

Abbey Gate College



SAFER RECRUITMENT POLICY Whole School and EYFS

Reviewed: November 2017 (RMU/HB)
Governor Review: November 2017 (FT)
Next Review: November 2018 (RMU/HB)

Authorised and approved on behalf of the Board of Governors by:

Felicity Taylor

**Mrs F. Taylor - Chair of Governors
6.11.17**

This policy outlines our commitment to safeguarding and promoting the welfare of children who are pupils at the College by ensuring we have implemented procedures designed to prevent unsuitable people working with our pupils.

Safeguarding and promoting the welfare of our pupils is our highest priority. The College aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

This policy applies to the whole College, including EYFS. These procedures are designed to comply with the guidance given by the DfE as defined in 'Keeping Children Safe in Education September 2016' in conjunction with 'Working Together to Safeguard Children 2015' and form an element of the College's Safeguarding policy (updated October 2017) to which reference should also be made.

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

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant 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, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education – September 2016 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the College meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

ROLES AND RESPONSIBILITIES

It is the responsibility of the Governing Body to:

- Ensure the College has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.

- Monitor the College's compliance with them.

It is the responsibility of the Head, Bursar, HR Manager and other managers involved in recruitment to:

- Ensure that the College operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the College.
- Monitor contractors' and agencies' compliance with these safer recruitment procedures.
- Promote the welfare of children and young people at every stage of the recruitment process.

The Governing Body has delegated responsibility to the Head (teaching staff) and Bursar (support staff) to lead in all appointments. School Governors may be involved in staff appointments but the final decision will rest with the Head / Bursar.

RECRUITMENT AND SELECTION PROCEDURE

Advertising

To ensure equality of opportunity, the College will advertise all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement.

Any advertisement will make clear the College's commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

Application Forms

Abbey Gate College uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). Incomplete application forms will not be shortlisted.

The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not be accepted in place of the application form, but both may be submitted by the applicant if they so wish.

It is unlawful for the College to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the College. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

The College's standard application form is shown in [Appendix A](#) of this policy.

Job Descriptions and Person Specifications

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job.

References

References for short listed applicants may be sent for prior to interview unless the applicant has expressly indicated on their application form that they do not wish their current employer to be contacted at that stage. In any event, references will be taken up before any offer of employment is confirmed.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the College. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children if possible. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism".

No questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up. Direct contact by phone may be undertaken with referee's to verify the reference.

The College does not accept open references, testimonials or references from relatives.

Interviews

There will always be a face-to-face interview except in extreme circumstances (for example recruitment of a teacher from overseas), and wherever possible, a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the College to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Applicants will be specifically asked if, prior to a DBS check being carried, there is anything they wish to notify the recruiting panel of in advance of the checks being made.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

Notes of the interviews will be made by the recruiting panel.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents only will be accepted and photocopies will be

taken. Unsuccessful applicants' documents will be destroyed six months after the recruitment process is concluded.

OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS

In accordance with the recommendations set out in KCSIE and the requirements of the Education (Independent School Standards) Regulations 2014 the College carries out a number of pre-employment checks in respect of all prospective employees.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the College's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the College considers to be satisfactory;
- for positions which involve "teaching work":
 - i. the College being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the National College for Teaching and Leadership, or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at the College or which, in the College's opinion, renders the applicant unsuitable to work at the College; and
 - ii. the College being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the College or which, in the College's opinion, renders the applicant unsuitable to work at the College;
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the College considers to be satisfactory;
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List;
- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children;
- confirmation that the applicant is not 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;
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- verification of professional qualifications which the College deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

From 5 January 2015, prior to appointment it is also a requirement that all staff who will be employed in and/or provide early years childcare or education (this covers the age range from birth until 1 September following a child's fifth birthday i.e. up to and including reception age) or later years childcare (this covers children above reception age but who have not attained the age of 8) or those directly concerned with its management, will need to self-certify whether or not they as individuals **or others in their households*** are disqualified from working with children including whether:

- They have been cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
- Other orders have been made against them relating to their care of children
- They have had their registration cancelled in relation to childcare or children's homes or have been disqualified from private fostering
- They live in the same household where another person who is disqualified lives or works.

