SOUTH CUMBRIA MULTI-ACADEMY TRUST

Recruitment Policy

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Please note – Links below are to documents available from the KAHub or external websites and are for school use only.

Recruitment and selection process checklist
Model Criminal Record Self-Disclosure Form (to be provided to short-listed candidates only)
Model Online search record form
Model Risk Assessment - Cause for Concern
Model Risk Assessment - New employees awaiting DBS Disclosure
Model Risk Assessment - Overseas applicants not able to seek overseas criminal history
Model Risk Assessment - Volunteer work
Model Risk Assessment - Use of contractors
Disclosure and Barring Service check requirements flow chart (extract from KCSiE)
DfE Regulated Activity: removal of the supervision exemption from September 2026
DfE Staffing and employment guidance for schools

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POLICY STATEMENT

South Cumbria Multi Academy Trust (hereinafter referred to as the Trust) has created a culture that safeguards and promotes the welfare of children in the Trust. As part of this culture, we have adopted robust recruitment procedures that deter, reject or identify people who are unsuitable to work with children from applying for or securing employment or volunteering opportunities in our Trust. This Policy is supported by procedures which describe in detail those checks that are, or may be, required for any individual working in any capacity (paid or unpaid) in, or visiting, our schools. The Trust will act reasonably in making decisions about the suitability of the prospective employee or other individual based on checks and evidence including: criminal background (via the Disclosure and Barring Service); barred list check; prohibition status (in the case of teachers and HLTA's); Childcare Disqualification Declaration (applies only to 'relevant' staff) and other necessary checks together with references and interview information. Some or all the above checks will apply to those recruited to a volunteer role.

In response to any future response to emergencies including local or large scale public health incidents, these procedures may require amendment in relation to checking ID documents and interviews, both of which may be required to revert to a virtual system. An additional addendum may be introduced in order to meet recruitment needs in the event of a future pandemic.

Safer recruitment is not just about carrying out the right checks prior to appointment and is not limited to recruitment procedures. Good safeguarding requires a continuing commitment from the Governing Body and all staff to ensure the safety and welfare of children is embedded in all of our processes and procedures and is enshrined in our ethos.

All recruitment will be in line with this Policy and procedures and will, without exception follow the process of safer recruitment. All offers of employment (whether paid or unpaid) will be subject to Trust staff and Governors being satisfied that the applicant or volunteer is a suitable person to work with children.

DfE statutory guidance 'Working Together to Safeguard Children' states that schools should have in place a number of arrangements as part of their duty to safeguard and promote the welfare of children. In relation to safer recruitment, these arrangements include having safer recruitment practices for individuals whom the organisation will permit to work (paid or unpaid) regularly with children. This Policy and supporting procedures fulfil that statutory requirement.

All those involved with recruiting individuals to the Trust will be familiar with and fully understand Part three of the DfE statutory guidance 'Keeping Children Safe in Education' and our individual School's Child Protection Policy and procedures, EYFS statutory framework for group and school-based providers and the school Child Protection Policy and procedures. DfE non-statutory advice Staffing and employment guidance for schools is used as a source of information to support the recruitment process.

All recruitment will be planned to ensure that there is adequate time and resources available to ensure that an individual is recruited safely.

Once an individual has been appointed, contracted or accepted as a volunteer, we will ensure that a full Induction takes place which will include our Child Protection Policy and procedures and provision of other related safeguarding documents both statutory and non-statutory (see Induction procedures).

We are committed to ensuring that throughout our recruitment and selection process, no applicant is disadvantaged or discriminated against because of their age, sex, race, religion or belief, sexual orientation, gender reassignment, pregnancy or maternity status.

Any person who becomes or is made aware that the recruitment process set out in this Policy and accompanying procedures are not being followed must inform the Head teacher or Chair of Governors immediately.

The procedures supporting this Policy do not constitute a legal representation of **all** HR issues relating to Recruitment and Selection and as such will be used in conjunction with any other Recruitment and Selection guidance issued by the Trust's HR provider.

PROCEDURES

1. Planning and advertising

Refer to the KAHSC Recruitment and selection checklist to help you through the process of recruiting safely.

Sufficient time and resources will be allowed to enable appropriate and full planning to take place prior to a post being advertised. This includes ensuring that a job description and person specification is current and in place. Volunteer posts may require a generic job description which would cover several voluntary roles in the Trust.

Those involved in the recruitment process will be identified at this stage including those who will be responsible for short-listing and those involved in the formal interview process.

To convey that our Trust views safeguarding children as paramount, the following statement will be included in all advertisements:

"South Cumbria Multi Academy Trust is committed to safeguarding and promoting the welfare and well-being of its pupils, engages with young people and staff in Policy and practice developments, proactively encourages feedback and expects all staff and volunteers to share this commitment".

