected (filtered) convictions or cautions, details about the convictions of household members or copies of anyone's criminal record from the police. The School/Trust will not ask staff or third parties to make requests for their criminal records. Where third parties are asked to provide information they will be informed why the information has been requested and how it will be used. For information about which convictions must be declared during job applications or re-checks please see the Ministry of Justice's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 and further information about filtering offences can be found in the DBS filtering guide .

13.1.3 Data protection laws do not prevent the sharing of information for the purposes of keeping children safe. For further information on information sharing in the context of safeguarding, please see paragraphs 140 to 152 in Keeping Children Safe in Education, chapter one of Working Together to Safeguard Children ,the government guidance Information Sharing: Advice for Practitioners Providing Safeguarding Services, the DfE Data protection in schools guidance and ICO guidance for organisations. Advice for LA maintained schools on data protection and information sharing is available from North Somerset Council's Information Governance team.

13.2 Single Central Record and Additional Checks

13.2.1 The School will maintain a **single central record** of pre-employment checks and carry out all the mandatory pre-employment checks additional to the DBS checks as required, and all offers of appointment should be conditional until their satisfactory completion. The single central record will cover:

- all paid staff, including agency, supply and casual staff, even if they work for one day and *salaried* teacher trainees who work at the School
- (*include if Academy*) all members of the proprietor body (this means the members and trustees of the Academy Trust)

Kaleidoscope uses the SCR Online system.

13.2.2 The School will record whether a standalone Children's (and, if applicable, Adult's) Barred List check and an enhanced DBS check (with Children's (and, if applicable, Adult's) Barred List check) has been carried out and the certificate obtained and the date on which the check was completed / certificate obtained. Please note: settings subject to the Early Years Foundation Stage (EYFS) framework, including maintained nursery schools must not allow an individual to start work in regulated activity until they obtain an enhanced DBS plus barred list check. In connection with the disqualification check, the School will keep a record of those staff who provide or manage relevant childcare and will record the date on which the disqualification checks were completed. This School will keep disqualification information [*as part of the single central record / *maintain a record separately **delete as appropriate].*

13.2.3 The Single Central Record will also record whether each of these further mandatory checks have been carried out and the date each check was completed:

- *for all roles* an identity check
- *for roles in which 'teaching work' will be carried out including the roles of HLTAs and TAs where they may be covering PPA or delivering teaching interventions* a prohibition from teaching check (carried out by using the DfE's Check a teacher's record service (available via the DfE's web page: Check a teacher's record - GOV.UK) *Note: prior to the introduction of prohibition orders, directions, sanctions and restrictions were issued by the General Teaching Council for England (GTCE) and these are also recorded and can be checked* using the DfE's Check a teacher's record service
- *for maintained school governors and for those who will be in a management position in, or a trustee of, an academy or free school or a governor on any governing body of an academy or free school which retains, or to which has been delegated, any management responsibilities* a section 128 check (carried out by using the following GOV.UK webpage: Individuals prohibited from managing or governing schools - GOV.UK)
- *for those who have lived and worked outside the UK* overseas checks including, criminal records checks for overseas applicants, issued by the country or countries in which they have been living (this is often the Department/Ministry of Education but varies across the world), and, in the case of teachers, obtaining a letter (via the applicant) from the professional regulating authority for teachers in the country (or countries) in which they have worked confirming whether or not they have imposed any sanctions or restrictions, if so, what these are and / or whether they are aware of any reason why they may be unsuitable to teach (see paragraph 16 below for further information)

- *where relevant* a check of professional qualifications (the DfE's Check a teacher's record - GOV.UK should be used to verify any award of qualified teacher status (QTS) and the completion of teacher induction or probation) and
- *for all roles* a check to establish the person's right to work in the UK

13.2.4 Note: the prohibition from teaching check must be carried out before a person carries out 'teaching work' regardless of whether they are being newly appointed. The prohibition check will need to be carried out on individuals who are not qualified teachers if they will be carrying out teaching work. The prohibition check will also need to be carried out on individuals who were originally appointed to a non-teaching role but who are being or may be subsequently asked to undertake teaching work, including on HLTAs and TAs where they may be covering PPA or delivering teaching interventions. Please also note that someone is not permitted to undertake teaching work if the ae subject to either a prohibition order or an interim prohibition order.

13.2.5 The other mandatory checks is the verification of the person's mental and physical fitness to carry out their work responsibilities;

13.2.6 For supply/agency staff/contractors, the School will include whether written confirmation has been received that the employment business/contractors supplying the individual has carried out the relevant checks and obtained the appropriate certificates, the date the confirmation was received and whether any enhanced DBS certificate has been provided in respect of the individual.

13.2.7 There is no statutory duty to include on the single central record details of any checks other than those listed in paragraph 13.2.3 above (for example checks for volunteers and governors, childcare disqualification and safeguarding and safer recruitment training dates), the School may record any other information it deems relevant. The School may record the name of the person who carried out each check.

13.2.8 For further information regarding:

- the Single Central Record;
- prohibitions, directions, sanctions and restrictions, specifically the prohibition from teaching check, the section 128 check, historic General Teaching Council for England (GTCE) sanctions and restrictions and the EEA sanctions and restrictions checks;
- the Teaching Regulation Agency (TRA) and
- the DfE's Check a teacher's record service

see the *Keeping Children Safe in Education* guidance.

13.2.9 Although there is no requirement to record reference checks on the SCR, references should be sought on all prospective workers and volunteers at the School. For further information on references, see the *Keeping Children Safe in Education* guidance and the school's/Trust's Reference Policy.

13.2.10 The School should consider carrying out a search (via an online search engine) as part of due diligence on shortlisted candidates as this may help identify any incidents or issues that are publicly available on-line, which the School might want to explore with the applicant at interview (see *Keeping Children Safe in Education*). Such on-line searches are not compulsory. *KCSIE* does not refer to social media searches, only searches via

an online search engine. Only a general search engine (e.g. Google) search should therefore be undertaken. The School should decide whether it has sufficient information to judge suitability to work with children. Any search must relate only to whether the individual is suitable to work with children and any information to which reference is made must be relevant to their suitability to work with children and of concern. If a search is undertaken, care must be taken to avoid unconscious bias and any risk of discrimination. If the School will or may be undertaking an on-line search on shortlisted candidates, all shortlisted candidates should be informed that on-line searches will or may be done as part of the due diligence pre-employment checks.

13.2.11 The School should have a clear consistent protocol for making checks which specifies that all shortlisted candidates will be searched for in the same way, that only publicly available information will be searched for, that only information that suggests that the candidate is unsuitable to work with children will be searched for, that relevant information will be raised at interview before a decision is made regarding the candidate, the sites that will be used, the time period that will be covered and that records will be kept for 6 months with other recruitment records of what was searched and the outcomes. The record should include any relevant findings together with a written explanation as to why they were used. The on-line search should be carried out by someone who is independent of the recruitment process because that person can filter the information and only disclose to the interview panel relevant information around safeguarding, reputation etc.