*By **household** means living in or employed in the same house where the member of staff resides irrespective of whether they are family.

The self-certification form is attached to this policy as [Appendix B](#).

A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

All appointments are subject to a probationary period during which time a reduced notice period applies enabling termination of the employment for whatever reason, by either the employee or the College in a shorter time frame than would normally apply under the standard terms of their contract. The College's disciplinary and capability procedures do not apply during this probationary period. The College also reserves the right to extend this probationary period should it deem this necessary.

DBS (Disclosure and Barring Service) Certificate (formerly known as CRB Disclosure)

The College applies for an enhanced disclosure from the DBS and a check of the Children's Barred List in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

It is the College's policy that the DBS disclosure **must be** obtained or DBS application submitted before the commencement of employment of **any** new employee, as it assumed that all staff could have the opportunity to be in regulated activity, regardless of their role.

Portability of DBS Certificates Checks

Staff are informed of the opportunity to join the DBS Update Service if they are likely to require another check in the future, but it is their own responsibility to do so.

Copies of DBS Checks

The DBS no longer issue Disclosure Certificates to employers, therefore all new employees must bring the original certificate into the College for verification on or before their first day of employment, before any regulated activity commences.

If employment commences before the DBS certificate is verified, this may take place provided all other recruitment checks have been satisfactorily completed, and the new employee is **kept under supervision** at all times whilst on site. This situation may occur if the DBS process is delayed to such an extent that, in the opinion of the Head, further delay to the start date of the new employee would be to the serious detriment of the College.

Dealing with convictions

The College operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Head. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Head will evaluate all of the risk factors above before a position is offered or confirmed.

In the event that a disclosure is obtained relating to a potential Governor, the matter will be referred to the Chair of Governors.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the College may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status

All applicants invited to attend an interview at the College will be required to bring their identification documentation such as passport, birth certificate and driving licence with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006.

Medical Fitness

The College is legally required to verify the medical fitness of anyone to be appointed to a post at the College, after an offer of employment has been made but before the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role

The College is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

Overseas checks

The College, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals.

In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal records check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the College.

From 5 September 2016, in accordance with KCSIE 2016, 'further' overseas checks will include The College conducting a check for information about any teacher sanction or restriction that has been imposed by a professional regarding authority in the European Economic Area (EEA). This check is relevant to applicants for teaching posts in England who have taught in the EEA. It is applicable to both foreign nationals and UK nationals who have taught in the EEA. This check is carried out by The College using the NCTL Teacher Services system. Only restrictions imposed on or after 18 January 2016 will be displayed on the Teacher Services system.

Equal Opportunities Form

Applicants are sent an Equal Opportunities questionnaire to complete once they have been offered the position at the College. The form is not used in any decision making and it is optional to complete. The form enables the College to monitor the effectiveness of the Equal Opportunities Policy. See [Appendix C](#) for the Equal Opportunities form.

Induction Programme

All new employees will be given an induction programme which will clearly identify the College policies and procedures, including the Safeguarding Policy, the Code of Conduct and Part One of KCSIE (update September 2016) and make clear the expectations which will govern how staff carry out their roles and responsibilities.

Single Centralised Register (SCR) of Members of Staff

In addition to the various staff records kept in College and on individual personnel files, a single centralised record of recruitment and vetting checks (known as the "SCR") is kept in accordance with the Education (Independent School Standards) Regulations 2014 requirements. This is kept up-to-date and retained by the Bursar. The SCR will contain details of the following:-

- all employees who are employed to work at the College;
- all employees who are employed as supply staff to the College;
- all staff of contractors who are in College on a frequent basis (catering and cleaning contract staff)
- all peripatetic music teachers working at the College
- coaches (such as sports coaches and DofE mountain leaders) brought in by the College to work with pupils
- volunteers who may be in regulated activity and for whom therefore checks have been completed
- all Governors of the College

A designated Governor will be responsible for auditing the SCR and reporting his/her findings to the Safeguarding Committee termly.

