



## **Safer Recruitment policy**

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## Introduction

Clifton College Education Group, comprising Clifton College, English Language Centre, and Tockington Manor School, is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. Throughout this policy, Clifton College Education Group will be referred to as 'the Group'.

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

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

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

- to ensure that the best possible employees are recruited on the basis of their merits, abilities and suitability for the position
- to ensure that no candidate is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability or age
- to ensure compliance with all relevant legislation, recommendations and guidance including the Education (Independent School Standards) Regulations 2014 (**ISSRs**), the statutory guidance published by the Department for Education (**DfE**), *Keeping children safe in education* (1 September 2025) (**KCSIE**), *Disqualification under the Childcare Act 2006* (**DUCA**), the Prevent Duty Guidance for England and Wales (2015 updated 1 April 2021) (the **Prevent Duty Guidance**) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
- to ensure that the Group meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

## Data protection

The Group is legally required to carry out certain pre-appointment checks. Employees and job applicants must provide the necessary information to help the Group complete these checks for the role. The Group may also need to share some details with third parties, like the Disclosure and Barring Service and the Teaching Regulation Agency. If required information is not provided, the Group may be unable to meet its legal, safeguarding, or employment obligations. The Group will handle personal information in line with its Staff Privacy Notice

## Advertising jobs

Job advertisements include a commitment to safeguarding, reference to the Safeguarding Policy, and mention the requirement for an enhanced DBS check and other relevant recruitment checks. Applicants must undergo child protection screening, including checks with past employers and the DBS. The Group reserves the right to conduct online searches on shortlisted candidates, who must provide details of their online social profiles. All posts are exempt from the Rehabilitation of Offenders Act 1974, so candidates must disclose all convictions and cautions, including "spent"



ones (unless "protected" under DBS rules), to assess suitability for working with children. Recruitment and selection

Candidates are able to submit a CV in application for a role but **must** have also completed an application form prior to formal interview. The application form requires information regarding academic achievements and employment history since the age of 16. Candidates are required to complete a supporting statement as part of the application form. Candidates are asked to provide details of online social profiles, including account names and social media handles so that online searches can be carried out as part of the safer recruitment process. This information must be provided by the applicant in order for the application to be accepted.

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

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

The Group's Safer Recruitment Policy is available to download from the Clifton College and Tockington Manor School's website, along with each school's Safeguarding and Child Protection Policy and Procedures.

The Group conducts candidate shortlisting by reviewing all applications against the criteria set out in the job description.

Shortlisted applicants will be invited to attend a formal interview. Formal interviews should be conducted by at least **two employees** of which at least one should have received Safer recruitment Training. The formal interview should include

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

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

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

- the agreement of a mutually acceptable start date
- signing of a contract incorporating the Group's standard terms and conditions of employment
- verification of the applicant's identity (where that has not previously been verified)
- verification of qualifications, whether professional or otherwise, that have been taken into account in making the appointment decision, and which are referenced in the job description as a requirement for the role
- verification of the applicant's employment history



- information generated through online searches does not make the candidate unsuitable to work at the Group
- the receipt of a minimum of two satisfactory references (one of which must be from the applicant's most recent employer)
- for roles involving "teaching work", information about whether the candidate has ever been referred to, or is the subject of, a sanction, restriction or prohibition issued by the Teaching Regulation Agency which renders them unable or unsuitable to work at the Group
- for candidates who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unable or unsuitable to work at the Group
- the receipt of an enhanced disclosure from the DBS which the Group considers to be satisfactory
- confirmation that the applicant is not named on the Children's Barred List
- for management positions as defined by section 6.11, information about whether the candidate has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the Group
- confirmation that the applicant is not disqualified from acting as a trustee / governor or senior manager of a charity under the Charities Act 2011 (if applicable, see section 6.12 below)
- confirmation that the candidate is not disqualified from working in connection with early or later years provision (if applicable, see section 6.13 below)
- verification of the applicant's medical fitness for the role (see section 6.14 below)
- verification of the applicant's right to work in the UK; and
- any checks deemed necessary as a result of the candidate having lived or worked outside the UK. This might include an overseas criminal records check, certificate of good conduct or professional references.

## Artificial Intelligence

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

## Pre-employment checks

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

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

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



## Online searches

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

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

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

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

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

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

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

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

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

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



# CLIFTON COLLEGE EDUCATION GROUP

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

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



## Identity and address

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

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

Where an applicant has changed their name by deed poll or any other means such as marriage, divorce, adoption, statutory declaration, they are required to provide documentary evidence of the change. Applicants are also required to provide a birth certificate, unless there is good reason why this cannot be provided.

Date of birth information is used to

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

The Group does not discriminate on the grounds of age

## Right to work in the UK

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

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

## Qualifications

Candidates are required to produce original documents which evidence educational and professional qualifications referred to in the application form and are used for the basis of appointment.