13.2.12 If an on-line search will or may be undertaken, the School must ensure that this is stated in the recruitment privacy notice that goes out with applicant packs, due to the obligation under data protection laws to inform applicants of such data processing and to ensure the data processing involved in any on-line search is fair and lawful. The privacy notice should state why (the lawful basis on which) the on-line search for personal data[3] is being carried out (i.e. that it is necessary to ensure that the School is abiding by its responsibilities under safeguarding legislation, referencing (Article 6(1)(c) Legal obligation under the GDPR), when the on-line search will take place within the recruitment process (i.e. once candidates have been shortlisted), what on-line checks will be carried out (i.e. that it will consist of only a general search engine search), how the results of the on-line search will be recorded and who will be carrying out the on-line search.

13.3 Further Information

13.3.1 Further guidance on data protection and data protection laws including the GDPR is available at The Information Commissioner's Office (ICO) and in the Data protection: toolkit for schools

14. STORAGE OF DBS DISCLOSURE INFORMATION

14.1 No copies of DBS disclosure certificates will normally be stored in the School. If, in exceptional circumstances, it is necessary to store the copy of a certificate temporarily, it will be stored for the minimum period of time, it will not be stored for more than a maximum

[3] Note that if Special Category Data (such as that relating to certain protected characteristics or political views) is being searched for then another lawful basis is needed under Article 9.

of six months and it will be stored in accordance with the policy on the storage of DBS Disclosure Information **(Appendix 8)**.

14.2 Where a school retains personal information that is relevant to disclosure or disqualification this should be kept on the personnel file. Any information that is provided to the School which is not relevant to the disclosure or disqualification checks will be destroyed.

14.3 The Council's policy on the storage of DBS Disclosure Information, which will be adhered to by the School/Trust, is attached as **Appendix 8**.

15. PORTABILITY OF DBS DISCLOSURES

15.1 A separate Children's (and, if applicable, Adult's) Barred List check **must always** be completed for new staff if they will be engaging in regulated activity including where the individual has a break in service of less than three months from a similar position.

15.2 It is not a statutory requirement to obtain an enhanced DBS certificate if, during a period which ended not more than three months before the person's appointment, the applicant has worked in a school in England in a post which brought them regularly into contact with children or to which the person was appointed on or after 12 May 2006 and which did not bring the person regularly into contact with children. The School will consider if it would be appropriate to request one. Given the potential complexities that can arise in using a Disclosure for one position to assess an applicant's suitability for another position, it is the policy of the School/Trust **not** to accept Disclosure certificates which have been issued to a Registered Body other than the Registered Body used by the School/Trust **unless** the relevant individual has subscribed to the DBS's Update Service and the 'Status Check' carried out using this Service indicates that their enhanced DBS certificate is 'current'. Similarly it is the policy of the School/Trust and the Registered Body it uses not to disclose any information regarding Disclosures to any other organisation.

15.3 However the School/Trust accepts the internal portability of Disclosures issued to the Registered Body the School/Trust uses providing ALL of the following five requirements are met:-

- The new position is one that is eligible to be DBS Disclosure checked i.e. it is exempt from the Rehabilitation of Offenders Act 1974 **and**

- That both the current position and the new position require the same level of DBS check (Enhanced in schools), **and**

- The Headteacher has obtained the written consent of the candidate before asking the Counter-signatory to release any information about a previous Disclosure (a model consent statement attached as **Appendix 9) and**

- The individual does not have a gap between engagements with schools in England of three months or more **and**

- Confirmation has been obtained from the North Somerset HR / the School's/Trust's relevant service provider that the police have not provided additional information under

their common law powers. In the unlikely event that additional information has been provided by the police a fresh Disclosure Application must be carried out.

16. CHECKING OF OVERSEAS APPLICANTS

16.1 Individuals who have lived or worked outside the UK must undergo the same checks as all other staff including an enhanced DBS certificate (including children's (and, if applicable, adult's) barred list information for those who will be engaging in regulated activity). In addition, the School/Trust will make any further checks the School/Trust considers appropriate so that any relevant events that occurred outside the UK can be considered. The Disclosure and Barring Service can only access criminal records (convictions or cautions) held on the Police National Computer (PNC) in England, Wales, and those recorded from Scotland. There is also some Northern Ireland conviction data held on the PNC. If an applicant is undertaking 'regulated activity' or is assessed as needing to have an enhanced DBS check and is living or has lived for a period overseas, the DBS criminal records check may not provide a complete picture of any criminal record they may have. In these circumstances and in addition to a DBS Disclosure check, a criminal records check, certificate of good conduct or equivalent will be sought from the overseas country or countries in which the applicant has been or is living.

16.2 Overseas checks should, where relevant and applicable, include a check for information about any teacher sanction or restriction that the relevant country's professional regulating authority has imposed. Information related to teacher sanctions or restrictions are usually obtained via the applicant in the form of a letter from the relevant country's professional regulating authority for teachers. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the Regulated Professions Database (Regulated professions database - European Commission (europa.eu)).

16.3 Where criminal record information and, in the case of teachers, information related to teacher sanctions or restrictions is not available, 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.

16.4 For further information on checking individuals who have lived and / or worked outside the UK please see Part 3 of *Keeping Children Safe in Education*. Further advice on criminal records checks for overseas applicants and employing overseas trained teachers can be obtained from the GOV.UK website

17. OTHER RELEVANT POLICIES / GUIDANCE

DfE *Keeping Children Safe in Education* guidance (Sept 2026)
DfE *Disqualification under the Childcare Act 2006* (July 2018)
Disciplinary Policy
Reference Policy
Code of Conduct (*if School//Trust has one in place*)
DBS Referral Guide

All our policies and guidance can be found at www.supportservicesforeducation.co.uk

APPENDICES

Appendix 1	**Policy Statement on Recruitment of Ex-Offenders**
Appendix 2	**Summary Definition of 'Regulated Activity' relating to Children**
Appendix 3	**Model Letter to Contractor/ Personnel Supplier**
Appendix 4	**DBS Disclosure Flowchart**
Appendix 5A	**Self-Disclosure for Short-listed Candidates to Complete (DBS Barred List and enhanced DBS Disclosure check needed)**
Appendix 5B	**Self-Disclosure for Short-listed Candidates to Complete (where DBS Barred List check not applicable)**
Appendix 6A	**Self-Disclosure for Existing Workers (where DBS Barred List check applicable)**
Appendix 6B	**Self-Disclosure for Existing Workers (where DBS Barred List check not applicable)**
Appendix 7	**Headteacher's Employee Suitability Form**
Appendix 8	**Disclosure Information Safe Storage Policy**
Appendix 9	**Portability – Sample Consent Statement**

Appendix 1 - Policy Statement on Recruitment of Ex-Offenders

(_____ School 'the School' _____ Trust 'the Trust') is determined to make all efforts to prevent discrimination or unfair treatment against any staff or potential staff regardless of offending background that does not create a risk to children and vulnerable adults.