Record Retention / Data Protection

The College is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the College will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the College to discharge its obligations as an employer e.g. so that the College may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the College for the duration of the successful applicant's employment with the College. All information retained on employees is kept centrally in the HR Office in a locked and secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved with College activities.

In accordance with the Data Protection Act 1998, the College will retain the recruitment documentation on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed.

Contractors and agency staff

Contractors engaged by the College must complete the same checks for their employees that the College is required to complete for its staff. The College will confirm that these checks have been completed before employees of the Contractor can commence work at the College.

Agencies who supply staff to the College must also complete the pre-employment checks which the College would otherwise complete for its staff. Again, the College will confirm that these checks have been completed before an individual can commence work at the College.

The College will independently verify the identity of staff supplied by contractors or an agency on their first day of working at the College.

Contractors who come on site only to carry out emergency repairs or service equipment and who are not expected to be left unsupervised on the College's premises do not need a DBS Disclosure.

Visiting Speakers

The Prevent Duty Guidance requires the College to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The College is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the College or perform any other regular duties for or on behalf of the College.

All visiting speakers will be subject to the College's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff between appointments.

The College will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the College. In doing so the College will always have regard to the Prevent Duty Guidance and 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."

In fulfilling its Prevent Duty obligations the College does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

Volunteers

The College will request the following checks on all volunteers who are involved on a regular basis, undertaking regulated activity or accompanying children on an overnight trip :-

- Identity checks
- Enhanced DBS Disclosure
- Barred List check
- Qualifications, if applicable
- References
- An informal interview and confirmation of no contrary indications from the College community.

Appropriate Risk Assessments and/or additional supervision will be planned to ensure safety as necessary.

Under no circumstances will the College permit an unchecked volunteer to have unsupervised contact with pupils.

It is the College's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the College for three consecutive months or more. If the volunteer has signed up to the DBS Update Service, the College will obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates if the three month period has elapsed.

Volunteers or parents who accompany staff on one-off outings or trips and do not have unsupervised access to children will not need to be vetted.

Monitoring and Evaluation

The Bursar will be responsible for ensuring that this policy is monitored and evaluated throughout the College.

Appendix A



**Abbey Gate College
Application Form**

Position applied for:

Section 1: Personal details

Title: Dr/Mr/Mrs/Miss/Ms	Forenames:	Surname:	
Date of birth:		Former name:	
		Preferred name:	
Teacher registration number (if applicable):		National Insurance number:	
Address:		Telephone number(s):	
		Home:	
		Work:	
		Mobile:	
		Email address:	
Are you eligible for employment in the UK?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Do you have Qualified Teacher status?		Yes <input type="checkbox"/>	No <input type="checkbox"/>
If so, please provide your Teacher's Reference Number (TRN)			
Are you related to or do you maintain a close relationship with an existing employee or Governor of Abbey Gate College, if so, please provide details		Yes <input type="checkbox"/>	No <input type="checkbox"/>

Section 2: Sanctions, Restrictions and Prohibitions

Have you ever been referred to, or are you the subject of a sanction, restriction or prohibition issued by, the National College for Teaching and Leadership (NCTL), any equivalent body in the UK or a regulator of the teaching profession in any other country?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you ever been referred to the Department for Education, or are you the subject of a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts you from being involved in the management of an independent school?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you ever been the subject of a direction under section 142 of the Education Act 2002?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If answering "Yes" to any of the questions in Section 2 please provide details on a separate sheet and send this in a sealed envelope marked "confidential" with your application form.

