



Recruitment Policy

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1. Introduction

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

1.2 Whilst The ARC is not a school, we strive for excellence and as such follow all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DFE), Keeping Children Safe in Education (KCSIE), the Prevent Duty Guidance for England and Wales 2015 and any guidance or code of practice published by the Disclosure and Barring Service (DBS).

2. Recruitment and Selection Procedure

2.1. All applicants for employment will be required to complete an application form containing questions about their personal details, details of their present (or last) employment and reason for leaving, academic and full employment history, details of referees/references and their suitability for the role. Where a role involves engaging in regulated activity relevant to Children, the application form (or elsewhere in the information provided to applicants) will include a statement that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children. The ARC will only consider candidates who have completed the application form in full. Incomplete application forms may be returned to the applicant where the deadline for completed application forms has not passed. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form but may be submitted in addition to the completed application form.

2.2. An advertisement for a role will include the ARC's commitment to safeguarding and promoting the welfare of children and will make it clear that safeguarding checks will be undertaken in respect of any applicant. Applicants will receive a job description and person specification for the role applied for. This will include information about the role's safeguarding requirements. A copy of the ARC's Child Protection Policy, and this policy (including the ARC's policy on the employment of ex-offenders) are available to download on the ARC's website or in hard copy format to applicants, on request. Applicants will also be asked to provide information regarding any periods of overseas residence so that a decision can be made as to whether overseas police check or additional references are required.

The ARC will conduct a shortlisting exercise by reviewing all application forms received in order to determine which applicants will be invited for interview.

All shortlisted applicants will be required to complete a self-declaration form prior to interview in which they will be asked to provide information about their criminal records history and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview. Where the applicant electronically signs the declaration, they should physically sign a hard copy at the point of interview.

In addition, as part of the shortlisting process, the ARC may carry out an online search as part of their due diligence on the shortlisted candidates in order to identify any incidents or issues that are publicly available online and the ARC may wish to explore with the applicant at interview.

2.3. Shortlisted applicants will then be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail. Candidates will also be asked questions relating to child protection at interview to ascertain the level of their knowledge and the suitability of their answers. It is recognised that not all interviewees will have child protection experience within ARCs. In such cases, questions will be adapted to test applicants' responses to hypothetical safeguarding scenarios. At least one member of every appointment panel will have received safer recruitment training. In addition, any member of staff responsible for assessing pre-employment checks will have received the relevant training. (Relevant staff normally undergo refresher safer recruitment training every 3 years). Pupils should be involved in the recruitment process in a meaningful way. All information considered in decision-making should be clearly recorded along with decisions made.

2.4. 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 ARC's standard terms and conditions of employment;
- a pre-employment immigration check (the necessary documents that must be shown before any employment may start) confirming the right to work in the UK;
- 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 ARC considers to be satisfactory;
- for positions which involve "teaching work", information about whether the applicant is, or has ever been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (TRA), which, in the ARC's opinion, renders them unsuitable to work at the ARC; **
- for applicants 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, in the ARC's opinion, renders them unable or unsuitable to work at the ARC;
- where the position amounts to "regulated activity (see paragraph 4.3 below) obtaining via the applicant an enhanced disclosure (including confirmation that the applicant is not named on the Children's Barred List*) from the DBS which the ARC considers to be satisfactory. In the unlikely event that the position does not amount to "regulated activity" (for examples where volunteers are regularly supervised) the ARC will carry out the relevant DBS check which will ordinarily be an enhanced check without barred list;

- information about whether the applicant is, or has ever been, subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a ARC, taking part in the management of an independent school or working in a position which involves regular contact with children or which otherwise, in the ARC's opinion, renders them unsuitable to work at the ARC (checked via DBS certificate);
- for management positions:
 - information about whether the applicant is, or has ever been, the subject of 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 or which otherwise, in the ARC's opinion, renders them unsuitable to work at the ARC; (NB the ARC will also carry out this check for staff promoted internally to positions of management) ** and
 - information about whether the applicant is, or has ever been, the subject of a referral to, or proceedings before, the Department for Education or other appropriate authority where consideration was given to imposing a direction under section 128 of the Education and Skills Act 2008 which, in the ARC's opinion, renders them unsuitable to work at the ARC;
- verification of the applicant's medical fitness for the role (see paragraph 3 below);
- any further checks that the ARC deems appropriate as a result of the applicant having lived or worked outside of the UK, which may include an overseas criminal records check, certificate of good conduct or professional references (see 4.5 below); and
- verification of professional qualifications which the ARC deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