People with criminal records applying for positions (paid or unpaid) with the School/Trust should be treated according to their merits and to the nature or special criteria of the position (e.g. access to children or responsibility for budgets).

The School/Trust and the School's/Trust's Registered Body will ensure that they observe the Disclosure and Barring Service (DBS) Code of Practice on disclosure information. For those positions requiring a DBS Disclosure, all applicants will be informed at an early stage through recruitment literature issued by the School/Trust that a Disclosure will be requested in the event of the individual being provisionally offered the position. Details of a person's criminal record will always be maintained as strictly confidential and will not be passed to persons not authorised to receive it.

It is the School's/Trust's policy to ask applicants questions about 'unfiltered' criminal records and whether they have been barred from working with children and/or vulnerable adults whenever they will be undertaking 'regulated activity' or working regularly in school with access to children. At the short-listing stage applicants will be required to provide this information through the completion of a DBS Disclosure Application and a self-disclosure of criminal record. Where the applicant is applying for a position involving 'regulated activity' they will also be required to declare whether they have been listed on any Disclosure and Barring Service list of people considered unsuitable to work with children and vulnerable adults.

It is also the School's/Trust's Policy to disqualification check relevant applicants using the self-disclosure form. Please see the self-disclosure form for information on who is required to be disqualification checked.

Having an 'unfiltered' criminal record in itself will not necessarily prevent a person from being appointed unless the offence statutorily debars the person or renders the person unsuitable to work with children. If an applicant reveals an 'unfiltered' criminal record and/or other information which could render the applicant potentially unsuitable then the Headteacher will arrange to discuss the disclosure with the applicant in the first instance and before any final decision is made regarding the suitability of the applicant.

Failure to disclose relevant information could lead to the withdrawal of an offer of employment or other non-employment arrangement e.g. voluntary work or, if subsequently discovered once confirmed in position, could lead to the termination of the employment/non–employment arrangement.

Appendix 2 – Summary Definition of 'Regulated Activity' in Relation to Children

Regulated activity is work that a barred person must not do.

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012 and the Crime and Policing Act 2026.

Regulated activity includes:

a) paid or unpaid work that involves teaching, training, instructing, caring for or supervising children, or providing advice/ guidance on physical, emotional or educational well-being, or driving a vehicle only for children;

b) any other type of work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children;

Work under (a) or (b) is regulated activity only if done frequently or on more than 3 days in a 30-day period or overnight.[4] Some activities are always regulated activities, regardless of frequency. This includes:

c) relevant personal care or health care provided by or provided under the supervision of a health care professional:

- person care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability;

- health care means care for children provided by, or under the direction of, a regulated health care professional.

Any activity which consists in or involves on a regular basis the day to day management or supervision of a person carrying out regulated activity is a regulated activity relating to children.

Regulated activity will not be:

- work undertaken in pursuance of a contract for the provision of occasional or temporary services or unpaid work in specified places which is occasional and temporary and does not involve any of the activities in (a) above.

[4] The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if "it is carried out frequently by the same person" or if "the period condition is satisfied". Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, for the purposes of the work referred to at (a), apart from driving vehicle only for children, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children.

Appendix 3 – Model Letter to Contractor / Personnel Supplier for individuals who will be working regularly in the school

[Model Letter – you will need to customise those sections highlighted in turquoise]

Dear

SAFER RECRUITMENT REQUIREMENTS

I am writing to you with regard to the employee(s) of your organisation / individual(s) you will be providing to the school (*delete as applicable)* who will be working regularly at (*name of school).*

As you may be aware, contractors / personnel suppliers / suppliers of fee- or self-funded trainees (*delete as applicable*) are required by the Vulnerable Groups Act 2006, the DfE's *Keeping Children Safe* statutory guidance, the Childcare Act 2006 and the Childcare (Disqualification) (Amendment) Regulations 2018 to ensure that all applicable safer recruitment checks including a Children's / Adult's DBS Barred List check, an enhanced DBS Disclosure check and a childcare disqualification check have been carried out, where relevant, on those individuals they send or supply to schools.

To ensure that the school meets its obligation to ensure that relevant satisfactory safeguarding checks have been carried out I would be grateful if you would:

- provide the school with a list of the full names and dates of birth of all those individuals you are supplying to the school who will require safer recruitment checks together with a written assurance that all the necessary safer recruitment checks have been carried out on each of these individuals by your organisation (and by whom within your organisation) and that these checks reveal no information that would indicate that they were in any way unsuitable to work within a school; and
- confirm to the school that you have informed the relevant individuals that they will be committing an offence if they carry out' regulated activity' and are on the Children's / Adult's Barred List or if they provide or manage 'relevant' childcare and are disqualified under the Childcare Disqualification Regulations

The Safer Recruitment checks that you are required to carry out on the workers you are sending / supplying to the school in this case are:

- Children's / Adult's DBS Barred List Check [***only include in letter if contractor / agency worker will be undertaking 'regulated activity' (see Paragraph 5/ Appendix 2 in Policy for when this applies***];
- Enhanced DBS Disclosure check (*please confirm you saw the original certificate and state the DBS Disclosure Number and the date the Disclosure was issued against each name on the list and whether the DBS Disclosure included any disclosed information*); [***only include in letter if contractor / agency worker will be undertaking 'regulated activity' or where they are not undertaking regulated activity but have been assessed by the School as requiring an enhanced DBS check without a Barred List check (see Paragraph 5 in Policy for when this applies***];
- Disqualification Check. *Please see the attached information sheet regarding the Disqualification Check for further information.* [***only include in letter if contractor /***

agency worker will be providing early or relevant later years childcare (see disqualification check paragraphs in Disclosure Policy];

- (*if person has lived and worked outside the UK*) equivalent overseas checks including, if they are a teacher, a check for information about any teacher sanction or restriction that any professional regulating authority has imposed)
- (*if a teacher or a member of non-teaching staff who are being or may be subsequently asked to undertake teaching work*) check to ensure teacher not subject to a prohibition order or an interim prohibition order issued by the secretary of state
- (*for those who will be in a management position in an academy or free school)* check to see they are not subject to a section 128 direction (prohibition) from taking part in the management of an academy or free school
- Identity check
- Health / mental and physical fitness check
- Right to Work in the UK check
- Verification of professional qualifications (where relevant)
- References and
- Interviews

N.B The Children's DBS Barred List and enhanced DBS Disclosure check must be carried out on all those you send or supply to our school who will be providing personal or health care to children and / or working frequently or on more than three days in a 30-day period or overnight in the school with the opportunity for contact with children. These checks must be carried out before they undertake that work.

The childcare disqualification check must be carried out on all those you send or supply who will be providing childcare or managing childcare provision in the relevant settings in the school before they undertake that work.

Personnel Suppliers only - only include in letter if school is requiring the Agency to carry out an enhanced DBS Disclosure check

*If the DBS Disclosure of the individual / any of the individuals contains any disclosed information, we require a copy of the Disclosure.