Section 3: Education

Please start with most recent

Name of school/college/university	Dates of attendance	Examinations							
		Subject	Result	Date	Awarding body				
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	From:					
	month	Year				
	To:					
	month	year				

Section 4: Other vocational qualifications, skills or training

Please provide details of any vocational qualifications or skills that you possess or training that you have received which you consider to be relevant to the role for which you have applied.

--

Section 5: Employment

Current / most recent employer:

Current / most recent employer's address:

Current / most recent job title:

Date started:

Date employment ended
(if applicable):

Current salary / salary on leaving:

Reason for seeking other employment:

Please state when you would be available to take up employment if offered:

Section 6: Previous employment and / or activities since leaving secondary education

Please continue on a separate sheet if necessary

Dates	Name and address of employer	Position held and / or duties	Reason for leaving		
From: mm / yy					
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Section 7: Gaps in your employment

If there are any gaps in your employment history, eg looking after children, sabbatical year, please give details and dates.

Section 8: Interests

Please give details of your interests, hobbies or skills - in particular any which could be of benefit to the College for the purposes of enriching its extra curricular activity.

Section 6: Previous employment and / or activities since leaving secondary education
Please continue on a separate sheet if necessary

Section 9 Suitability

Please give your reasons for applying for this post and say why you believe you are suitable for the position. Study the job description and person specification and describe any experience and skills you have gained in other jobs or similar environments which demonstrate your ability and aptitude to undertake the duties of the post.

Section 10: Criminal record

An offer of employment is conditional upon the School receiving an Enhanced Disclosure from the Disclosure and Barring Service (DBS) which the School considers to be satisfactory. The College applies for an Enhanced Check for Regulated Activity from the DBS (which includes a check of the Children's Barred List) in respect of all positions at the College which amount to regulated activity. It is unlawful for the College to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the College. If you are successful in your application you will be required to have an enhanced DBS check carried out. Any information disclosed will be handled in accordance with any guidance and / or code of practice published by the DBS.

The College is exempt from the Rehabilitation of Offenders Act 1974 and therefore all convictions, cautions, reprimands and final warnings (including those which would normally be considered "spent" under the Act) must be declared. **You 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 (see Appendix 1 to this form.)** If you have a criminal record this will not automatically debar you from employment. Instead, each case will be assessed fairly by reference to the College's objective assessment procedure set out in the College's recruitment, selection and disclosure policy and procedure.

It is a condition of your application that you answer the questions below. **Before doing so please read Appendix 1.**

Have you been cautioned, subject to a court order, bound over, received a reprimand or warning or been found guilty of committing any criminal offence whether in the United Kingdom or in another country? You are not required to disclose a caution or conviction for an offence committed in the United Kingdom which is subject to the Disclosure and Barring Service filtering rules (see Appendix 1).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is there any relevant court action pending against you?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If answering "YES" to any of the above, please provide details on a separate sheet and send this in a sealed envelope marked "confidential" with your application form.

Section 11: References

Please supply the names and contact details of two people who we may contact for references. One of these must be your current or most recent employer. If your current / most recent employment does / did not involve work with children, then your second referee should be from your employer with whom you most recently worked with children. Neither referee should be a relative or someone known to you solely as a friend. The College intends to take up references from all shortlisted candidates before interview. The College reserves the right to take up references from any previous employer.

Referee 1	Referee 2
Name:	Name:
Organisation:	Organisation:
Address:	Address:

Telephone number: Email : Occupation:	Telephone number: Email : Occupation:
May we contact prior to Interview? Yes <input type="checkbox"/> No <input type="checkbox"/>	May we contact prior to interview? Yes <input type="checkbox"/> No <input type="checkbox"/>

Section 12: Recruitment

It is the College's policy to employ the best qualified personnel and to provide equal opportunity for the advancement of employees including promotion and training and not to discriminate against any person because of their race, colour, national or ethnic origin, sex, sexual orientation, marital or civil partnership status, religion or religious belief, disability or age. All new appointments are subject to a probationary period.