**A check of the Children's Barred List is not permitted if an individual will not be undertaking "regulated activity". Whether a position amounts to "regulated activity" must therefore be considered by the ARC in order to decide which DBS checks are appropriate. It is however likely that in nearly all cases a Children's Barred List check will be carried out.*

***The ARC carries out these via the Teacher Services' system (formally known as Employer Access Online). This service allows the ARC to identify existing prohibitions and sanctions made under section 142 of the 2002 Act; teacher prohibitions made under section 141 of the 2002 Act; any direction made under 128 of the 2008 Act; sanctions or restrictions imposed by the General Teaching Council for England before its abolition in March 2012;*

3. Medical Fitness

3.1 The ARC has a statutory responsibility to verify the medical fitness of anyone to be appointed to a post at the ARC, after an offer of employment has been made but before the appointment can be confirmed. The ARC must verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked

relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role.

3.2. It is the ARC's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire and sign to confirm that they know of no reasons, on grounds of mental or physical health, why they should not be able to discharge with due care and skill the responsibilities required by the post in question. The ARC will arrange for the information contained in the Health Questionnaire to be reviewed by the ARC's Doctor. 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 i.e. proposed timetable, extra-curricular activities, layout of the ARC etc. If the ARC's Doctor has any doubts about an applicant's fitness the ARC will consider reasonable adjustments in consultation with the applicant. The ARC may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

3.3. The ARC 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.

4. Pre-employment Checks

In addition to the checks set out below, the ARC reserves the right to obtain such formal or informal background information about an applicant as is reasonably in the circumstances to determine whether they are suitable to work at the ARC. This may include internet and social media searches.

In fulfilling its obligations, the ARC 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.

4.1. Verification of Identity and qualifications

4.1.1. All applicants who are invited to an interview will be required to bring the following evidence of identity, right to work in the UK, address and qualifications as set out below and in the list of valid identity documents at Appendix 1 (these requirements comply with DBS identity checking guidelines):

- one document from Group 1 (to include the birth certificate where this is available); and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which must
- verify the applicant's current address; and
- original documents confirming any educational and professional qualifications referred to in their application form.
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4.1.2. Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

4.1.3. The ARC asks for the date of birth of all applicants (and proof of this). Proof of date of birth is necessary so that the ARC may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants.

4.1.4. Should an applicant attend interview without the above documentary evidence, without good cause, the interview may be cancelled and the ARC may choose not to progress their application further even upon subsequent submission of the documentation.

4.2 References and Employment History

4.2.1 References will be taken up on short listed candidates prior to interview where possible. References may however be taken up after interview by exception or agreement.

4.2.2 All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the ARC. 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 referee should be from the employer with whom the applicant most recently worked with children. If the applicant has never worked with children, the ARC must ensure they obtain a reference from their current employer. Neither referee should be a relative or someone known to the applicant solely as a friend and references must be from a senior person with appropriate authority.

4.2.3 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 (to the best of their knowledge) the applicant has not been radicalised so that they do not support terrorism or any form of "extremism" (see the definition of "extremism" at paragraph 8 below). All referees will be sent a copy of the job description and person specification for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness* and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to 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; and
- whether any allegations or concerns have been raised about the applicant 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 false, unsubstantiated or malicious.
(*questions about health or sickness records will only be sent out after the offer of employment has been made.)

4.2.4 The ARC will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

4.2.5 The Directors will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information (e.g. delays in receipt, specific questions not answered satisfactorily, any expression of concern about the suitability of the candidate, any doubt about the validity of the reference) will be followed up appropriately by the ARC's Directors. The ARC will make telephone contact with referees to verify the authenticity of all references. When verifying references, the ARC will contact referees via the referee's work telephone number and not private mobile numbers. The process of verbally verifying the reference will also ensure that electronic references originate from a legitimate source

4.2.6 Any information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post.

4.2.7 It is a criminal offence to falsify references. Any applicants or referees who are found to have submitted false references to the ARC will be referred to the Local Area Designated Officer (LADO).

4.2.8 Suitability references will be sought for internal candidates applying for new positions within the ARC.

4.2.9 The ARC will ensure that any concerns are resolved satisfactorily before an appointment is confirmed.

4.3 Disclosure and Barring Checks

4.3.1 The ARC 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 ARC which amount to "regulated activity" as defined in Schedule 4 of 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. Regulated activity includes teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical emotional or educational well-being, or driving a vehicle only for children. Any position undertaken at, or on behalf of, the ARC, will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more on an ongoing basis; 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.

4.3.2 Roles which are carried out on an unpaid / voluntary basis will normally amount to regulated activity unless the volunteer is regularly supervised by someone who is themselves in regulated activity.