The above statement will also be included in:

- Publicity materials
- The trust website
- Recruitment partner websites
- Applicant information packs
- Job descriptions
- Person Specifications
- Induction programmes

So that individuals can make an informed decision about whether they wish to apply for a post, the advert and information will refer to the requirement to obtain a suitable Enhanced Disclosure (with relevant barred list check(s) if the post will be in 'regulated activity), an explanation of when in the process any criminal history or other sanctions is to be disclosed and discussed and, where appropriate to the post, a requirement to confirm that the applicant is not disqualified from working with children.

In accordance with KCSiE paragraph 295, our application form does not ask questions about criminal history, prohibitions or relevant Disqualifications. In order to support this change, the following paragraph is published on the trust website vacancies page:

All posts involving direct contact with children are exempt from the Rehabilitation of Offenders Act (ROA) 1974 and the successful applicant will be required to hold or undergo a suitable enhanced Disclosure and Barring Service disclosure at the appropriate level. However, amendments to the ROA 1974 (Exceptions Order 1975 (2013 & 2020)) provide that certain spent convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website or Unlock.org.uk.

Short-listed candidates will be asked to complete a criminal record and other sanctions self-disclosure form to provide details of all unspent convictions and those that would not be filtered or protected, prohibitions and disqualifications, to be returned to the trust prior to the date of the interview. You may be asked for further information about your criminal history during the recruitment process. If your application is successful, this criminal record self-disclosure information will be checked against information from the Disclosure & Barring Service before your appointment is confirmed.

In addition to the above, as part of our due diligence checks, the trust reserves the right to carry out an online search (via an online search engine) on short-listed candidates.

Please note it is an offence to apply for the role if the applicant is barred from engaging in 'regulated activity' relevant to children.

All advertisements will refer to the Trust's ethos in relation to equality of opportunity for all.

2. Job description/Person specification

The job description will include and clearly state:

- the main duties and responsibilities of the post;
- the extent of contact/responsibility for pupils;
- the Trust's expectations and the post-holder's individual responsibility for promoting and safeguarding the welfare of the children the individual will be responsible for or come into contact with;
- whether or not the post is in 'regulated activity' with children;
- line management accountability for supervision and performance.

The person specification will:

- clearly convey the selection criteria against which the applicant's ability to do the job will be assessed;
- contain selection criteria which specifies the experience, skills, qualifications and personal qualities required;
- explain how these requirements will be tested and assessed during the selection process, e.g., by interview, tests, presentations, observation of group exercises etc.

It is vital that applicants are aware that, in addition to their ability to perform duties of the post, selection will consider their personal suitability for the role. This includes their:

- motivation and suitability to work with children;
- attitude towards the use of authority and control;
- integrity and ability to form and maintain appropriate professional relationships with children;
- emotional resilience when working with challenging behaviours and situations.

3. Information pack to applicants

All information provided to interested applicants will highlight the importance of the rigorous selection processes and the duty to safeguard and promote the welfare of children and young people. Information in the pack makes clear to applicants that proof of identity will be required as well as a criminal history and other sanctions self-disclosure and, for the successful candidate, a DBS Disclosure of the appropriate level.

Our Information Pack also includes a copy of, or link to:

- the application form and explanatory notes about completing the form;
- the job description and person specification;
- relevant information about the organisation and the recruitment process;
- the school's Child Protection Policy and procedures;
- a statement of the terms and conditions relating to the post;
- the employee/workforce privacy notice;
- the Trust's Recruitment of ex-offenders' Policy and procedures
- the equality and diversity form.

4. Application form

We will only accept a copy of a curriculum vitae (CV) alongside an application form. We do not accept CVs in place of an Application form since this will generally contain only the information the applicant wishes to present. The Application form allows for a common set of core data that can then be used as a part of the full vetting and verification of short-listed applicants.

We do not ask applicants to return a criminal record and other sanctions self-disclosure form with the application pack nor does the application form ask questions about whether the applicant has a criminal history, prohibition or other relevant disqualification. The criteria for short-listing will be the same for all candidates and is related to the job description and person specification. It would be unfair to discriminate against a candidate at this stage solely based on the grounds that they have a criminal record.

Our Application form includes requests for the following essential information:

- Full identifying details including current and former names, current address and National Insurance number. It is important to be sure that the person is who they claim to be, this includes being aware of

the potential for individuals changing their name. Best practice is checking the name on their birth certificate, where this is available. Further identification checking guidelines can be found on the GOV.UK website.

- Academic and vocational qualifications, including awarding body, name of institution and date achieved.
- Full employment chronology including any voluntary or part-time work with start dates, explanations for periods not in employment or education/training and reasons for leaving employment.
- Details of all post education training including dates and awarding bodies.
- A statement of the skills and abilities, and the competencies/experience that the applicant believes are relevant to his/her suitability for the post and how s/he meets the person specification.
- Declaration of any family or close relationships to existing employees or employers including governors, trustees etc.
- Details of at least two referees. One from current or most recent employer. In addition, where an applicant is not currently working with children, but has done so in the past, a reference will be requested from the employer by whom the person was most recently employed in work with children. References will not be accepted from relatives or friends.