The processing of this information is lawful as it is 'necessary for compliance with a legal obligation' to which the school is subject (GDPR Article 6 (1)(c)). The specific condition in Schedule 1 of the Data Protection Act 2018 for the processing of this data is that it is 'necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment law' (Data Protection Act 2018, Clause 10 (4) and (5) and Schedule 1, Part 1, paragraph 1 (1)(a)).

The school is not able to confirm the offer of work for any of the relevant individuals until this requested written confirmation of safer recruitment checks has been received. I look forward to hearing from you. In the meantime if you have any queries regarding this letter please do not hesitate to contact me.

Thank you for your co-operation.

Yours sincerely

[Name]
[School]

CHILDARE DISQUALIFICATION CHECK: INFORMATION SHEET FOR AGENCIES AND CONTRACTORS

Childcare Disqualification Check

The Childcare Act 2006 and the Childcare (Disqualification) (Amendment) Regulations 2018 disqualify workers who have committed a 'relevant offence' under the Regulations or where they meet the other disqualification criteria set out in the Regulations from:

- providing relevant childcare provision or
- being directly concerned in the management of such provision.

In schools, this means workers who have committed a 'relevant offence' under the Regulations or who meet any of the other disqualification criteria are disqualified from:

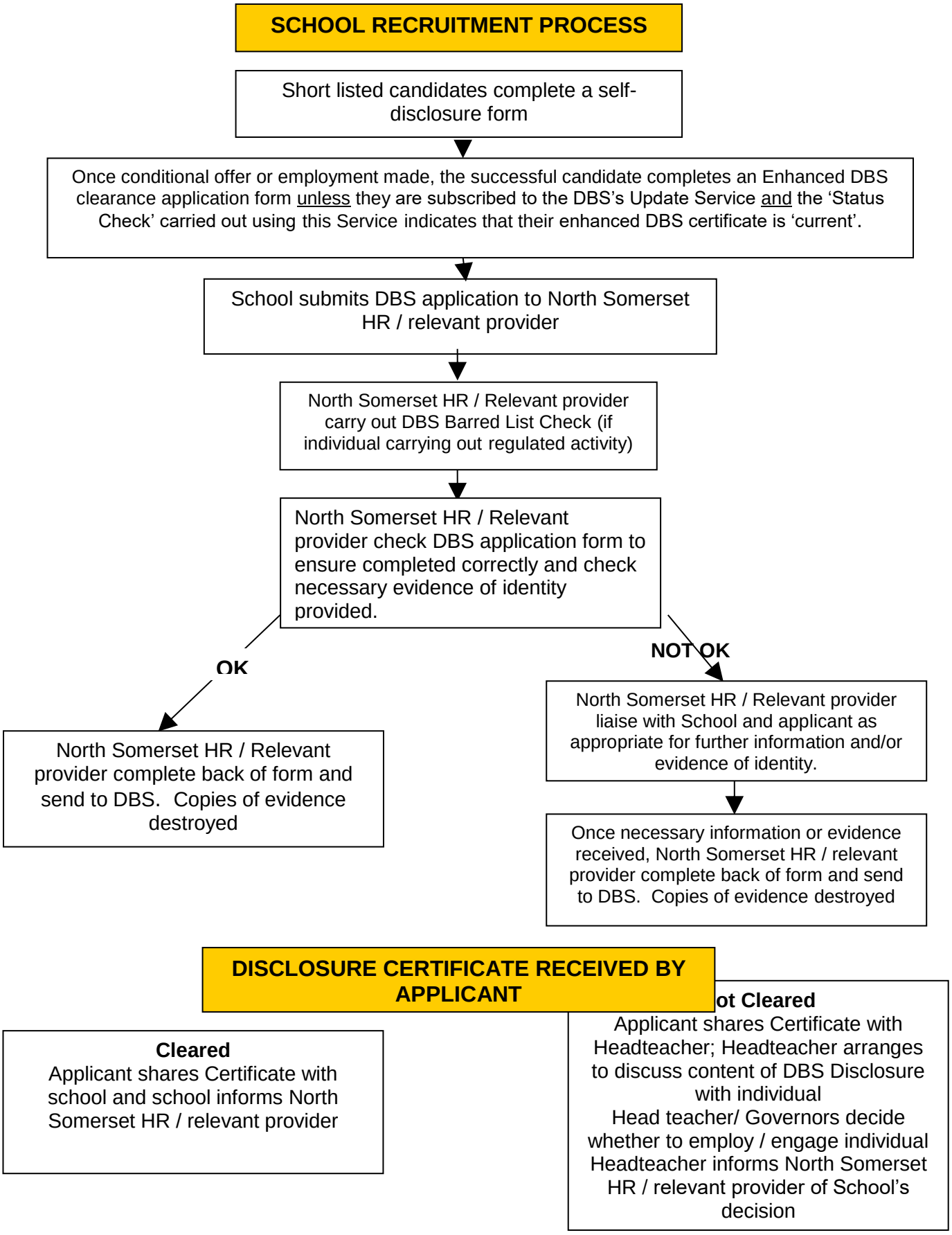
- providing early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday) or later years childcare to children who under the age of eight; or
- being directly concerned in the management of that childcare.

For information on 'relevant offences' and on the other disqualification criteria, please see the DfE's *Disqualification under the Childcare Act 2006* guidance of July 2018.

The following categories of staff in school settings are covered by the Childcare (Disqualification) (Amendment) Regulations 2018:

- all new and existing staff who directly provide any care for a child up to and including reception age **both during and outside** of school hours (this includes education in nursery and reception classes and any supervised activity (such as break and lunch time supervision, breakfast clubs and after school care provided by the school);
- all new and existing staff who directly provide childcare **outside** of school hours for children who are above reception age but who are under 8 years of age (this includes breakfast clubs and after school provision but does not include co-curricular learning activities during extended school hours such as school choir or sports teams);
- all new and existing staff who are directly concerned in managing the provision of such childcare

Appendix 4 – DBS Disclosure and DBS Barred List Check Flowchart



Appendix 5A – Model Self-Disclosure for Short-listed Candidates to Complete to Share any Convictions / Cautions / Disqualifications etc.

NB This model Self-Disclosure only applies to those required by the school to complete an enhanced DBS Disclosure check with a DBS Barred List check.

Confidential
Declaration of Criminal Record and Other Relevant Information

Positions Exempt from the
Rehabilitation of Offenders Act 1974

As stated on the application form, because of the nature of the duties the postholder will be expected to undertake, you are required to disclose details of your 'unfiltered' criminal record. If you will be providing or managing childcare you are required to disclose whether you have been disqualified under the Childcare (Disqualification) (Amendment) Regulations 2018. For further information on who is covered by the Regulations, see the Disclosure Policy and the DfE's *Disqualification under the Childcare Act 2006* guidance.