The College is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

Copies of the College's recruitment policy and safeguarding policy are available for download from the College's website www.abbeygatecollege.co.uk. Please take the time to read them.

If your application is successful, the College will retain the information provided in this form (together with any attachments) on your personnel file. If your application is unsuccessful, all documentation relating to your application will normally be confidentially destroyed after six months.

Section 13: Declaration

- I confirm that the information I have given on this application form is true and correct to the best of my knowledge.
- I confirm that I am not on the Children's Barred List, disqualified from working with children or subject to sanctions imposed by a regulatory body, whether of the UK or any other country.
- I confirm that I am not subject to a direction under section 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008.
- I understand that providing false information is an offence which could result in my application being rejected or (if the false information comes to light after my appointment) summary dismissal and may amount to a criminal offence.
- I consent to the College processing the information given on this form, including any 'sensitive' information, as may be necessary during the recruitment and selection process.
- I consent to the College making direct contact with the people specified as my referees to verify the reference.
- I confirm that, to the best of my knowledge, I am not disqualified from working in early years provision or later years provision with children under the age of eight (see Appendix 2).

Signed:

.....

Date:

.....

Where this form is submitted electronically and without signature, electronic receipt of this form by the College will be deemed equivalent to submission of a signed version and will constitute confirmation of the declaration at Section 13.

We are interested to know how people find out about vacancies in the College. Please confirm how you became aware of this vacancy.

Please return this application form via email to:

bursar@abbeygatecollege.co.uk

or via post to:

The Bursar
Abbey Gate College
Saighton Grange
Chapel Lane
Saighton
Chester
CH3 6EN

Appendix 1 Spent convictions and the DBS filtering rules

Sentence	Rehabilitation period (in all cases the period commences from the date of the conviction)	
	Aged over 18 at the time of the conviction	Aged under 18 at the time of the conviction
Prison sentence of more than 4 years	Never	Never
Prison sentence of more than 30 months but less than or equal to 4 years	Length of sentence + 7 years	Length of sentence + 3.5 years
Prison sentence, or sentence of detention, of more than 6 months but less than or equal to 30 months	Length of sentence + 4 years	Length of sentence + 2 years
Prison sentence, or sentence of detention, of less than or equal to 6 months	Length of sentence + 2 years	Length of sentence + 18 months
Removal from HM Service	1 year	6 months
Service detention	1 year	6 months
Community order	1 year	6 months
Fine	1 year	6 months
Youth rehabilitation order	N/A	6 months
Compensation order	Once paid in full	Once paid in full
Hospital order	At the end of the order	At the end of the order
Conditional discharge, binding over, care order, supervision order, reception order	At the end of the order	At the end of the order
Absolute discharge	Spent immediately	Spent immediately
Disqualification	End of the disqualification	End of the disqualification
Relevant order	End of the order	End of the order

Conditional cautions	Once conditions end	Once conditions end
Caution, warning, reprimand	No period	No period

Prison sentences of more than two and a half years are never considered spent.

Filtering rules;

You are not required to disclose information about spent criminal convictions for offences committed in the United Kingdom if you were over 18 years of age at the time of the offence and:

- 11 years have elapsed since the date of conviction;
- it is your only offence;
- it did not result in a custodial sentence; and
- it does not appear on the list of "specified offences".

You are not required to disclose information about a spent caution in relation to an offence committed in the United Kingdom if you were over 18 years of age at the time of the offence and six years has elapsed since the date it was issued, and provided it does not appear on the list of "specified offences".

You are not required to disclose information about a spent criminal conviction if you were under 18 years of age at the time of the offence and:

- five and a half years have elapsed since the date of conviction;
- it is your only offence;
- it did not result in a custodial sentence; and
- it does not appear on the list of "specified offences".