4.3.3 It is for the ARC to decide whether a role amounts to "regulated activity" considering all the relevant circumstances. However, nearly all posts at the ARC amount

to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in the ARC office outside of term time or voluntary posts which are supervised. Barred list information must not be requested on any person who is not engaging in or seeking to engage in regulated activity.

The relevant DBS check must be carried out as a matter of priority for all new employees at the job offer stage. If the offer is made more than three months before the employment will commence, it is best practice to wait until three months before the commencement date before applying for the DBS check or to complete an update service check closer to the start date.

4.3.4 Enhanced DCS check with children's barred list information allows an additional check, to be made, about whether the person appears on the children's barred list, along with a check of the Police National Computer records plus additional information held by the police such as interviews and allegations. Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed. The position being applied for or activities being undertaken must be eligible for an enhanced DBS check and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check. In addition, this check can also include information as to whether an individual is subject to a section 128 direction.

4.3.5 The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the ARC. It is a condition of employment with the ARC that the original disclosure certificate is provided to the ARC within two weeks of it being received by the applicant. Original certificates should not be sent by post. Applicants must bring the original certificate into the ARC within two weeks of it being received. A convenient time and date for doing so should be arranged with a Director as soon as the certificate has been received. Applicants who are unable to attend at the ARC to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to a Director. Where a certified copy is sent, the original disclosure certificate must still be provided on the first working day. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the ARC.

4.3.6 If there is a delay in receiving a DBS disclosure (or in the case of staff joining from overseas, the DBS application can't be submitted until arrival in the UK and verification of ID and address has taken place) the Directors has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, including a separate, clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place (full details of the procedure to be followed are covered in the ARC's Policy on Staff Commencing Employment Pending a DBS Disclosure).

4.3.7 DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. See 4.5 below for further details of overseas checks.

4.3.8 If a DBS check identifies a criminal record, The ARC will then refer to its policy on the recruitment of ex-offended as detailed in paragraph 9 of this policy. The ARC will assess cases fairly, on an individual basis.

4.3.9 DBS certificates do not expire and there is no requirement for the ARC to re-check current employees. However, all staff are required to register with the DBS update service and the ARC renews DBS checks on a three-yearly basis for all staff (using the DBS update service where applicable). Before using the DBS update service, the ARC must obtain the consent from the individual to carry out an online check to view the status of an existing standard or enhanced DBS check, confirm the DBS certificate matches the individual's identity, examine the original certificate to ensure that it is valid for employment with the children's workforce, and ensure that the level of check is appropriate for the relevant role.

4.3.10 DBS filtering rules were amended on 28 November 2020 and may be found here. <https://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates/new-filtering-rules-for-dbs-certificates-from-28-november-2020-onwards>

4.4 Prohibition from Teaching

4.4.1 We ask all applicants for roles which involve "teaching work" to declare in the application form whether they:

- have ever been the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency, or any predecessor or successor body; and
- have ever been the subject of any proceedings before a professional conduct panel of the Teaching Regulation Agency, or equivalent body in the UK.

4.4.2 If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken for individuals such as sports coaches / assistants and technicians.

4.4.3 From 1 January 2021, the TRA will no longer maintain a list of EEA teachers with sanctions.

Where an applicant has carried out teaching work outside of the UK, the ARC may ask the applicant to provide proof of their past conduct as a teacher by obtaining a letter of professional standing from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher. The ARC will also ask the applicant (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.

The ARC will continue to make any further checks that are applicable (please see para 4.5 re Overseas checks).

4.4.4 The ARC recognises that a prohibition from teaching order may not last indefinitely. The ARC also notes that professional conduct panels do not always impose sanctions on the subject of the hearing. However, in order to fully assess the suitability of an applicant the ARC considers it important that all such information is made available during the recruitment process. Where an applicant is not currently prohibited from teaching, but has been the subject of a professional conduct hearing whether that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the ARC will consider whether the facts of the case render the applicant unsuitable to work at the ARC.

4.4.5 The existence of any relevant information is not a bar to employment with the ARC.

4.5 Overseas Checks

4.5.1 In addition to DBS checks, applicants with periods of overseas residence and those with little or no previous UK residence will also be asked to provide further information, including a criminal record check (or equivalent) or a certificate of good conduct from the relevant jurisdiction(s). A DBS check will still be required even if the individual has never been to the UK. There is no mandatory period of time spent overseas which requires additional checks to be complete with guidance stating that “such further checks are made as the ARC considers appropriate having regard to any guidance issued by the Secretary of State”. The Directors will assess each applicant individually, although the ARC will usually undertake an overseas criminal record check if the candidate has resided overseas for a period of 3 months or longer in the ten years prior to applying or a position at the ARC. In some cases, it may be deemed necessary to request a criminal record check for each country in which an applicant has lived or worked for a minimum of three months since the age of 18. In addition, a criminal record check from the country of nationality will be requested.