The position you have applied for is exempt from the Rehabilitation of Offenders Act 1974, which means that in addition to all **unspent** convictions and cautions, all 'unprotected' (i.e. 'unfiltered') **spent** convictions and adult cautions on your record need to be disclosed. You are not required to disclose any 'protected' (i.e. 'filtered') **spent** convictions and cautions. ***For information about which convictions and cautions must be declared during job applications please see the Ministry of Justice's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975. Further information about filtering offences can be found in the DBS filtering guide.***

If you are disclosing information under the Childcare (Disqualification) Regulations you are not required to disclose details about any convictions that are not relevant to the childcare disqualification legislation. Please see the DfE's *Disqualification under the Childcare Act 2006* guidance for guidance on which offences must be disclosed if you are providing or managing childcare provision at the School.

Only relevant convictions and other information will be taken into account so disclosure need not be a bar to obtaining the position you have applied for (please refer to the School's policy on the 'Employment of Ex-Offenders' contained within the Recruitment Pack previously sent to you on requesting a job application form).

If you declare your 'unfiltered' criminal record and / or other information we believe this to have a bearing on the requirements of the post, we shall arrange to discuss the matter with you before any final recruitment decision is taken in relation to your job application. If we do not raise the matter with you it is because it is considered that your disclosure has no bearing on the requirements for the post.

If you have any concerns or queries about filling in this declaration please contact the Headteacher.

Applicants should be assured that the information they give will be kept and used securely and in accordance with the requirements of data protection laws including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

……..

1. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? (Y/N)?

Yes / No (*please delete as applicable*)

If yes, please give details of offences, any penalties and dates.

2. **Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?**

Yes / No (*please delete as applicable*)

If yes, please give details of offences, any penalties and dates.

3. Are you aware of any police enquiries undertaken following allegations made against you, which may have a bearing on your suitability for this post?

Yes / No (*please delete as applicable**)***

If yes, please give details.

3. If you have lived and worked overseas, please share information about any criminal offences committed in line with the law as applicable in England and Wales.

4. Is your name included on the 'Disclosure and Barring Service (DBS) Children's Barred List' or the equivalent Welsh, Northern Irish or Scottish Lists as someone unsuitable to work with children?

Yes / No (*please delete as applicable**)***

5. Is your name included on the 'DBS Vulnerable Adults List' maintained by the Disclosure and Barring Service or the equivalent Welsh, Northern Irish or Scottish Lists as someone unsuitable to work with vulnerable adults? *[Note: only answer this question if you will be working in a Special School which caters or could cater for pupils 18 or over]*

Yes / No (*please delete as applicable**)***

6. **If you are a teacher, are you prohibited from teaching?**

   Yes / No / Not Applicable (*please delete as applicable*)

7. **If you will be taking part in the management of an academy, are you subject to a section 128 direction?**

   Yes / No / Not Applicable (*please delete as applicable*)

<u>DISQUALIFICATION CHECK</u>
PLEASE NOTE: ONLY COMPLETE THE FOLLOWING QUESTION IF YOU WILL BE PROVIDING CARE TO A CHILD / CHILDREN UP TO AND INCLUDING RECEPTION AGE DURING OR OUTSIDE SCHOOL HOURS <u>OR</u> PROVIDING BEFORE OR AFTER SCHOOL CARE TO A CHILD / CHILDREN WHO ARE ABOVE RECEPTION AGE BUT UNDER THE AGE OF 8 <u>OR</u> IF YOU WILL BE DIRECTLY CONCERNED IN THE MANAGEMENT OF SUCH PROVISION

Please see the School's Disclosure Policy for further information with regard to who is required to be disqualification checked.

Grounds for disqualification include cautions or convictions for a 'relevant offence', having been issued with a care order with respect to a child who has been in your care and being on the Children's Barred List. For details of the criteria for disqualification and information on relevant offences please see the DfE guidance *Disqualification under the Childcare Act 2006.*

8. **Are you disqualified from this appointment under the Childcare (Disqualification) (Amendment) Regulations 2018?**

   Yes / No (*please delete as applicable**)***

   If yes, please give details, including dates, of any relevant unfiltered convictions or cautions or court orders and information about the body that made the determination

I consent to the processing of the data I have disclosed on this form.

I certify that, should there be any change(s) that will or may affect my suitability to work with children I will disclose the relevant details to the school immediately.

Name (please print clearly):

Signed:

Dated:

Please return your completed declaration in a sealed envelope marked private and confidential to the Headteacher at the School.

Privacy Statement/Notice

The School is registered with the Information Commissioner's Office for the purposes of processing personal data.

The information you provide will be held and used in accordance with the requirements of UK and European data protection law.

Only the people directly responsible for recruitment or for advising on the suitability of your recruitment will be informed of disclosed information on a strict need-to-know basis.

The purpose of the processing of this data is to ensure that the school is abiding by its responsibilities under safeguarding legislation. The processing of this information is lawful as it is 'necessary for compliance with a legal obligation' to which the school is subject (GDPR Article 6 (1)(c)). The specific condition in Schedule 1 of the Data Protection Act 2018 for the processing of this data is that it is 'necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment law' (Data Protection Act 2018, Clause 10 (4) and (5) and Schedule 1, Part 1, paragraph 1 (1)(a)).

If you have any questions or concerns about the way we process your personal data, please contact our Data Protection Officer through the School.

You are entitled to make a Data Protection complaint to the School. If you have a complaint, please contact our Data Protection Officer through the School.

Appendix 5B – Model Self-Disclosure for Short-listed Candidates to Complete to Share any Convictions / Cautions / Disqualifications etc.

NB This model Self-Disclosure only applies to those to whom a DBS Barred List check does not apply).

Confidential
Declaration of Criminal Record and Other Relevant Information

Positions Exempt from the
Rehabilitation of Offenders Act 1974

As stated on the application form, because of the nature of the duties the postholder will be expected to undertake, you are required to disclose details of your 'unfiltered' criminal record. If you will be providing or managing childcare you are required to disclose whether you have been disqualified under the Childcare (Disqualification) (Amendment) Regulations 2018. For further information on who is covered by the Regulations, see the Disclosure Policy and the DfE's *Disqualification under the Childcare Act 2006* guidance.

The position you have applied for is exempt from the Rehabilitation of Offenders Act 1974, which means that in addition to all **unspent** convictions and cautions, all 'unprotected' (i.e. 'unfiltered') **spent** convictions and adult cautions on your record need to be disclosed. You are not required to disclose any 'protected' (i.e. 'filtered') **spent** convictions and cautions. ***For information about which convictions and cautions must be declared during job applications please see the Ministry of Justice's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975. Further information about filtering offences can be found in the DBS filtering guide.***

If you are disclosing information under the Childcare (Disqualification) Regulations you are not required to disclose details about any convictions that are not relevant to the childcare disqualification legislation. Please see the DfE's *Disqualification under the Childcare Act 2006* guidance for guidance on which offences must be disclosed if you are providing or managing childcare provision at the School.

Only relevant convictions and other information will be taken into account so disclosure need not be a bar to obtaining the position you have applied for (please refer to the School's policy on the 'Employment of Ex-Offenders' contained within the Recruitment Pack previously sent to you on requesting a job application form).