You are not required to disclose information about a spent caution if you were under 18 years of age at the time of the offence and two years has elapsed since the date it was issued, and provided it does not appear on the list of "specified offences".

The list of "specified offences" that will always be disclosed can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>.

Appendix 2 - Childcare Disqualification requirement.

In addition to the Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 (the Regulations) it is an offence for the College to employ anyone in connection with our Early Years provision for education or childcare, or Later Years (children up to aged 8) provision for childcare who is disqualified. It is a criminal offence for a disqualified person to provide early or later year's provisions as described above, or to be directly concerned in its management.

The criteria for which a person will be disqualified from working in connection with early or later year's provision 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 for, or convicted of certain criminal offences including violent and sexual criminal offences against children and adults;
- Various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
- Having had registration refused or cancelled in relation to childcare or children's homes;
- Having been disqualified from private fostering; or
- Living in the same household as another person who is disqualified from registration for early or later year's provision, or living in a household where a disqualified person is employed (disqualification by association). A person does not, however, commit an offence if they do not know, or have no reasonable grounds for believing, that they live in the same household as a disqualified person, or in a household where a disqualified person is employed.

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 (see Appendix 1). A person who discloses information which appears to disqualify them from working in early or later year's provision may apply to Ofsted for a waiver of the disqualification. However, the school cannot appoint any person who is currently disqualified.



Abbey Gate College

Childcare Disqualification Requirements - Self-Declaration Form Explanatory Note

Given that your role involves providing care for pupils under 8, we need to draw your attention to the requirements of the Childcare Act 2006 (the **Act**) and the Childcare (Disqualification) Regulations 2009 (the **Regulations**) and the related DfE Statutory Guidance.

It is a criminal offence for a school to employ a person to work in connection with early or later years provision who is disqualified from doing so under the Regulations. It is also an offence for a disqualified person to provide early or later years provision or to be directly concerned in its management.

In order that we can discharge our legal obligations please answer all of the questions below and then sign and date the declaration at the end of this form.

Should you have any queries about any of the information required or if you wish to discuss any aspects of this further please do contact The College's Designated Safeguarding Lead (DSL) on a confidential basis.

Disqualification by Association

Please note that you may be disqualified if you live in the same household where another person who is disqualified lives (known as "disqualification by association"). Living in the same household has been interpreted as meaning sharing the same living space, including a shared kitchen.

You are therefore asked to provide information about the members of your household to the best of your knowledge. If you live in a house-share or similar arrangement you are not expected to request this information from anyone with whom you are not overly familiar.

Please do share this explanatory note with members of your household if this would be helpful in explaining the information which is needed and how this will be used by the School.

What information do you need to disclose?

The criteria for which a person will be disqualified from working in connection with early or later years provision are set out in the Regulations. They include;

- being barred from working with children (by inclusion on the Children's Barred List);
- having been cautioned for, or convicted of, certain violent and sexual criminal offences against children and adults;
- various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;

We have on the form set out the main categories of disqualification. However, should you like further detail about the nature of matters that are covered please see Table A of the DfE Guidance or contact the HR Manager on a confidential basis.

Spent and Filtered convictions

Due to the nature of your work at the school you are obliged to disclose details of all relevant convictions including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974, together with details of any relevant cautions, reprimands or warnings issued from 6 April 2007. Please note that you are not required to disclose information which would be "filtered" by the DBS. Details of which offences are filtered are included in the College's Safer Recruitment Policy available on the College intranet site Sharepoint.

You should not include information about spent convictions for members of your household.

For the avoidance of doubt the School is not asking you to obtain criminal records information about you or anyone else from the Disclosure and Barring Service. We are asking you to complete the enclosed form to the best of your knowledge only.