5. Scrutinising and short-listing

Individuals will be short-listed equally against the requirements of the person specification. In all cases of those who are applying for paid employment, the same selection panel will both short-list and interview the applicant. In the case of volunteers applying to work in the Trust, a more informal approach will be taken which will generally involve only a Senior Member of staff.

At least one member of the 'panel' will have undertaken accredited safe recruitment and selection training which will as a minimum cover the content of Part three of the DfE statutory guidance KCSiE.

As part of our due diligence checks, the Trust reserves the right to carry out an online search on short-listed candidates. This will only include a search via an online search engine. Information relating to any online search will be recorded using an Online search record form or similar.

The outcome of the short-listing process will be recorded, and information retained for a period not exceeding 6 months from the date of appointment of the successful candidate, after which it will be securely destroyed.

The equal opportunities/diversity monitoring form will be removed from the application pack prior to the short-listing process beginning.

The short-listing panel is responsible for scrutinising the application forms and identifying any gaps in employment or other areas that may affect an applicant's suitability to work with children and young people. All application forms will be scrutinised to ensure:

- they are fully and properly completed - incomplete application forms will not be accepted;
- the information is consistent and does not contain any discrepancies;
- any anomalies, discrepancies or gaps in employment/training and the reasons for this, or a history of repeated changes of employment are identified;
- the form is appropriately signed. Electronic copies should be physically signed by the applicant at the interview stage.

A satisfactory explanation for any concerns will be obtained from the applicant during the interview process.

6. Criminal self-disclosure

Foreseeability and certainty are in the best interests of applicants with a criminal history. All short-listed candidates will be provided with a criminal history and other sanctions self-disclosure form to complete and return no later than one day prior to interview. Failure to return the self-disclosure will result in the interview being withdrawn. Applicants will be provided with clear information about who in the organisation they should return the self-disclosure to.

The self-disclosure form will include an explanation of the Rehabilitation of Offenders Act 1974, Exceptions Order 1975 and the 2020 filtering rules. The form includes a link to the Ministry of Justice (MoJ) guidance

on protected offences, a reminder that the applicant should take legal advice before completing the self-disclosure if they are unsure, and the contact details of organisations that can provide impartial advice.

Once the self-disclosure form is received in school, any disclosed information will be checked to ensure it is relevant. Relevant criminal history and other sanctions will be shared with the Chair of the recruitment panel prior to interview to allow time to assess relevance and agree what questions should be asked during the interview process.

Any short-listed candidate who discloses criminal or other sanctions information will be given an opportunity to discuss the context and relevance with the recruiting panel. We will assess cases fairly, on an individual basis. A decision not to appoint someone because of their conviction(s) will be clearly documented in line with our Policy on the recruitment of ex-offenders. We will also consider the incident(s) in the context of the Teachers' Standards and Teacher misconduct guidance, if the applicant is applying for a teaching post/teaching work.

Where we decide or decline to appoint a candidate who has self-disclosed relevant criminal convictions or other sanctions and/or relevant criminal convictions are apparent on their DBS Certificate, we will ensure that a 'Cause for concern' risk assessment is carried out to fully document our decision to either appoint or not.

For the successful candidate, the self-disclosure will be compared with the enhanced DBS certificate on receipt to ensure consistency.

7. References

The trust will always ask for written references. Each request will be accompanied by the job description and person specification. One of the references will be requested from the current or most recent employer which has been completed by a senior person with appropriate authority. If the referee is school or college based, the reference should be confirmed by the Head teacher as accurate in respect of any disciplinary investigations or, in the case of those employed to teach, capability procedures. If an applicant for a teaching post is not currently employed as a teacher, we will check with the school, college or local authority at which they were most recently employed to confirm details of their employment and their reasons for leaving. The purpose of seeking references is to obtain subjective and factual information to support appointment decisions.

As a result of the Equality Act 2010, it is no longer appropriate to ask referees for specific information relating to absence or sickness record until after the preferred candidate has been selected unless the post has an exception. To this end, the referee can be asked for the number of days absent from work through ill health but cannot be asked to disclose the reasons why since this information is categorised as 'special category data under the UK GDPR and can only be disclosed with the express consent of the applicant. Under the Education (Health Standards) (England) Regulations 2003, schools should ensure that anyone employed to work in an education setting is physically and mentally fit to do so and recruiters may ask relevant questions at interview if they think this is appropriate. (See also Section 9. below).

All offers of employment will be conditional upon receipt of at least two satisfactory written references. References received will be scrutinised and any concerns resolved satisfactorily before the appointment is confirmed. References will always be requested directly from the referee. Any provided by the applicant, a family member or open references i.e., those prefixed by 'To whom it may concern' will not be accepted under any circumstances.

We will secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then we will ensure a reference is sought from their current employer or other professional who can vouch for the person's character.

