



Safer Recruitment

Title	Safer Recruitment
Date	15th November 2022
Supersedes	September 2022
Purpose of the policy	Set our the requirements for selection and recruitment
Related policies and guidance	Safeguarding Policy
Review	November 2023
Author	Catherine Charnock based on Manchester City Council Policy
Date Consultation Completed	23/11/2022
Date adopted by	23/11/2022 at FGB



Manchester Hospital School		
The Headteacher* who has ultimate responsibility for safeguarding is Janet Doherty		
In their absence, the authorised member of staff is Joanna Goodfellow		
KEY SCHOOL STAFF & ROLES		
Include any additional Deputy DSLs and any others with responsibility for safer recruitment e.g. Administrator of the single central record as applicable		
Name	Role	Location and/or Contact Phone Number
Catherine Charnock	School Business Director	01615092368
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Rahat Shah	DSL Hospitals	01615092368
Charlotte Chatburn	Receptionist Leo Kelly - entry point onsite	01615092368

KEY SCHOOL GOVERNORS		
Name	Role	Contact Phone Number/Email
Mark Smith	Chair of Governors	m.smith@hospital school.manchester. sch.uk
Julia Scott	Safeguarding Lead Governor	j.scott@hospitals chool.manchester. r.sch.uk

Under the Public Sector Equality Duty, Manchester Hospital School has due regard to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act 2010; to advance equality of opportunity between those who share a relevant protected characteristic and those who do not share it and to foster good relations across all protected characteristics. Manchester Hospital School will take into account equality considerations when policies are being developed, adopted and implemented.



Manchester Hospital School serves the needs of a very large and diverse range of children, young people and their families at times when they are extremely vulnerable. Our core purpose as a school is to uphold the child's right to Education and our policies and procedures are necessary to keep staff and children safe. We acknowledge that our students are often living with a range of very complex medical conditions including mental ill health and therefore we keep the needs of the student at the heart of all decisions. We will, therefore, work within the parameters of all statutory policies whilst seeking to understand and support the child's long term education and health needs.

Summary of Urgent Safeguarding Procedures

If there is a concern about child welfare or safeguarding, our procedure is set out below and all staff, volunteers and visitors are expected to follow it.

If a child makes a disclosure to you

- Listen to them. Allow them time to talk freely and do not ask leading questions.
- Stay calm and do not show that you are shocked or upset.
- Tell the child they have done the right thing in telling you. Do not tell them they should have told you sooner.
- Explain what will happen next and that you will have to pass this information on. Do not promise to keep it a secret.
- Write up your conversation as soon as possible in the child's own words. Stick to the facts, and do not put your own judgement on it. Tell the DSL without delay. Record the incident on CPOMS as soon as possible and at least within the working day. (See Manchester Hospital School CPOMS Guidance for further details.)
- If the DSL for your site is not available, you must contact the Deputy DSL for your site or another DSL listed on page 2.
- At RMCH the ward manager / staff must also be informed without delay and the information recorded in the child's medical notes.

Alternatively, if appropriate, as in there is immediate and urgent danger to the child, make a referral to children's social care and/or the police directly (see 5.2), and tell the DSL as soon as possible that you have done so.

Contact telephone numbers

- Early Help Hubs: North 0161 234 1973, Central 0161 234 1975, South 0161 234 1977
- Social Care Advice & Guidance Service: 0161 234 5001
- Complex Safeguarding Hub Advice Line: 0161 226 4196
- MCC Safeguarding in Education Team: 0161 245 7171



Procedure for dealing with allegations against a member of staff or volunteer

If there is an allegation that an adult has harmed a child, or that a child is a risk from a named adult, we will deal with any allegation very quickly, in a fair and consistent way that provides effective child protection while also supporting the individual who is the subject of the allegation. On receiving information about an allegation the case officer (usually the Headteacher) will:

- Immediately discuss the allegation with the designated officer at the local authority.
- Inform the accused individual of the concerns or allegations and likely course of action as soon as possible after speaking to the designated officer.
- Where appropriate, carefully consider whether suspension of the individual from contact with children at the school is justified or whether alternative arrangements can be put in place.
- If it is decided that no further action is to be taken in regard to the subject of the allegation or concern, record this decision and the justification for it and agree with the designated officer what information should be put in writing to the individual.
- If it is decided that further action is needed, take steps as agreed with the designated officer to initiate the appropriate action in school.
- Provide effective support for the individual facing the allegation or concern.
- Inform the parents or carers of the child/children involved about the allegation as soon as possible.