## Retention of records

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

## References

References are taken for short listed applicants prior to interview where possible. In some instances it is recognised that this might not always be possible however best endeavours should be made. Where this is not possible<sup>2</sup> references will be taken prior to start of employment.

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<sup>1</sup> Candidates are asked to provide a birth certificate as one form of identity. If this can not be provided, candidates are asked to disclose the reason

<sup>2</sup> for example, due to confidentiality or applicants sensitivity



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

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

Employment References are not accepted from

- from a relative
- from someone known to the candidate solely as a friend or acquaintance
- a personal email address<sup>3</sup>
- from the candidate directly

All referees are asked whether the applicant is suitable for the job for which they have applied and whether there are known reasons why the applicant is unsuitable to work with children. All referees are sent a copy of the job description for the role for which the applicant has applied. If the referee is a current or previous employer, they are also asked to confirm :

- the candidate's dates of employment, salary, job title / duties, reason for leaving, performance, and sickness<sup>4</sup>
- whether the candidate has ever been the subject of disciplinary procedures involving the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be unsubstantiated, unfounded, false or malicious
- whether allegations or concerns have been raised about the candidate that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be unsubstantiated, unfounded, false or malicious
- whether the candidate could be considered to be involved in "extremism". The definition of "extremism" set out in KCSIE which states:
  - "Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

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

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

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<sup>3</sup> references should represent previous employment therefore should be presented on company letterhead, or from a company email address

<sup>4</sup> questions regarding health or sickness records are included in reference requests after the offer of employment has been made





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

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

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

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

## **Internal Candidates**

Internal candidates for vacancies will have their application assessed in accordance with this policy. References may be taken on internal candidates as part of the application process and can be provided by the appropriate line manager or Head of College (if teacher transfer applies) as the Group will be the most recent employer.

## **Criminal records checks**

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

## **DBS filtering rules**

With effect from 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The filtering rules developed by the DBS and the Home Office designate certain spent convictions and cautions as "protected". "Protected" convictions and cautions are not included in a DBS certificate and job applicants are not required to disclose them during the recruitment process. It is unlawful for an employer to take into account a conviction or caution that should not have been disclosed. If a protected conviction or caution is inadvertently disclosed to the Group during the recruitment process it must be disregarded when making a recruitment decision.

A conviction will always be disclosable if it was imposed for a "specified offence" committed at any age. A caution issued for a "specified offence" committed over the age of 18 will always be disclosable. However, a caution issued for a "specified offence" committed under the age of 18 is never disclosable. "Specified offences" are usually of a serious violent or sexual nature, or are relevant for safeguarding children and vulnerable adults. The list of "specified offences" can be found [here](#)

The filtering rules are as follows:



Those aged 18 or over at the time of an offence	Those aged under 18 at the time of an offence
<p>A spent criminal conviction for an offence committed in the United Kingdom when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by the job applicant) if:</p> <ul style="list-style-type: none"> <li>• eleven years have elapsed since the date of the conviction;</li> <li>• it did not result in a custodial sentence; and</li> <li>• it was not imposed for a "specified offence".</li> </ul> <p>A spent caution for an offence committed when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:</p> <ul style="list-style-type: none"> <li>• six years have elapsed since the date it was issued; and it was not issued for a "specified offence".</li> </ul>	<p>A spent conviction for an offence committed when a person was under the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:</p> <ul style="list-style-type: none"> <li>• five and a half years have elapsed since the date of the conviction;</li> <li>• it did not result in a custodial sentence; and</li> <li>• it was not imposed for a "specified offence".</li> </ul> <p>A caution issued for an offence committed when a person was under the age of 18 will never be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant).</p>

## Regulated activity

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

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

Roles carried out on a voluntary basis<sup>5</sup> amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

<sup>5</sup> Voluntary basis means that work is unpaid



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

## **DBS Checks**

### **DBS disclosure certificates**

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

### **DBS checks where there is a break in service**

Where an employee has a break in service from the Group for 3 months or more, a refreshed DBS Certificate will be required. The break in service applies to paid and volunteer workers. The break in service applies to all workers - teaching and non teaching. A break in service refers to a break in *contractual* service. Where the employer has not had a break in contractual service, but has had a break in work for 12 weeks (eg. casual workers), internal checks will be taken to confirm where and how the employee has spent time.