References will be sought on all short-listed applicants, including internal ones. We will verify any information with the person who provided the reference once a decision has been made on the successful applicant. Wherever possible, these will be obtained prior to the interview and, without exception, prior to employment, so that any issues of concern they raise can be explored further with the referee and taken up with the individual at interview.

Reference requests will specifically ask:

- about the referee's relationship with the applicant;
- whether the referee has reason to believe that the individual is not suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked, where relevant, to confirm details of:

- how the person meets the requirements of the specification and his or her capacity to carry out the duties set out in the job description;
- the applicant's current post and salary;
- the reason for the candidate leaving their current or most recent post;
- effectiveness of the applicant's interactions with children and other adults;
- performance history and conduct;
- any disciplinary procedures in which the sanction is current;
- any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those;
- whether, in the case of an applicant for a teaching post, that teacher has been in capability procedures during the previous two years;
- any outstanding complaints or investigations against the applicant that could bring the trust into disrepute at a later stage;
- any 'substantiated' safeguarding concerns or allegations that meet the harm threshold and the outcome of the concerns or allegations;

Where a reference has not been received on the preferred applicant before the interview, once received it will be scrutinised and any concerns resolved satisfactorily before the individual's appointment is confirmed.

Where electronic references are received, these will be checked to ensure they originate from a legitimate source.

On receipt of references, they will be checked to ensure all questions have been answered satisfactorily. Where information is vague or insufficient, we will contact the referee to clarify content and will compare the information on the application for that in the reference and take up any discrepancies with the candidate.

A character reference will be sought for volunteers as if they were to be employed.

When asked to provide a reference, we understand that we have a legal obligation to do so under the Safeguarding Vulnerable groups Act 2006 and we will ensure the information confirms whether we are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold[1]. We will not include information about low level concerns (unless they relate to issues which would normally be included in a reference, for example misconduct or poor performance) or individual or repeated allegations all of which were found to be false, unfounded, unsubstantiated or malicious.

Further information on the request for and the provision of references can be found in the non-statutory Better Hiring Institute 'Better hiring toolkit'.

8. Qualifications and employment history

Qualifications will be validated only on receipt and sight of original certificates. Qualifications required will be those which are listed as being a pre-requisite of the post advertised.

The trust will always ask for written information about previous employment history and check that information is not contradictory or incomplete. Full employment history is required. Where there are gaps of unemployment, this must be explained on the application form.

[1] The harm test is explained in the Disclosure and Barring service Guidance: Making barring referrals to the DBS and Section 35(4) of the Safeguarding Vulnerable Groups Act 2006.

9. Health

DfE statutory guidance 'KCSiE' emphasises the importance of anyone appointed to a post involving regular contact with children or young people must be medically fit. There is a statutory duty on employers to satisfy themselves that individuals have the appropriate level of physical and mental fitness before the appointment is confirmed. Any offer of employment will, therefore, be subject to satisfactory health checks. A Pre-employment medical screening form will be provided to the successful candidate following a verbal offer of employment with responses reviewed by the Trust's Occupational Health provider, where necessary. Dependant on the response, a face-to-face appointment with the Occupational Health provider or further details from the candidates GP may be required.

Assessment of physical fitness will be considered within the context of the Equality Act 2010 which allows for reasonable adjustments to be made.

10. Interviews

A face-to-face interview will take place for all applicants to all posts including volunteering roles. Wherever possible, the interviewing panel will consist of at least 2 people. At least one member of the panel will have successfully completed an accredited safer recruitment training course. Volunteers will be informally interviewed by either the Head teacher or a member of the Trust Leadership Team.

Members of the panel will:

- have the necessary authority to make decisions about the appointment;
- meet before the interview to agree their assessment criteria in accordance with the person specification and to prepare a list of questions they will ask all interviewees relating to the requirements of the post. These could include:
    - finding out what attracted the candidate to the post being applied for and their motivation for working with children;
    - exploring their skills and asking for examples of experience of working with children which are relevant to the role; and
    - probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this;
- identify any issues they wish to explore with each applicant based on the information provided in their application form and in the references;
- have clarified whether any criminal information or other sanctions disclosed in the self-disclosure is relevant and, if so, agreed what questions will be asked to understand the context of the offending and whether it affects the suitability of the candidate to take up the post;
- consider, in the circumstances of the individual case, any information about past disciplinary action or substantiated safeguarding concerns or allegations;
- allocate specific question sets to each member of the panel which will ensure that someone asks the questions and another member of the panel can at the same time record the applicant's answers. A copy of the notes and any scoring sheets will be collated by the Chair of the Panel and retained for a period outlined in the Trust's data retention procedures.

A record of the questions asked, and responses provided, will be retained with the other interview notes.

Those whose application forms provide information that best meets the criteria of the job description, person specification, experience and qualifications are invited for interview.