Confidentiality and Data Protection

All information which is disclosed will be stored securely and will be confidential. It will only be disclosed to specified members of the School's leadership team and our professional advisers in order to satisfy ourselves that you are not disqualified under the Regulations. Although we will retain part 2 of this form on your personnel file the remainder of the form will only be retained for as long as is necessary and will be confidentially destroyed once the disqualification checks have been completed and noted on the School's [single central register]. Where information disclosed requires Ofsted notification (see below) then information will be retained until the conclusion of this process. It will then be destroyed.

Where irrelevant information is provided the School will shred this as soon as possible.

Ofsted

Should you disclose information which appears to disqualify you from working in early or later years provision then we are required to notify Ofsted. There may be the option of applying to Ofsted for a waiver of the disqualification.

The School's aim is to help staff through this process and also to ensure that an offence is not committed by staff or the School. The School cannot apply for the waiver however, it is a matter for you as an individual but we will seek to support you confidentially during this process. Please do complete the form and do speak to us confidentially about any concerns you may have. **Guidance from Ofsted is available at <https://www.gov.uk/government/publications/applying-to-waive-disqualification-early-years-and-childcare-providers>**



Abbey Gate College

Disqualification by Association - Self-Declaration form

PART 1		
Name.....		
Position.....		
<p>Please circle either Yes or No for each question on this form. When responding please disclose information relating to offences in the UK but also any equivalent offence overseas.</p> <p>If you circle Yes to any question then please provide the following information in writing:</p> <ol style="list-style-type: none"> 1 Details of the order, restriction, conviction or caution and the date that this was made; 2 The relevant court or body and the sentence, if any, which was imposed; and 3 Provide a copy of the relevant order or conviction. 		
Offences		
To the best of your knowledge have you;		
Ever been barred from working with children.	Yes	No
Been convicted of a violent offence against an adult.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a violent offence against an adult.	Yes	No
Been convicted of a sexual offence against an adult.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a sexual offence against an adult.	Yes	No
Been convicted of a violent offence against a child.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a violent offence against a child.	Yes	No
Been convicted of a sexual offence against a child.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a sexual offence against a child.	Yes	No
Orders relating to the care of children		
Has an order ever been made relating to a child in your care?	Yes	No
Have your children ever been the subject of a child protection order?	Yes	No
Have you ever been refused an application for registration of a children's home or had any such registration cancelled?	Yes	No

Have you ever been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), been disqualified from any such registration or had that registration cancelled?	Yes	No
Have you ever been prohibited, restricted or disqualified from private fostering?	Yes	No
Information about members of your household		
To the best of your knowledge does anyone living or working in your household;		
Ever been barred from working with children.	Yes	No
Have an unspent conviction for a violent offence against an adult.	Yes	No
From 6 April 2007 have an unspent caution, bind over, reprimand or warning for a violent offence against an adult.	Yes	No
Have an unspent conviction for of a sexual offence against an adult.	Yes	No
From 6 April 2007 have an unspent caution, bind over, reprimand or warning for a sexual offence against an adult.	Yes	No
Have an unspent conviction for a violent offence against a child.	Yes	No
From 6 April 2007 have an unspent caution, bind over, reprimand or warning for a violent offence against a child.	Yes	No
Have an unspent conviction for a sexual offence against a child.	Yes	No
From 6 April 2007 have an unspent caution, bind over, reprimand or warning for a sexual offence against a child.	Yes	No
Orders relating to the care of children		
To the best of your knowledge, has anyone living or working in your household		
Had an order made relating to a child in their care?	Yes	No
Had their children made the subject of a child protection order?	Yes	No
Ever been refused an application for registration of a children's home or had any such registration cancelled?	Yes	No
Ever been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), been disqualified from any such registration or had that registration cancelled?	Yes	No
Ever been prohibited, restricted or disqualified from private fostering?	Yes	No



Abbey Gate College

Disqualification by Association - Self-Declaration form

PART 2

Declaration

I confirm that I have completed this form to the best of my knowledge and that I have not knowingly withheld any relevant information. I understand that a failure to disclose relevant information now, or the providing of false information, may result in the termination of my employment (or the withdrawal of an offer of employment). I understand that knowingly working in early or later years provision whilst disqualified is a criminal offence.