If you declare your 'unfiltered' criminal record and / or other information we believe this to have a bearing on the requirements of the post, we shall arrange to discuss the matter with you before any final recruitment decision is taken in relation to your job application. If we do not raise the matter with you it is because it is considered that your disclosure has no bearing on the requirements for the post.

If you have any concerns or queries about filling in this declaration please contact the Headteacher.

Applicants should be assured that the information they give will be kept securely and in accordance with the requirements of data protection laws including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

……..

1. **Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? (Y/N)?**

   Yes / No (*please delete as applicable*)

   If yes, please give details of offences, any penalties and dates.

2. **Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?**

   Yes / No (*please delete as applicable*)

   If yes, please give details of offences, any penalties and dates.

3. **Are you aware of any police enquiries undertaken following allegations made against you, which may have a bearing on your suitability for this post?**

   Yes / No (*please delete as applicable**)***

   If yes, please give details.

4. **If you have lived and worked overseas, please share information about any criminal offences committed in line with the law as applicable in England and Wales.**

5. **If you will be a governor of a maintained school or a trustee of an academy trust or a governor on any governing body that retains or has been delegated any management responsibilities, are you subject to a section 128 direction?**

   Yes / No / Not Applicable (*please delete as applicable*)

<u>DISQUALIFICATION CHECK</u>
PLEASE NOTE: ONLY COMPLETE THE FOLLOWING QUESTION IF YOU WILL BE PROVIDING CARE TO A CHILD / CHILDREN UP TO AND INCLUDING RECEPTION AGE DURING OR OUTSIDE SCHOOL HOURS <u>OR</u> PROVIDING BEFORE OR AFTER SCHOOL CARE TO A CHILD / CHILDREN WHO ARE ABOVE RECEPTION AGE BUT UNDER THE AGE OF 8 <u>OR</u> IF YOU WILL BE DIRECTLY CONCERNED IN THE MANAGEMENT OF SUCH PROVISION

Please see the School's Disclosure Policy for further information with regard to who is required to be disqualification checked.

Grounds for disqualification include cautions or convictions for a 'relevant offence', having been issued with a care order with respect to a child who has been in your care and being on the Children's Barred List. For details of the criteria for disqualification and information on relevant offences please see the DfE guidance *Disqualification under the Childcare Act 2006.*

6. Are you disqualified from this appointment under the Childcare (Disqualification) (Amendment) Regulations 2018?

Yes / No (*please delete as applicable**)***

If yes, please give details, including the dates, of any relevant unfiltered convictions or cautions or court orders you have received and information about the body that made the determination.

I consent to the processing of the data I have disclosed on this form.

I certify that, should there be any change(s) that will or may affect my suitability to work with children I will disclose the relevant details to the school immediately.

Name (please print clearly):

Signed:

Dated:

Please return your completed declaration in a sealed envelope to the School.

Privacy Statement/Notice

The School is registered with the Information Commissioner's Office for the purposes of processing personal data.

The information you provide will be held and used in accordance with the requirements of UK and European data protection law.

Only the people directly responsible for recruitment or for advising on the suitability of your recruitment will be informed of disclosed information on a strict need-to-know basis.

The purpose of the processing of this data is to ensure that the school is abiding by its responsibilities under safeguarding legislation. The processing of this information is lawful as it is 'necessary for compliance with a legal obligation' to which the school is subject (GDPR Article 6 (1)(c)). The specific condition in Schedule 1 of the Data Protection Act 2018 for the processing of this data is that it is 'necessary for the purposes of performing or exercising obligations or

rights of the controller or the data subject under employment law' (Data Protection Act 2018, Clause 10 (4) and (5) and Schedule 1, Part 1, paragraph 1 (1)(a)).

If you have any questions or concerns about the way we process your personal data, please contact our Data Protection Officer through the School.

You are entitled to make a Data Protection complaint to the School. If you have a complaint, please contact our Data Protection Officer through the School.

Appendix 6A - Model Self-Disclosure for Existing Workers to Share any Convictions / Cautions / Disqualifications etc.

NB This model Self-Disclosure only applies to those who were required by the school to complete an enhanced DBS Disclosure check with a DBS Barred List check.

Confidential
Declaration of Criminal Record and Other Relevant Information

Positions Exempt from the
Rehabilitation of Offenders Act 1974

As stated on your application form when you originally applied for your post, because of the nature of the duties the postholder is expected to undertake, you are required to disclose details of your 'unfiltered' criminal record. If you are providing or managing childcare you are required to disclose whether you have been disqualified under the Childcare (Disqualification) (Amendment) Regulations 2018. For further information on who is covered by the Regulations, see the Disclosure Policy and the DfE's *Disqualification under the Childcare Act 2006* guidance.

The position in which you are working is exempt from the Rehabilitation of Offenders Act 1974, which means that in addition to all **unspent** convictions and cautions, all 'unprotected' (i.e. 'unfiltered') **spent** convictions and adult cautions on your record need to be disclosed. You are not required to disclose any 'protected' (i.e. 'filtered') **spent** convictions and cautions. ***For information about which convictions and cautions must be declared during job applications please see the Ministry of Justice's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975. Further information about filtering offences can be found in the DBS filtering guide.***

If you are disclosing information under the Childcare (Disqualification) Regulations you are not required to disclose details about any convictions that are not relevant to the childcare disqualification legislation. Please see the DfE's *Disqualification under the Childcare Act 2006* guidance for guidance on which offences must be disclosed if you are providing or managing childcare provision at the School.

Only relevant convictions and other information will be taken into account so disclosure need not be a bar to continuing in your position (please refer to the School's Disclosure Policy).

If you declare your 'unfiltered' criminal record and / or other information and we believe this to have a bearing on the requirements of the post, we shall arrange to discuss the matter with you before any final decision is taken in relation to your role. If we do not raise the matter with you it is because it is considered that your disclosure has no bearing on the requirements for the post.

If you have any concerns or queries about filling in this declaration please contact the Headteacher.

You should be assured that the information you give will be kept securely and in accordance with the requirements of data protection laws including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

……..

1. **Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? (Y/N)?**

   Yes / No (*please delete as applicable*)

   If yes, please give details of offences, any penalties and dates.

2. **Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?**

   Yes / No (*please delete as applicable*)

   If yes, please give details of offences, any penalties and dates.

3. **Are you aware of any police enquiries undertaken following allegations made against you, which may have a bearing on your suitability for this post?**

   Yes / No (*please delete as applicable**)***

   If yes, please give details.