All applicants will be asked to bring with them documentary evidence of their identity and their 'right to work in the UK'. Where available, a full birth certificate will also be requested.

Evidence of identity can include a current driving licence or passport including a photograph, a full birth certificate and a document such as a utility bill or financial statement that shows the applicant's current name and address (no more than 3 months old) and, where relevant change of name documentation.

Accepted evidence for their 'right to work in the UK' will be a current British passport. Where no British Passport is available, proof of a National Insurance number, e.g., NI card/letter or P60 and a copy of their Birth Certificate are required. Employers can no longer accept EU passports or ID cards as valid proof of right to work, with the exception of Irish citizens. For further information on what is required for foreign

nationals, reference should be made to the Government document 'Checking a job applicant's right to work'. To carry out an online right to work check, we will require the applicant's date of birth and their share code which they will have obtained when they proved their right to work online.

Applicants must also bring:

- documents confirming any educational and professional qualification(s). If this is not possible, written confirmation must be obtained from the awarding body; and,
- documentation of registration with any appropriate professional body.

A copy of the documents used to verify the successful applicant's identity, qualifications and right to work in the UK will be retained on their personnel file.

Where an individual has submitted an electronic application form, they will be asked to sign the form prior to the interview.

11. Other selection methods

In addition to a face-to-face interview with an Interview Panel, a variety of other selection methods may be used, such as:

- observation of teaching practice either in the proposed school or in the applicant's current setting;
- one or more additional panel interviews e.g., a panel made up of pupils from the school;
- a presentation;
- in-tray exercises;
- psychometric testing.

Those involved in the recruitment process for a specific post will determine the selection method(s) to be used. The methods will be relevant and appropriate to the role and will be based on the requirements for the post as set out in the job description and person specification.

Applicants will be informed in advance if any selection methods are to be used in addition to a face-to-face interview and the format these will take.

12. Involving children and young people

We have developed a culture of listening to children. Children and young people can make a valuable contribution to the recruitment process and their participation may be considered for key strategic and managerial posts as well as posts where staff will have a high level of responsibility for children's day to day care.

Where pupils are involved in the recruitment process this will be done in a meaningful way. Observing short-listed candidates and appropriately supervised interaction with pupils is common and recognised as good practice.

13. Conditional offer of employment – pre-employment checks

An offer of appointment to the successful applicant will be conditional upon any or all of the following:

- the receipt of at least two satisfactory references (where not received before interview). Where possible, these will also be confirmed by telephone. See Section 7 for further details;
- verification of the individual's identity (if that could not be verified at interview) preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available. Best practice is checking the name on their birth certificate, where this is available;
- verification and/or evidence of the individual's right to work in the UK (if that could not be verified at interview);
- receipt of a satisfactory enhanced DBS Disclosure Certificate (with relevant barred list check(s) if the postholder will be in 'regulated activity'). Where the individual is registered, this may be via a check with the DBS Update Service;
- a **separate** Children's Barred List check for those with a 'portable' DBS Enhanced Certificate for regulated activity (having worked in a school in England in the previous 3 months) or who start work in 'regulated activity' before the DBS Certificate is available. Such individuals will be subject to reasonable supervision until a new Enhanced Disclosure for regulated activity is received. A risk assessment for

those awaiting the DBS Certificate will also be completed prior to employment commencing. A copy of this risk assessment will be retained on the personnel file;

- further checks on the individual if they have lived or worked outside of the UK for a block period of 12 months or more in the last 10 years while the person was aged 18 or over. These further checks might include a check for information about any teacher sanction or restriction that an overseas professional regulating authority has imposed. (See Sections 14.3 and 14.6 below for further information);
- verification of the individual's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role (S60 Equality Act 2010 refers). See Section 9 for further details;
- verification of qualifications (if not verified at interview). For teachers, this will include checking that the individual has the required teaching qualification;
- verification of professional status where required e.g., QTS (unless properly exempted);
- verification of previous employment history and experience, including exploration of any gaps and anomalies;
- (for teaching posts) verification of successful completion of statutory induction/probationary period;
- (for teaching posts, including unqualified teachers and HLTAs who are permitted to teach undirected or unsupervised) verification that the individual is not subject to either a Prohibition Order or an Interim Prohibition Order (using the DfE Sign-in website – Check a teachers record);
- verification that a person taking up a management position as described at paragraphs 14.4 and 21 below is not subject to a Section 128 direction made by the Secretary of State;
- where required, verification that the individual is not disqualified from caring for children under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendments) Regulations 2018 – Childcare Disqualification declaration or criminal record and other sanctions self-declaration form completed.

All checks will be:

- confirmed in writing;
- documented and retained on the personnel file (subject to data protection and DBS requirements);
- for teachers only, the 'Check a teacher's record' information will be printed or saved digitally and retained on the personnel file;
- followed up where they are unsatisfactory or there are discrepancies.