### **DBS Update Service**

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

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

Should there be a delay in receiving a DBS Certificate,

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

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

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

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



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

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

### **Applicants with overseas teaching experience**

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

- ask the candidate to obtain from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher, evidence which confirms that they have not imposed any sanctions or restrictions on the applicant and that they are not aware of any reason why the applicant may be unsuitable to work as a teacher and/or
- ask shortlisted candidates (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction issued by, the regulator of the teaching profession in the countries in which they have carried out teaching work and/or
- obtain an employment reference from the educational setting in the country in question

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

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

There are some countries from which such information cannot be obtained. The Group may allow an applicant to commence work if they are considered suitable based on all of the information that has been obtained during the recruitment process. The Group will take proportionate risk based decisions on an applicant's suitability in these circumstances. All suitability assessments will be documented and retained on file.

### **Prohibition from teaching check**

The Group will check whether employees undertaking "teaching work" are prohibited from doing so. The Group uses the Teaching Regulation Agency Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency.

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

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



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

The Group applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012, which states that the following activities amount to "teaching work":

- planning and preparing lessons and courses for pupils
- delivering lessons to pupils
- assessing the development, progress and attainment of pupils; and
- reporting on the development, progress and attainment of pupils.

The above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Head. Where there is doubt, or where the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches.

### **Prohibition from management check**

The Group is required to check whether applicants for management positions are subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (a **section 128 direction**). The Group will undertake checks for section 128 directions when appointing applicants into management positions from both outside the Group and by internal promotion.

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

- Head of College, Head Master of the Clifton College Upper School, Headmaster of the Clifton College Preparatory School, Headmaster of Tockington Manor School
- teaching posts on the senior leadership team;
- teaching posts with people management responsibility;
- support staff posts on the senior leadership team;
- support staff posts with people management responsibility;
- HoM (Housemistress or Housemaster)

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

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

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

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



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

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

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

## **Who is covered**

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

Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the Group the disqualification rules will be applicable to all members of Council, the Heads of Schools and any other positions that report directly to the Council of Trustees.

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

## **Self-declaration**

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

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

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

## **Checks by the Group**



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

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

## Waiver

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

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

## Childcare disqualification

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

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

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

## Relevant roles

Roles covered by the Regulations are

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

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



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

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

## **Grounds for disqualification**

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

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

## **Self-declaration form**

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

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

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

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

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

Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules. For the avoidance of doubt the Group does not require applicants to request any criminal records information





directly from the DBS. The Group only requires applicants to provide relevant information about themselves "to the best of their knowledge".

### **Waiver of a disqualification**

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

### **Retention of disqualification information**

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

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

### **Continuing duty to disclose change in circumstances**

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

### **Medical fitness**

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

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

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

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

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



## **Contractors and agency workers**

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

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

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

## **Volunteers**

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

- Pre employment checks for Volunteer Workers might include (but is not limited to)
  - references from the volunteer's place of paid work
  - references from other relevant volunteering work and
  - a safer recruitment interview

## **Visitors**

All visitors are subject to the Visitors Policy provided they are not undertaking regulated activity. In the event that a visitor is here in a professional capacity e.g. educational psychologist, inspectors, regulated activity may apply, therefore the Group would expect to see suitable ID and a relevant DBS certificate or the visitors employers have confirmed that their staff have appropriate checks.

## **Recruitment of ex-offenders**

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

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules (see section 6.5 above).

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



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

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

## **Assessment criteria**

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

- whether the conviction or matter revealed is relevant to the post in question
- the seriousness of the offence or matter revealed
- the length of time since the offence or matter occurred
- whether the candidate has a pattern of offending behaviour or other relevant matters
- whether the candidate's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the candidate

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

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

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

- robbery, burglary, theft
- deception or
- fraud

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

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

## **Assessment procedure**

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

Where a candidate disputes information contained in a disclosure, they may do so by contacting the DBS. In cases where the candidate would otherwise be offered a position were it not for the



disputed information, the Group may, where practicable and at its discretion, defer a final decision about the appointment until the candidate has had a reasonable opportunity to challenge the disclosure information.

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

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

### **Referrals to the DBS and Teaching Regulation Agency**

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

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

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

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

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

### **Queries & Complaints**

Where a candidate has queries on how to apply for a post at the Group they should contact the [recruitment@cliftoncollege.com](mailto:recruitment@cliftoncollege.com)

[In the case of a complaint regarding non-selection of interview or unfair treatment, applicants can contact the People Team on \[People@cliftoncollege.com\]\(mailto:People@cliftoncollege.com\)](#)

[Should an applicant have questions or concerns regarding the handling or storage of their personal data, they can contact the Data Protection Officer on \[DPA@cliftoncollege.com\]\(mailto:DPA@cliftoncollege.com\)](#)



CLIFTON COLLEGE  
EDUCATION GROUP



## Appendix 1 **List of valid identity documents**

### **Group 1: primary identity documents**

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

### **Group 2a: trusted government documents**

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

All driving licences must be valid.



#### **Group 2b: Financial and social history documents**

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

#### **Note**

Documents denoted with \* should be less than three months old

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