4.5.2 The ARC refers to Home Office guidance on what checks are available from different countries.

4.5.3 The ARC recognises that formal checks are not available from some countries, that they can be significantly delayed or that a response may not be provided. In such circumstances the ARC will seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country. In addition, the ARC may allow an applicant to commence work pending receipt of a formal check from a particular country if it has received a reference and/or letter of professional standing from that country and considers the applicant suitable to start work. Decisions on suitability will be based on all of the information that has been obtained during the recruitment process. Unless expressly waived by the ARC, continued employment will remain conditional upon the ARC being provided with the outcome of the formal check and it being considered satisfactory. If the formal check is delayed and the ARC is not satisfied about the applicant's suitability in the absence of that information, the applicant's proposed start date may be delayed until the formal check is received.

4.5.4 If no information is available from a particular country the ARC will carry out an assessment of whether the applicant is suitable to work at the ARC on the basis of all other suitability information that has been obtained. The ARC will take proportionate risk-based decisions on a person's suitability in such circumstances. All suitability assessments must be documented and retained on file.

5 Contractors

5.1 The ARC will assess the appropriate level of checks required for contractors on a case by case basis depending on contractors engaging in regulated activity and opportunity for regular contact with children and carry out a risk assessment as required. Contractors engaged by the ARC, who are not engaged in regulated activity relating to children, but whose work provides them with an opportunity for regular contact with children, must complete the same checks for their employees that the ARC is required to complete for its staff. The ARC requires confirmation (in writing) that these checks have

been completed before employees of the Contractor can commence work at the ARC. Where external contractors do not have access to the necessary database to do the relevant checks, the ARC will do the missing check(s) themselves, where it applies (e.g. prohibition from teaching).

5.2 The ARC will also independently verify the identity of contractors and staff supplied by an “employment business”.

5.3 The ARC will always check the identify of contractors on arrival at the ARC.

6 Volunteers

6.1 Under no circumstances will a volunteer, in respect of whom no safeguarding checks have been undertaken, be left unsupervised with children or allowed to engage in regulated activity.

6.2 Prior to engaging a volunteer to carry out any activities for or on behalf of the ARC, the Director with responsibility for the volunteer appointment will discuss the proposed activities to be undertaken by the volunteer with the Directors so that a risk assessment can be completed and a decision can be made as to what vetting checks are required. Appendices 1 & 2 of the ARC’s separate Volunteers - Vetting Checks and Risk Assessments policy will be used to determine which checks are necessary.

7 Visitors

7.1 An ID check will normally be carried out for all visitors to the ARC and they will be supervised during their visit appropriately.

7.2 Details regarding visiting speakers may be found in the Visiting Speakers’ Policy.

8 Policy on the Recruitment of Ex-offenders

8.1 Background

8.1.1 As an organisation using the DBS Disclosure service to assess applicants’ suitability for all positions at the ARC, the ARC complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly and the ARC will assess each case on an individual basis.

8.1.2 The ARC shall not unfairly discriminate against any subject of a Disclosure on the basis of conviction or other information disclosed and appointments shall be made on the basis of merit and ability. The ARC welcomes applications from a wide range of candidates and actively promotes equality of opportunity for all with the right mix of talent, skills and potential. If an applicant has a criminal record this will not automatically bar them from employment with the ARC. Each case will be decided on its merit’s accordance with the objective assessment criteria set out in paragraph 9.2 below.

8.1.3 All positions within the ARC are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions,

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, when applying for a position at the ARC. A failure to disclose a previous conviction 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. A failure to disclose a previous conviction may also amount to a criminal offence.

8.1.4 It is unlawful for the ARC 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 ARC. The ARC 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.

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

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

8.1.7 Further information on the DBS can be found on [www. homeoffice.gov.uk](http://www.homeoffice.gov.uk)

8.2 Assessment Criteria

8.2.1 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 Directors will make a judgment about the applicant's suitability and will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness and nature of any offence or other matter revealed;
- the age of the applicant when the offence was committed and the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- the applicant's subsequent career and good behaviour;
- whether the applicant'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 applicant.

8.2.2 If the post involves regular contact with children, it is the ARC'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.

8.2.3 If the post involves access to money or budget responsibility, it is the ARC'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.

8.2.4 If the post involves some driving responsibilities, it is the ARC's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

8.3 Assessment Procedure

8.3.1 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 ARC will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Directors of the ARC before a position is offered or confirmed.