14. Recruitment checks

14.1 Disclosure and Barring Service (DBS) checks

The DBS is responsible for administering three types of check insofar as they relate to the education sector:

- **Basic Disclosure:** The check will contain details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974. This level of check may be considered appropriate for a contractor who does not have opportunity for regular contact with children or a volunteer who does not volunteer frequently but who may have access to children;
- **Standard Disclosure:** a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. This type of check is not normally requested in educational settings;
- **Enhanced Disclosure:** a check of the PNC records as above, plus additional information held by the Police such as interviews and allegations and other information held by the Police that is considered relevant and ought to be disclosed; and
- **Enhanced Disclosure with barred list information (aka Enhanced Disclosure for Regulated Activity):** for people working in 'regulated activity' with children. This adds a check of the DBS Children's Barred List (CBL) to the enhanced disclosure. In addition, this check can also include information as to whether an individual is subject to a Section 128 direction where specific wording is used in the 'position applied for' field (see paragraph 336 of KCSiE).

More information is available on the DBS website.

A DBS Disclosure Certificate for Regulated Activity will be obtained from the successful applicant before or as soon as practicable after appointment. There is **no requirement** to obtain an enhanced DBS Disclosure for Regulated Activity or carry out checks for events that may have occurred outside the UK (although we will carefully consider if it would be appropriate to request one to ensure that we have up to date information) if, in the three months prior to beginning work in their new appointment, the applicant has worked:

- in a school in England in a post which brought them into regular contact with children or in any post in a school since 12 May 2006; or
- in an institution within the FE sector in England or in a 16-19 Academy in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

All other pre-appointment checks must still be completed including, where the individual is engaging in 'regulated activity', a barred list check[2]. A check on the barred list status of an individual **must** always be undertaken prior to the individual commencing work at the trust. This will be either through sight and verification of the 'new' original paper Disclosure Certificate for Regulated Activity with children initiated by the school or by checking the Children's Barred List separately and independently where we have had sight of and verified the current original paper DBS Certificate under the '3-month rule' above. The date of the barred list check **must precede** the date the individual commences work.

Where there is a pressing need to start someone in employment before the new DBS certificate is received, a risk assessment for new staff awaiting the DBS Disclosure will be undertaken (the outcome of which will be confirmed by the Head teacher) and the trust will request a stand-alone Children's Barred List check via the DfE Sign-in website. If, as a result of the check, there is a name 'match', the trust **will not** allow the individual to start work until the situation has been clarified and the new paper DBS certificate has been received by the individual and seen and verified by the trust.

Where the new employing school is accepting a DBS Certificate from a previous employment (3-month rule), the trust **may** request a new enhanced DBS Disclosure for Regulated Activity with children to ensure they have the most up to date information or should there be concerns and bearing in mind the duty the trust is under not to allow a barred person to work in 'regulated activity'.

The level of DBS check required will depend on the role and duties of an applicant to work in a school (paid or unpaid) as outlined in this Policy.

The full legal definition of 'regulated activity' is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012 and the Crime and Policing Act 2026. HM Government have produced a factual note on Regulated Activity in relation to Children: scope.

'Regulated activity' with children includes:

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

b) any other type of paid work for a limited range of establishments (known as 'specified places', which include schools), with the opportunity for contact with children, but not including occasional work done by supervised volunteers.

Work under (a) or (b) is 'regulated activity' only if it meets a 'period condition'[3]. Some activities are always regulated, regardless of their frequency. This includes:

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

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[2] Schools can access the Children's Barred List via the DfE sign-in system.

[3] A 'period condition' is defined as activity which takes place on 4 or more days in any 30 day period or overnight (regardless of whether the individual interacts with children)

- personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
- health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

'Regulated activity' will not be:

- paid work in specified places which is occasional and temporary and does not involve any of the activities in (a) above.
- supervised occasional activity which does not meet the 'period condition'.

When the DBS has completed its check(s) of an applicant, the relevant information is recorded on a certificate (the DBS Disclosure Certificate) that is sent to the applicant. The applicant **must** show the **original** paper DBS Certificate to the School (their potential employer) before they take up post or as soon as practicable afterwards, including when using the DBS update service. Where we allow an individual to start working in 'regulated activity' with children before the DBS Certificate is available, we will ensure that the individual is appropriately supervised, an appropriate risk assessment is carried out and that all other checks, including a separate barred list check, have been completed.

If we know or have reason to believe that an individual is barred, we commit an offence if we allow the individual to carry out any form of regulated activity. There are penalties of up to five years in prison if a barred individual is convicted of attempting to engage or engaging in such work.

14.2 Prohibition Orders/Interim Prohibition Orders

Teacher prohibition and interim prohibition orders prevent a person from carrying out teaching work in schools or 16 to 19 academies. A person who is prohibited from teaching or has an interim prohibition notice made against them will not be appointed to a role that involves teaching work in our setting. The Teachers' Disciplinary (England) Regulations 2012 define each of the following activities as 'teaching work':

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

The regulations provide that the above activities do not constitute 'teaching work' if they are carried out under the direction or supervision of a qualified teacher or other person nominated by the Head teacher.