3. **If you have lived and worked overseas, please share information about any criminal offences committed in line with the law as applicable in England and Wales.**

4. **Is your name included on the 'Disclosure and Barring Service (DBS) Children's Barred List' or the equivalent Welsh, Northern Irish or Scottish Lists as someone unsuitable to work with children?**

   Yes / No (*please delete as applicable**)***

5. **Is your name included on the 'DBS Vulnerable Adults List' maintained by the Disclosure and Barring Service or the equivalent Welsh, Northern Irish or Scottish Lists as someone unsuitable to work with vulnerable adults? *[Note: only answer this question if you will be working in a Special School which caters or could cater for pupils 18 or over]***

   Yes / No (*please delete as applicable**)***

6. **If you are a teacher, are you prohibited from teaching?**

   Yes / No / Not Applicable (*please delete as applicable*)

7. If you will be taking part in the management of an academy, are you subject to a section 128 direction?

Yes / No / Not Applicable (*please delete as applicable*)

DISQUALIFICATION CHECK

PLEASE NOTE: ONLY COMPLETE THE FOLLOWING QUESTION IF YOU ARE PROVIDING CARE TO A CHILD / CHILDREN UP TO AND INCLUDING RECEPTION AGE DURING OR OUTSIDE SCHOOL HOURS OR PROVIDING BEFORE OR AFTER SCHOOL CARE TO A CHILD / CHILDREN WHO ARE ABOVE RECEPTION AGE BUT UNDER THE AGE OF 8 OR IF YOU ARE DIRECTLY CONCERNED IN THE MANAGEMENT OF SUCH PROVISION

Please see the School's Disclosure Policy for further information with regard to who is required to be disqualification checked.

Grounds for disqualification include cautions or convictions for a 'relevant offence', having been issued with a care order with respect to a child who has been in your care and being on the Children's Barred List. For details of the criteria for disqualification and information on relevant offences please see the DfE guidance *Disqualification under the Childcare Act 2006.*

8. Are you disqualified from your post under the Childcare (Disqualification) (Amendment) Regulations 2018?

Yes / No (*please delete as applicable**)***

If yes, please give details, including the dates, of any relevant unfiltered convictions or cautions or court orders and information about the body that made the determination.

I consent to the processing of the data I have disclosed on this form.

I certify that, should there be any change(s) that will or may affect my suitability to work with children I will disclose the relevant details to the school immediately.

Name (please print clearly):

Signed:

Dated:

Please return your completed declaration in a sealed envelope to the School.

Privacy Statement/Notice

The School is registered with the Information Commissioner's Office for the purposes of processing personal data.

The information you provide will be held and used in accordance with the requirements of UK and European data protection law.

Only the people directly responsible for recruitment or for advising on the suitability of your recruitment will be informed of disclosed information on a strict need-to-know basis.

The purpose of the processing of this data is to ensure that the school is abiding by its responsibilities under safeguarding legislation. The processing of this information is lawful as it is 'necessary for compliance with a legal obligation' to which the school is subject (GDPR Article 6 (1)(c)). The specific condition in Schedule 1 of the Data Protection Act 2018 for the processing of this data is that it is 'necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment law' (Data Protection Act 2018, Clause 10 (4) and (5) and Schedule 1, Part 1, paragraph 1 (1)(a)).

If you have any questions or concerns about the way we process your personal data, please contact our Data Protection Officer through the School.

You are entitled to make a Data Protection complaint to the School. If you have a complaint, please contact our Data Protection Officer through the School.

Appendix 6B - Model Self-Disclosure for Existing Workers to Share any Convictions / Cautions / Disqualifications etc.

NB This model Self-Disclosure only applies to those to whom a DBS Barred List check does not apply).

Confidential
Declaration of Criminal Record and Other Relevant Information

Positions Exempt from the
Rehabilitation of Offenders Act 1974

As stated on your application form when you originally applied for your post, because of the nature of the duties the postholder is expected to undertake, you are required to disclose details of your 'unfiltered' criminal record. If you are providing or managing childcare you are required to disclose whether you have been disqualified under the Childcare (Disqualification) (Amendment) Regulations 2018. For further information on who is covered by the Regulations, see the Disclosure Policy and the DfE's *Disqualification under the Childcare Act 2006* guidance.

The position in which you are working is exempt from the Rehabilitation of Offenders Act 1974, which means that in addition to all **unspent** convictions and cautions, all 'unprotected' (i.e. 'unfiltered') **spent** convictions and adult cautions on your record need to be disclosed. You are not required to disclose any 'protected' (i.e. 'filtered') **spent** convictions and cautions. ***For information about which convictions and cautions must be declared during job applications please see the Ministry of Justice's guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975. Further information about filtering offences can be found in the DBS filtering guide.***

If you are disclosing information under the Childcare (Disqualification) Regulations you are not required to disclose details about any convictions that are not relevant to the childcare disqualification legislation. Please see the DfE's *Disqualification under the Childcare Act 2006* guidance for guidance on which offences must be disclosed if you are providing or managing childcare provision at the School.

Only relevant convictions and other information will be taken into account so disclosure need not be a bar to continuing in your position (please refer to the School's Disclosure Policy).

If you declare your 'unfiltered' criminal record and / or other information and we believe this to have a bearing on the requirements of the post, we shall arrange to discuss the matter with you before any final decision is taken in relation to your role. If we do not raise the matter with you it is because it is considered that your disclosure has no bearing on the requirements for the post.

If you have any concerns or queries about filling in this declaration please contact the Headteacher.

You should be assured that the information you give will be kept securely and in accordance with the requirements of data protection laws including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

……..

1. **Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? (Y/N)?**

   Yes / No (*please delete as applicable*)

   If yes, please give details of offences, any penalties and dates.

2. **Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?**

   Yes / No (*please delete as applicable*)

   If yes, please give details of offences, any penalties and dates.

3. **Are you aware of any police enquiries undertaken following allegations made against you, which may have a bearing on your suitability for this post?**

   Yes / No (*please delete as applicable**)***

   If yes, please give details.

3. **If you have lived and worked overseas, please share information about any criminal offences committed in line with the law as applicable in England and Wales.**

4. **If you are a teacher, are you prohibited from teaching?**

   Yes / No / Not Applicable (*please delete as applicable*)

5. **If you are a governor of a maintained school or a trustee of an academy trust or a governor on any governing body that retains or has been delegated any management responsibilities, are you subject to a section 128 direction?**

   Yes / No / Not Applicable (*please delete as applicable*)

<u>DISQUALIFICATION CHECK</u>
PLEASE NOTE: ONLY COMPLETE THE FOLLOWING QUESTION IF YOU ARE PROVIDING CARE TO A CHILD / CHILDREN UP TO AND INCLUDING RECEPTION AGE DURING OR OUTSIDE SCHOOL HOURS <u>OR</u> PROVIDING BEFORE OR AFTER SCHOOL CARE TO A CHILD / CHILDREN WHO ARE ABOVE RECEPTION AGE BUT UNDER THE AGE OF 8 <u>OR</u> IF YOU ARE DIRECTLY CONCERNED IN THE MANAGEMENT OF SUCH PROVISION

Please see the School's Disclosure Policy for further information with regard to who is required to be disqualification checked.

Grounds for disqualification include cautions or convictions for a 'relevant offence', having been issued with a care order with respect to a child who has been in your care and being on the Children's Barred List. For details of the criteria for disqualification and information on relevant offences please see the DfE guidance *Disqualification under the Childcare Act 2006.*

6. Are you disqualified from your post under the Childcare (Disqualification) (Amendment) Regulations 2018?

Yes / No (*please delete as applicable**)***

If yes, please give details, including the dates, of any relevant unfiltered convictions or cautions or court orders and information about the body that made the determination.