8.3.2 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 ARC 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.

9 Retention and Security of Disclosure Information

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

9.2 In particular, the ARC will:

- only retain a copy of a DBS certificate where it has a valid reason for doing so;
- where such information is retained, it will be stored in in locked, non-portable storage containers, access to which will be restricted to members of the ARC's senior management team;
- not retain disclosure information or any associated correspondence for longer than is necessary, which is generally for a period of up to six months. If, in very exceptional circumstances it is considered necessary to keep certificate information for longer than six months, we will give consideration to the Data Protection and Human Rights of the individual before doing so. The ARC will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;
- ensure that any disclosure information is destroyed by suitably secure means such as shredding; and

- prohibit the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates.

10 Recording Information

The ARC maintains a Single Central Register of pre-appointment checks (see paragraph 2). The single central record must cover all staff, including teacher trainees on salaried routes, agency and third- party supply staff, even if they work for one day and all members of the proprietor body.

The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained in respect of staff members:

- An identity check;
- A standalone children's barred list check;
- An enhanced DBS check (with children's barred list check) requested/certificate provided;
- A prohibition from teaching check;
- Further checks on people who have lived or worked outside the UK;
- A check of professional qualifications, where required;
- A check to establish the person's right to work in the UK; and
- Details of the section 128 checks undertaken for those in management positions.
- Medical verification

The ARC also records checks made on volunteers, dates on which safeguarding and safer recruitment training was undertaken and the name of the person who carried out each check.

11 Referral to the DBS and Teaching Regulation Agency

11.1 This policy is primarily concerned with the promotion of safer recruitment and details the pre- employment checks that any offer of employment is subject to. Whilst these checks are carried out pre-employment, the ARC also has a legal duty to refer to the DBS where they remove an individual from regulated activity (or would have removed an individual had they not left) and they believe the individual has:

- Engaged in relevant conduct in relation to children and/or adults; and/or
- Satisfied the harm test in relation to children and/or vulnerable adults; and/or

- Been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.

A person satisfies the harm test if they have behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child; behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children or behaved or may have behaved in a way that indicates they may not be suitable to work with children

The DBS will consider whether to bar the person. Detailed guidance on when to refer to the DBS (including what is the harm test and relevant conduct) and what information must be provided, can be found on <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

Referrals should be made as soon as possible, where an individual is removed from regulated activity. This could include where an individual is suspended, redeployed to work that is not regulated activity, dismissed or when they have resigned. It is important that as much relevant information is provided to the DBS as possible, as it relies on the quality of information provided by the ARC when considering the referral.

12.2 Where an allegation/concern does not meet the harm threshold, ie, is a low-level concern, the ARC will follow the low-level concerns procedures detailed within the Safeguarding policy and the Staff Code of Conduct, known as the Neutral Notification system. A low level concern might arise from suspicion; complaint; a disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken; and any concern, no matter how small - and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the ARC or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour are given within the Code of Conduct.

12 Queries

12.1 If an applicant has any queries regarding this policy, they should contact a Director.

Appendix 1

Group 1: Primary Identity Documents

- current valid passport
- biometric residence permit (UK)
- current driving licence (photocard; full or provisional (UK / Isle of Man / Channel Islands and EEA)
- birth certificate issued within 12 months of birth (UK & 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 UK driving licence (paper version; UK/ Isle of Man / Channel Islands and EEA; full or provisional)
 - current driving licences (photocard – full or provisional (all countries outside the EEA excluding 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)
 - HM Forces ID card (UK)
 - firearms licence (UK, Channel Islands and Isle of Man)
- All driving licences must be valid

Group 2b: Financial and Social History Documents

- mortgage statement (UK or EEA)**
- bank / building society statement (UK and Channel Islands or EEA)*
- bank / building society statement (countries outside EEA)*
- bank / building society account opening confirmation letter (UK)
- credit card statement (UK or EEA)*
- financial statement e.g. pension, endowment, ISA (UK) **
- P45 / P60 statement **(UK and Channel Islands)
- council tax statement (UK and Channel Islands) **
- Work Permit or Visa (UK; Valid up until expiry date)
- letter of sponsorship from future employment provider (non-UK / non-EEA 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 *
- 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 (HMRC), Job Centre, Job Centre Plus, Social Security (UK and Channel Islands) *
- EU national ID card (must be valid at time of application)
- cards carrying the PASS accreditation logo (UK and Channel Islands; must be valid at time of application)
- letter from Head or College Principal 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

If a document in the list of valid identity documents is: denoted with * - it should be less than three months old denoted with ** - it should be less than 12 months old