Make a referral to the DBS where it is thought that the individual facing the allegation or concern has engaged in conduct that harmed or is likely to harm a child.

All concerns, including low-level concerns, should be reported to the head teacher unless the concern relates to the headteacher in which case report to the chair of governors

Manchester LADO (sometimes known as DOLA or LA Designated Officer): 0161 234 1214

Our procedure for whistleblowing if there is an urgent concern about child welfare or safeguarding that cannot be dealt with through our usual systems is:-

All staff members will undertake safeguarding and child protection training at induction, including on whistle-blowing procedures, to ensure they understand the school's safeguarding systems and their responsibilities and can identify signs of possible abuse or neglect. This training will be regularly updated and will be in line with advice from the three safeguarding partners (The LA, police and health authority).

Advice and support - NSPCC Whistleblowing Helpline: 0800 028 0285 or email help@nspcc.org.uk

Our procedure for investigating and dealing with any complaints or concerns about our safeguarding practice that are brought to our attention is detailed in our Complaints Policy.



Additionally, we will co-operate with officers from the Education Department if they are aware of concerns which have been raised with Ofsted, the Regional School's Commissioner or the DfE.

KEEPING CHILDREN SAFE IN EDUCATION, PART 3 SAFER RECRUITMENT

We will adhere to the advice regarding all aspects of safer recruitment, including pre-employment checks and DBS checks as detailed in KCSiE Part 3 and the DfE definitions of regulated activity.

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Appendices

- [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/guidance-on-the-rehabilitation-of-offenders-act-1974-and-the-exceptions-order-1975)
- [DBS filtering guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/db-filtering-guide)
- [Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/guidance-on-the-rehabilitation-of-offenders-act-1974-and-the-exceptions-order-1975)
Self-disclosure example
- <https://www.brownejacobson.com/education/training-and-resources/legal-updates/2022/06/keeping-children-safe-in-education-2022-online-searches-for-shortlisted-candidates>
- Reference request example
- [How to prove and verify someone's identity - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/how-to-prove-and-verify-someone-s-identity)
- DBS checks – see KCSiE p62-64
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf
- [Checking a job applicant's right to work - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/checking-a-job-applicant-s-right-to-work)
- [Criminal records checks for overseas applicants - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/criminal-records-checks-for-overseas-applicants)



10. [Regulated professions database - European Commission \(europa.eu\)](https://ec.europa.eu/europa/europa_en/regulation/index.cfm)
11. [Home Page \(ecctis.com\)](https://ecctis.com)
12. [Recruit teachers from overseas - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/recruit-teachers-from-overseas)
13. [Qualified teacher status \(QTS\): qualify to teach in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/qualified-teacher-status-qts-qualify-to-teach-in-england)
14. [The Childcare \(Disqualification\) and Childcare \(Early Years Provision Free of Charge\) \(Extended Entitlement\) \(Amendment\) Regulations 2018 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2018/1111/contents/made)
15. [Disqualification under the Childcare Act 2006 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/disqualification-under-the-childcare-act-2006)
16. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/550197/Regulated_activity_in_relation_to_children.pdf
17. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1101454/Keeping_children_safe_in_education_2022.pdf
18. [Children Act 1989: private fostering - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/children-act-1989-private-fostering)
19. [DBS barring referral guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/dbb-barring-referral-guidance)
20. [Making barring referrals to the DBS - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/making-barring-referrals-to-the-dbs)
21. [Teacher misconduct: referring a case - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/teacher-misconduct-referring-a-case)

1 Recruitment and Selection Process

Manchester Hospital School will ensure that potential applicants are given the right messages about the school's/college's commitment to recruit suitable people.