A check of any prohibition status can be carried out using the DfE Sign-in website (Check a teacher's record). Prohibition orders are described in the Teaching Regulation Agency (TRA) publications Teacher misconduct: disciplinary procedures for the teaching profession, and Teacher misconduct: the prohibition of teachers.

Prohibition of HLTAs/TAs

It is a statutory requirement to check on appointment that other members of Trust staff who may be engaged to carry out some teaching work unsupervised and/or undirected such as unqualified teachers, certain HLTAs or those with QTS who may in the future be engaged to carry out some teaching work without supervision, are not prohibited from teaching. Although such individuals may not have a Teacher Reference number, they must be checked using the DfE 'Check a teacher's record' website.

There is no statutory requirement for a prohibition check to be made on applications for any other Trust staff position unless they will carry out unsupervised/undirected teaching work. This means that, generally, when appointing into teaching assistant (TA) or other non-teaching positions, prohibition checks will not be required. If a TA later progresses within the school system to become an HLTA, schools must check to ensure they are not prohibited from teaching prior to the promotion being offered.

We may, however, choose to undertake additional checks to those required by legislation to ensure an individual's suitability and may want to do this, for example, where someone applying for a TA role indicates that they have qualified teacher status or have previously worked as a teacher. Where we intend to do this, we will be open about this in the application process so that it is seen as fair and transparent.

Prohibition from teaching would not preclude someone from being considered for a TA role. The reasons

for prohibiting someone from teaching will not necessarily relate to safeguarding matters. Guidance is available that indicates the range of misconduct types that may be sufficiently serious to lead to prohibition. In addition, when determining the suitability of a prohibited teacher to be appointed to a non-teaching position, we will consider the circumstances surrounding the misconduct as set out in the relevant published decision document Teacher misconduct. This detail may help inform any subsequent risk assessment that we choose to carry out.

14.3 EEA teacher sanctions

EEA regulators of the teaching profession previously shared details of any sanction or restriction that they imposed on a teacher with all other EEA teacher regulators.

From 18 January 2016 to 31 December 2020, schools in England were required to use the DfE Sign-in website to identify any restrictions imposed by all authorities in the European Economic Area (EEA) for those applying for teaching posts and who were new to or returning to the UK. There is a statutory requirement to record the date of this check on the school's single central record.

This service is no longer available to schools in the UK; however, we will retain evidence of the checks for relevant staff appointed in the period 2016-2020.

No similar scheme is or has been available for non-teaching staff.

See Section 14.6 below for details of how we process applications from those living or who have lived abroad.

14.4 Section 128 direction

The DfE has issued guidance which provides information about Section 128 directions and the associated 2014 Regulations, including which factors the Secretary of State may take into account when deciding whether an individual's conduct makes them unsuitable to take part in the management of an independent school, a Governor/Trustee in an Academy, or a Governor in a maintained school.

Academies, Independent and Free Schools

A Section 128 direction prohibits or restricts a person from taking part in the management of an independent school, including academes and free schools. A person who is prohibited is unable to participate in any management of an independent school such as:

- a management position in an independent school, academy or free school as an employee;
- a trustee or senior leadership role of an academy or free school trust;
- a governor or member of a proprietor body for an independent school;
- a governor on any governing body in an independent school, academy or free school that retains or has been delegated any management responsibilities.

There is no exhaustive list of roles that might be regarded as 'management' for the purpose of determining what constitutes management in an Academy, independent or free school, but roles are likely to include Head teacher, principal, deputy/assistant Head teacher, governors and trustees. It is important to note, however, that the individual's job title is not the determining factor and whether other individuals such as teachers with additional responsibilities could be considered to be 'taking part in management' depends on the facts of the case.

A check for a Section 128 direction can be carried out via the Government's List of people who are not allowed to manage or govern schools. It is also possible to check the status of individuals who are not or have never been teachers via this system. Point 20 also refers.

The date the Section 128 check was carried out will be recorded on the Single Central Record.

14.5 DBS Update Service

If the applicant has subscribed to it and gives permission, the School will undertake an online status check through the DBS Update Service. Individuals can join the DBS Update Service when applying for a new DBS check or within 30 calendar days of the issue date on the Disclosure Certificate; this will allow portability of a Certificate across employers when applying for similar jobs or where it is anticipated that they will have a break from working in 'regulated activity' for 3 months or more. With the individual's consent, the School

can go online and carry out a free, instant check to see if there has been any change to the information recorded since the initial Certificate was issued and advise whether the individual should apply for a new Certificate. DBS Update Service.

Before using the Update Service, schools must:

(a) obtain consent from the applicant to do so;

(b) confirm the Certificate matches the individual's identity; and

(c) examine the original paper Certificate to ensure that it is for the appropriate workforce and level of check e.g., Enhanced Disclosure/Enhanced Disclosure for Regulated Activity with children.