I consent to the processing of the data I have disclosed on this form.

I certify that, should there be any change(s) that will or may affect my suitability to work with children I will disclose the relevant details to the school immediately.

Name (please print clearly):

Signed:

Dated:

Please return your completed declaration in a sealed envelope to the School.

Privacy Statement/Notice

The School is registered with the Information Commissioner's Office for the purposes of processing personal data.

The information you provide will be held and used in accordance with the requirements of UK and European data protection law.

Only the people directly responsible for recruitment or for advising on the suitability of your recruitment will be informed of disclosed information on a strict need-to-know basis.

The purpose of the processing of this data is to ensure that the school is abiding by its responsibilities under safeguarding legislation. The processing of this information is lawful as it is 'necessary for compliance with a legal obligation' to which the school is subject (GDPR Article 6 (1)(c)). The specific condition in Schedule 1 of the Data Protection Act 2018 for the processing of this data is that it is 'necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment law' (Data Protection Act 2018, Clause 10 (4) and (5) and Schedule 1, Part 1, paragraph 1 (1)(a)).

If you have any questions or concerns about the way we process your personal data, please contact our Data Protection Officer through the School.

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Appendix 7 – Headteacher's Employee Suitability Form

(For to the Trust's relevant service provider)
Please note: this form only applies to those required by the school to complete an enhanced DBS Disclosure check. See Paragraph 6 of the Disclosure Policy above for guidance on when this is appropriate.

Suitability Assessment Form and Guidance to Headteachers

Strictly Confidential
Disclosure Information – Assessment of Suitability

This form is to be completed by the Headteacher in circumstances where the DBS disclosure reveals unfiltered convictions and / or cautions and / or other matters which may call into question the applicant's suitability for the position applied for.

Once completed it should be signed by the Headteacher and counter-signed by the Chair of Governors.

Guidance on the considerations which should be made in determining the suitability of an applicant with an unfiltered criminal record can be found in the attachment to this form. Please refer to these guidance notes and to the School's/Trust's Disclosure Policy.

Part A

Name of Applicant ……..

D.O.B ……..

Position Applied for ……..

Please confirm date disclosure information discussed with applicant

Date: ……

Part B

Please provide a summary of the assessment of suitability of the applicant for the position applied for in the light of the disclosure information received.

E.g.: Wayne has applied and been successfully recruited for the post of School Administrator. Whilst he has a conviction for a minor traffic offence, we do not consider that this renders him a danger to children in the school.

Part C

Confirmation of suitability (tick relevant box)

Suitable □

Unsuitable □

Signed by Headteacher …….
Print Name …….
Date …….

Signed by Chair of Governors ……..
Print Name ……..
Date ……..

Please note that failure to reach agreement on the suitability of the applicant on the basis of information disclosed on the DBS certificate should be referred to the Schools' HR provider as soon as possible.

Assessment of Suitability – Guidance to Headteachers

Criminal Record - Consideration should be given to the following:-

1. Is the conviction, caution or other matter relevant to the position?

- If yes, record the relevancy
- If no, record why criminal record not relevant

2. How serious is the conviction, caution or other matter revealed in the Disclosure?

3. Are there mitigating circumstances surrounding the conviction, caution or other matter and what explanations are offered by the individual?

4. How long is it since the conviction, caution or other matter revealed in the Disclosure?

5. Does the individual have a pattern of offending behaviour which suggest they are a continuing risk?

6. Has the individual's circumstances changed since their offending behaviour or other matter revealed in the Disclosure?

7. Does the nature of the conviction, caution or other matter render the individual unsuitable to work in the position?

Inclusion of DBS Barred Lists
Please note: this section of the form only applies to those required by the school to be DBS Barred List checked.

1. Does the disclosure confirm the inclusion of the individual on the DBS lists of people deemed unsuitable to work with children or vulnerable adults i.e. the DBS Children's Barred List and the DBS Adults Barred List?

If yes, please note that it is illegal for an individual listed on a DBS Barred List to apply for 'regulated activity' and it is illegal for the school to offer a position classified as 'regulated activity' to any individual who is included on the DBS Barred List.

Where an inclusion on a DBS Barred List is revealed through the disclosure process you should still seek to check this information out with the applicant. It may be that the applicant wishes to challenge this information as being incorrect. Where this is the case they should be referred to the Disclosure and Barring Service for guidance on how to lodge a challenge. Where an applicant does challenge their inclusion, no recruitment decision should be taken until the applicant's challenge has been processed and the outcome known.

Appendix 8 – Disclosure Information Safe Storage Policy

General Principles

As an organisation using the Disclosure and Barring Service (DBS) Disclosure service to help assess the suitability of applicants for positions of trust, the School/Trust 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 Regulation (GDPR), the Data Protection Act 2018 and any other relevant regulations 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 should be kept securely, in lockable, non-portable, storage containers 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 see it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information is revealed and it is a criminal offence to pass the information to anyone who is not entitled to receive it.

Usage

Disclosure information is only used for the specific purpose for which it is requested and for which the applicant's 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 for a period of up to 6 months, for a valid reason such as to allow for consideration and resolution of any disputes or complaints. 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 the Disclosure information is immediately destroyed be 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 the Disclosure. 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.

Appendix 9 – *LA maintained schools* Portability within North Somerset (where Portability through Update Service not applicable) - Sample Consent Statement

I, (***name of candidate***), having been provisionally offered a position as (***enter position***) by (***enter name of Headteacher***), consent to (***enter name of person who countersigned original Disclosure application***) confirming such details relating to the Disclosure issued to me by the Disclosure and Barring Service on (***enter date of issue of Disclosure Certificate***), reference number (***enter number***) with **(*enter name of Headteacher***) as may be necessary to assist in an assessment of my suitability for the position.

Signed

Print Name

Date

Note: Copy of the signed statement should be retained by the job candidate, the Headteacher and a copy forwarded to the Counter signatory.

Privacy Statement/Notice

The School is registered with the Information Commissioner's Office for the purposes of processing personal data.

The information provided will be held and used in accordance with the requirements of UK and European data protection law.

Only the people directly responsible for recruitment or for advising on the suitability of your recruitment will be informed of disclosed information on a strict need-to-know basis.

The purpose of the processing of this data is to ensure that the school is abiding by its responsibilities under safeguarding legislation. The processing of this information is lawful as it is 'necessary for compliance with a legal obligation' to which the school is subject (GDPR Article 6 (1)(c)). The specific condition in Schedule 1 of the Data Protection Act 2018 for the processing of this data is that it is 'necessary for the purposes of performing or exercising obligations or rights of the controller or the data subject under employment law' (Data Protection Act 2018, Clause 10 (4) and (5) and Schedule 1, Part 1, paragraph 1 (1)(a)).

If you have any questions or concerns about the way we process your personal data, please contact our Data Protection Officer through the School.

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