Our safeguarding culture permeates all that we do and we actively promote the welfare of children in our school/college. As part of this culture, we employ robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying or securing employment, or volunteering within our school/college.

Our governing body/proprietors ensure that those involved with recruitment and employment of staff to work with children have received appropriate safer recruitment training, refreshed every 3 years

Our governing body/management committee ensure that at least one person who conducts an interview has completed safer recruitment training

1.1 Advert

Before commencing with an advert for a post, we will have considered the skills, abilities, experience, attitude and behaviours required and develop an appropriate job description and person specification.



We will also be clear about the safeguarding requirements for the post such as to what extent there will be contact with children and whether the postholder will be engaging in regulated activity relevant to children (see 2.2)

The advert will include

- i) The school's/college's commitment to safeguarding and promoting the welfare of children and make it clear that safeguarding checks will be undertaken
- ii) The safeguarding responsibilities of the post as per the job description and person specification, and
- iii) Information about whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974, protected and filtered offences awareness and how to find information about this. (Appx 1 and 2)

1.2 Application forms

Where a role involves engaging in regulated activity relevant to children, we will include a statement in the application form (or elsewhere in the application package) that **it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relating to children.**

We will also provide a copy of, or link to, our child protection policy and other practices or policies regarding the employment of ex-offenders in the application package

The application form will require provision of

- i) Personal details, current and former names, current address and national insurance number
- ii) Details of their present (or last) employer and reason for leaving
- iii) Full employment history since leaving school, including education, employment and voluntary work and also include reasons for gaps in any employment
- iv) Qualifications, the awarding body and date of award
- v) Details of referee/references
- vi) A statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification
- vii) A signature to declare that the information given is true and complete, and dated. Where there is an electronic signature, shortlisted candidate will be required to physically sign a hard copy of the application at point of interview)

(Copies of a cv will only be accepted alongside an application form as on its own will not provide adequate information)



1.3 Shortlisting

We will have at least two people involved in the process of scrutinising applications and shortlisting candidates, and these people will also be involved in the interviews.

We will take time to scrutinise the applications carefully (returning any forms not fully or properly completed) and identify gaps in history or discrepancies or inconsistencies.

We will apply the same criteria from the person specification to each applicant consistently.

We will record objective evidence about the extent to which each candidate meets the criteria.

We will explore any potential concerns.

Shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children (Appx 3)

The self-declaration will be used to discuss any significant concerns before the DBS is received.

We will carry out an online search of publicly available material as part of due diligence on all shortlisted candidates. The invitation to interview will inform all candidates that this check will be undertaken and it will involve a set number of limited checks as set out in the Appendix (Appx 4)

1.4 Employment history and references

We will obtain references before interview from the referees supplied in the application form.

We will not accept open references, eg to whom it may concern.

We will not rely on applicants to obtain their references.

Our reference requests will ask for factual details, not opinions, about the applicant's suitability to work with children and details of substantiated concerns/allegations that meet the harm threshold. (Appx 5)

We will ensure we receive a reference from the candidate's current employer that has been completed by a senior person with appropriate authority. If the referee is school or college based, the reference will be confirmed with the headteacher/principal as accurate in respect of any disciplinary investigations.

We will obtain verification of the individual's most recent relevant period of employment where the applicant is not currently employed.

We will secure a reference from a relevant employer from the last time the applicant worked with children, if they are not currently working with children or from a current employer if the applicant has never worked with children.



We will always verify any information with the person who provided the reference.

We will ensure electronic references originate from a legitimate source.

We will contact referees to clarify content where information is vague or insufficient information is provided.

We will compare the information on the application form with that in the reference and take up any discrepancies with the candidate.

We will establish the reason for the candidate leaving their current or most recent post.

We will ensure any concerns raised in the references are resolved satisfactorily before appointment is confirmed.

1.5 Selection

We use a range of selection techniques to identify the most suitable person for the post including finding out what attracted the candidate to the post and their motivation for working with children, exploring skills and asking for examples of their experience working with children, and probing any gaps in employment or where the candidate has moved or changed employment/location frequently.

We will use the interview to explore any areas of concern and to determine the applicant's suitability to work with our children. This includes any past disciplinary action or substantiated allegations.