I understand that I am under an on-going duty to disclose to the School any change in my circumstances which results in my being disqualified from working in early or later years provision including becoming disqualified by association.

I consent to the School retaining Part 1 of this Self-Declaration Form, and any other relevant information disclosed, for as long as is reasonably necessary for the School to establish and document that I am not disqualified under the Regulations. After that period I understand that the School will securely shred Part 1 of this form.

I also consent to the School retaining Part 2 of this form on my confidential personnel file for the duration of my employment so that the School may evidence at inspection that it has complied with its statutory obligations in this respect.

I understand that the School has a duty to disclose any relevant information provided to Ofsted and I consent to Abbey Gate College disclosing this information.

Signature

Position.....

Date

Appendix C

EQUAL OPPORTUNITIES MONITORING FORM (Optional)

This form is not used in any decision making. You do not have to complete this form but doing so enables us to monitor the effectiveness of our Equal Opportunities Policy. We recognise the benefits of a diverse workforce. We are committed to treating all employees with dignity and respect regardless of race, ethnic background, nationality, colour, gender, trans-gender status, pregnancy, disability, age, sexual orientation, religion or belief. We therefore welcome applications from all segments of the community.

If you are disabled completing this form enables us to identify any reasonable adjustments you may need for the interview or role you have applied for.

Please state which job you have applied for and the date of your application.

Job applied for:..... Date of application:.....

1. What is your gender (please tick)?

Male Female Do not wish to declare

2. Is your present gender the same as your birth (please tick)?

Yes No Do not wish to declare

3. What is your nationality and/or ethnicity (please tick)?

A White:		B Black / African/ Caribbean or Black British:		C Other Ethnic Group	
British – English /Welsh/Scottish, Northern Irish	<input type="checkbox"/>	Caribbean	<input type="checkbox"/>	Arab	<input type="checkbox"/>
Irish	<input type="checkbox"/>	African	<input type="checkbox"/>	Any other ethnic group	<input type="checkbox"/>
Any other white background	<input type="checkbox"/>	Any other Black/ African/Caribbean background	<input type="checkbox"/>		
D Mixed /multiple Ethnic Groups :		E Asian / Asian British:		F Do Not Wish to Declare	<input type="checkbox"/>

White and Black Caribbean	<input type="checkbox"/>	Indian	<input type="checkbox"/>		
White and Black African	<input type="checkbox"/>	Pakistani	<input type="checkbox"/>		
White and Asian	<input type="checkbox"/>	Bangladeshi	<input type="checkbox"/>		
Any other mixed background	<input type="checkbox"/>	Chinese	<input type="checkbox"/>		
		Any other Asian background	<input type="checkbox"/>		

4. What is your age range (please tick)?

16-17	<input type="checkbox"/>	18-21	<input type="checkbox"/>	21-29	<input type="checkbox"/>	30-39	<input type="checkbox"/>
40-49	<input type="checkbox"/>	50-59	<input type="checkbox"/>	60 or over	<input type="checkbox"/>	Do not wish to declare	<input type="checkbox"/>

5. What is your sexual orientation (please tick)?

Heterosexual	<input type="checkbox"/>	Bisexual	<input type="checkbox"/>	Lesbian	<input type="checkbox"/>
Gay	<input type="checkbox"/>	Prefer not to say	<input type="checkbox"/>		

6. What is your religious or belief system (please tick)?

Buddhist	<input type="checkbox"/>	Christian	<input type="checkbox"/>	Hindu	<input type="checkbox"/>
Jewish	<input type="checkbox"/>	Muslim	<input type="checkbox"/>	Sikh	<input type="checkbox"/>
No Religion	<input type="checkbox"/>	Other	<input type="checkbox"/>	Do not wish to declare	<input type="checkbox"/>