Our training will keep us alert to any implication that adults and children are equal (in feelings and friendships), a lack of understanding about the vulnerability of children, inappropriate idealisation of children, inadequate understanding of appropriate boundaries between adults and children and indicators of negative safeguarding behaviours.

Manchester Hospital School will ask for evidence that the candidates meet the cultural fit statement of the school.

All information considered in decision making will be clearly recorded along with the decisions made.

Where appropriate, pupils might be part of the selection process, however given the nature of the pupils at Manchester Hospital School, this is not part of the standard recruitment process.



2. Pre-appointment and vetting checks, regulated activity and recording of information

We adhere to the legal requirements which must be carried out when appointing individuals to engage in regulated activity relating to children.

The Education and Training (Welfare of Children) Act 2021 extended safeguarding provisions to providers of post 16 education – 16-19 Academies, Special post-16 institutions and Independent Training Providers.

All offers of appointment will be conditional until satisfactory completion of mandatory pre-employment checks. These are

- i) Identity – birth certificate (Appx 6)
- ii) Enhanced DBS, including children’s barred list information, for those engaging in regulated activity with children (Appx 7)
- iii) Separate children’s barred list check if individual will start work before DBS is available
- iv) Verify candidate’s mental and physical fitness to carry out the role
- v) Verify the person’s right to work in the UK, including EU nationals (Appx 8)
- vi) Further checks on individuals who have lived or worked outside the UK (Appx 9-13). Where these are not available after making attempts to obtain them, we will seek any alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment
- vii) Verify professional qualifications using TRA Employer Access Service

In addition,

- i) Independent schools, including academies and free schools will check that a person taking up a management position is not subject to a s128 direction made by the Secretary of State
- ii) We will check/take reasonable steps (schools/colleges) that an applicant employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State
- iii) As we provide childcare, we will ensure individuals employed to work in reception classes or in wraparound care for children up to the age of 8 are not disqualified from working in these settings (Appx 14 and 15)



2.1 Moving from a post

We are not required to obtain an enhanced DBS or carry out checks for events that may have occurred outside the UK if, during a period which ended not more than three months before the person's appointment, the applicant has worked in a school in England in a post which brought them regularly into contact with children, or to which the person was appointed on or after 12.05.2006 and which did not bring the person regularly into contact with children, or in another institution in the further education sector (or 16-18 academy) which brought the person into contact with children for educational provision. However, we will consider whether it is appropriate to request an enhanced DBS to ensure we have up to date information.

2.2 Regulated Activity

We consider a person to be engaged in regulated activity with children if they

- i) Will be responsible on a regular basis in school or college, for teaching, training, instructing, caring for or supervising children
- ii) Will be working on a regular basis in a specified establishment, such as school or in connection with the purposes of the establishment, where the work gives opportunity for contact with children
- iii) Engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.
- iv) See Appx 16 for further regulated activity detail

2.3 Single central record

We maintain a single central record of pre-appointment checks which covers the following people

- i) Schools – all staff including teacher trainees on salaried routes, agency and third party supply staff, even if they work for one day

We must record, in terms of staff members, that checks have been made on the following information including the date on which each check was completed or certificate obtained

- i) Identity check
- ii) A standalone children's barred list check
- iii) An enhanced DBS check (with children's barred list check) with date of request and date certificate provided
- iv) A prohibition from teaching check



- v) Further checks on people who have lived or worked outside the UK
- vi) A check of professional qualifications, where required
- vii) A check to establish the person's right to work in the UK

We will remove an individual's details from the single central record once they no longer work at the school or college.

We are free to record any other information we deem relevant and this may include

- i) Whether staff have been informed of their duty to disclose relevant information under childcare disqualification arrangements
- ii) Checks made on volunteers
- iii) Checks made on governors
- iv) The name of the person who carried out each check
- v) We keep our single central record in electronic form

We do not routinely keep copies of DBS certificates but if we choose to retain a copy, with good reason, this will not be for longer than six months. When information is destroyed, we may keep a record that the vetting was carried out, the result and the recruitment decision taken.

We will keep a copy of other documents used to verify the candidate's identity, right to work and required qualifications in their personnel file.

3. Other checks that may be necessary for staff, volunteers and others, including the responsibilities on schools and colleges for children in other settings

3.1 Agency and third party supply staff

We will undertake written notification from any agency, or third party organisation, that they have carried out the same checks as the school or college would otherwise perform on any individual who will be working at the school or college.

In respect of the enhanced DBS check, we will ensure that written notification confirms the certificate has been obtained by either the employment business or another such business.



If an agency or organisation has obtained an enhanced DBS certificate before the person is due to begin work at our school, which has disclosed any matter or information, or any information was provided to the employment business, we will obtain a copy of the certificate from the agency.

Where the position requires a children's barred list check, this will be obtained by the agency or third party by obtaining an enhanced DBS certificate with children's barred list information prior to appointing the individual.

We will check that the person presenting themselves for work at school is the same person on whom the checks have been made.

3.2 Contractors

Where we use contractors to provide services, we will set out our safeguarding requirements in the contract between the school and the organisation.

We will ensure any contractor, or employee of the contractor, working at the school or college, has been subject to the appropriate level of DBS check. Those contractors engaged in regulated activity with children will require an enhanced DBS check, including children's barred list information. Those not engaged in regular activity relating to children, but whose work provides them with an opportunity for regular contact with children, will require an enhanced DBS check not including children's barred list information.

In cases where the contractor does not have opportunity for regular contact with children, we will decide whether a basic DBS will be appropriate.

We will not allow a contractor, on whom no checks have been made, to work unsupervised or engage in regulated activity. We will determine the appropriate level of supervision required, depending on circumstances.

If a contractor is self-employed, we will consider obtaining the DBS check.

We will always check the identity of a contractor on arrival at school/college.

3.3 Trainee/student teachers

Where applicants for initial teacher training are salaried by school/college, we will ensure all necessary checks are carried out and obtain an enhanced DBS check with children's barred list information.

Where trainee teachers are fee funded, the training provider will carry out the necessary checks and we will obtain written confirmation from the provider that it has carried out all pre-appointment checks that the school/college would otherwise be required to perform, and that the trainee has been judged



by the provider to be suitable to work with children. We may choose to record this information under non-statutory information.

3.4 Visitors

Visitors provided by a third party will need to comply with agency and third-party requirements.

We will not ask for DBS checks or barred list checks for visitors such as children's relatives or those, for example, visiting a sport's day. However, our headteacher will decide on the level of escort or supervision required by such.

Visitors in a professional capacity such as social workers and educational psychologists will have their identity checked and give assurances that they have the appropriate DBS check or their employers will give this reassurance. We will not ask to see certificates in these circumstances.

External organisations will be given careful consideration as to the suitability of their presentation and resources for our children and we will assess as appropriate the educational value and age appropriateness of their content and decide if relevant checks will be required.

3.5 Volunteers

We will not allow a volunteer, on whom no checks have been made, to be left unsupervised or allowed to work in regulated activity.

We will undertake a written assessment and use our professional judgement and experience to decide what checks, if any, are required for the volunteer to carry out their specific tasks. These will include

- i) The nature of the work with children, especially if it will constitute regulated activity, including the level of supervision required
- ii) What we know about the volunteer, including formal and informal information from staff, parents and other volunteers
- iii) Whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability
- iv) Whether the role is eligible for a DBS check, and if it is, the level of the check, for volunteer roles that are not in regulated activity
- v) The details of the risk assessment will be recorded.

We will obtain an enhanced DBS check, including children's barred list information, for all volunteers who are new to working in regulated activity with children ie, where they are unsupervised and teach or look after children regularly or provide personal care on a one-off basis in schools and colleges. We are



not permitted to request barred list information on a supervised volunteer, as they are not considered to be engaging in regulated activity.

To determine the level of supervision required, we will have regard for the statutory guidance in Annex E in KCSiE 2022 (Appx 17)

Volunteers do not have to be re-checked if they have already had a DBS check. However, we will consider obtaining a new check at the appropriate level if we have any concerns about the person.

3.6 Maintained school governors

Our governors are required to have an enhanced DBS check and the governing body will apply for this.

Governance is not a regulated activity relating to children so governors do not need a children's barred list check unless they also engage in regulated activity in addition to governance duties.

We will also carry out a s128 check for governors because a person prevented from participating in the management of an independent school by a s128 direction is also disqualified from being a governor of a maintained school. We can store this check in our single central record as non-statutory information.

3.7 Alternative Provision

Most of our pupils are dual rolled with us and it is extremely unlikely that we would commission any alternative provision for any of our single rolled pupils. However, should we place a pupil with an alternative provision provider, we know that we would remain responsible for the safeguarding of that pupil and will ensure the provider meets the needs of the pupil, including obtaining written information that appropriate safeguarding checks have been carried out on individuals working at the establishment.

3.8 Adults who supervise children on work experience

Where we organise work experience placements for our children, we will ensure the placement provider has policies and procedures in place to protect our children from harm.

Children's barred list checks via the DBS may be required on some people who supervise a child under 16 on a work placement experience and we will give specific consideration to nature of supervision and the frequency of the activity being supervised to determine what, if any, checks are necessary.

If the pupil's supervisor is engaging in regulated activity by virtue of performing that role, we will seek assurance that this person is not a barred person.



We are not able to request an enhanced DBS with children's barred list information for staff supervising children aged 16-17 on work experience.

If our pupils are engaged in work experience in a school or college with the opportunity for contact with other children, this may be considered as regulated activity and we will consider if an enhanced DBS check should be requested if they are 16 or over.

We are not able to request DBS checks for children under 16

3.9 Children staying with host families/private fostering

Depending on circumstances, such as foreign exchange visits or a sports tour, some children may be provided with care from a host family in the UK. If this amounts to 'private fostering', when a child under 16, or 18 if the child has a disability, is provided with care and accommodation by a person who is not a parent, person with parental responsibility or relative in their own home which last for more than 28 days, we will notify the local authority to check the arrangement is suitable and safe (if we are not involved in the arrangements). (Appx 18)

4. How we ensure the ongoing safeguarding of children and our legal reporting duties as employers

Our governing body, proprietors and all staff demonstrate a continuing commitment to the safety and welfare of our children beyond the recruitment process and this is embedded in all of our processes and procedures therefore ensuring safety and welfare are enshrined in our ethos.

We have processes in place for continuous vigilance which deters and prevents abuse and challenges inappropriate behaviour.

We have created a culture and environment where staff feel comfortable to discuss matters which may have implications for the safeguarding of our children.

All our staff understand the process and procedures to follow if they have a safeguarding concern about another staff member

We will carry out new checks on existing staff in certain circumstances



- i) Where an individual moves from an activity that was not regulated into a post which is considered to be regulated activity with children. In colleges this is where an individual moves from a post that did not involve the provision of education to one that does.
- ii) Where there has been a break in service of 12 weeks or more.
- iii) Where there are concerns about an individual's suitability to work with children.

4.1 Duty to report to the Disclosure and Barring Service

If an allegation is made and investigated, and has foundation, we will ensure we have consulted the referral duty criteria in the DBS referral guidance. (Appx 19)

We have a legal duty to make a referral to the DBS where we remove an individual from regulated activity and believe the individual has

- i) Engaged in relevant conduct in relation to children and/or adults, and/or
- ii) Satisfied the harm test in relation to children and/or vulnerable adults, and/or
- iii) Been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence. (Appx 20)
- iv) The DBS will consider whether to bar the individual.

4.2 Duty to consider referral to the TRA

If a teacher is dismissed or we cease to use their services, because of serious misconduct, or might have dismissed them had they not left first, we will consider whether to refer the case to the Secretary of State as required by sections 141D and 141E of the Education Act 2002. (Appx 21)

The Secretary of State will investigate and make the decision.



Appx 3

[Criminal Self Disclosure Form](#) - for candidates who have been shortlisted

Appx 4

Online search on online platforms and commonly used social media platforms - based on name and current place of work.

This will at least cover (at time of issue) - Facebook, Twitter, Instagram, Google

Appx 5

[Reference Request Form](#)