As good practice we may require new staff or volunteers engaged in regulated activity to join the DBS Update service as part of their employment contract/volunteering agreement.

14.6 DBS and other checks for those living or who have lived abroad

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in Trust. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in 'regulated activity') even if the individual has never been to the UK. In addition, the Trust will make any further checks we think appropriate so that any relevant events that occurred outside the UK can be considered.

Overseas checks will generally be sought in the following circumstances:

- The applicant has been resident in the UK for most of his or her adult life and has spent a period of twelve months or more in an overseas Country within the last 10 years while they were aged 18 or over. This only applies where the applicant has lived continuously in at least one Country for twelve months or more.
- The applicant has moved to the UK within the last 10 years, having previously lived abroad for most of his or her adult life.

As outlined in section 14.1 above, there is no requirement for a school to carry out checks for events that may have occurred outside the UK if the applicant has worked in a school in England in a post where the 3 month rule applies.

It is usually the responsibility of the applicant to ensure that the appropriate checks in the Country where they lived are sought. Not all countries provide criminal record information, and where they do, the nature and detail of the information provided varies from country to country. Advice on the criminal record information which may be obtained from overseas police forces, published by the Home Office, is on GOV.UK. Where this information is not available, we will seek alternative methods of checking suitability and undertake an overseas risk assessment that supports informed decision making on whether to proceed with the appointment. In addition, we will always undertake an online search of individuals who have lived or worked outside the UK.

In addition to the above, for teaching positions, we may request from the applicant, a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the UK Centre for Professional Qualifications (UK CPQ). Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Holding a teaching qualification (wherever it was obtained) does not provide suitable assurances for safeguarding purposes that an individual has not been found guilty of any wrongdoing or misconduct, and/or is suitable to work with children. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, we will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

The Department for Education has also issued guidance Recruit teachers from overseas. This provides information on the checks required for employing a teacher who is a non-UK citizen.

Where overseas checks are relevant, we will endeavour to seek at least one overseas reference, even if no Police Certificate or Certificate of good conduct is available from that Country.

14.7 Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendments) Regulations 2018

Childcare disqualification is an additional requirement to the general child safeguarding arrangements provided under the Disclosure and Barring Service (DBS) regime, which apply to all children.

The above legislation places separate and additional requirements on schools. At the point that an individual is convicted of, or cautioned for, a criminal offence of a specified type or category, or where they meet other disqualification criteria set out in the Regulations, the Childcare Act 2006 and Regulations disqualify staff from:

- providing early years childcare (including reception classes) or later years childcare to children who have not attained the age of eight; or
- being directly concerned in the management of that childcare.

To ensure that those relevant individuals working (paid or unpaid) in our Trust are not disqualified from working with the relevant pupils under the Childcare Disqualification Regulations 2018, the Governing Body require that, prior to appointment or at the short-listing stage, an individual completes a criminal record and other sanctions self-declaration form.

NOTE: Schools **must not** ask their staff or other adults questions about cautions or convictions of someone living or working in their household. Any disqualification declarations must limit questions to the 'relevant' individual only.

15. Single Central Record

The School will keep and maintain a Single Central Record (SCR). The SCR is a record of the vetting checks specified in statutory legislation which have been carried out to verify, as far as is reasonably practicable, that the individual is an appropriate person to work within the setting. The SCR will include details of pre-employment checks carried out for the following people:

- all staff including teacher trainees on salaried routes, agency and third party supply staff (even if they work for one day);and,
- all members and trustees of the academy trust and/or Local Advisory Board/Governing Body.

We may also choose to record on the SCR the vetting checks completed for volunteers, governors of maintained, foundation, voluntary controlled or voluntary aided schools and regular contractors.

For students, written confirmation will be sought confirming that the host School, College or University of the individual has carried out the relevant checks and obtained a DBS Disclosure at the appropriate level. A students whose placement is part of a related field of study e.g. childcare qualification at College, Early childhood studies at University etc. working in a school or setting on 4 or more occasions in any 30 day period or overnight (regardless of whether they have contact with children) will be in 'regulated activity' and will need the relevant Disclosure. The date the confirmation was received will be recorded on the SCR.

The minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained **prior to appointment**, and the date on which each check was completed or certificate obtained:

- an identity check (GOV.UK How to prove and verify someone's identity);
- a standalone Children's Barred List check;
- an enhanced DBS Disclosure for Regulated Activity (with CBL check) requested/certificate provided;
- a prohibition from teaching check (where applicable);
- a Section 128 check (for **all** Governors and, in the case of Academies, for employees in management positions, Trustees and Members);
- further checks on people living or working outside the UK. This would include recording checks for those EEA teacher sanctions and restrictions described in paragraph 13.3 above undertaken between 18/01/16 and 31/12/20 and any additional checks undertaken for those applying for posts requiring them to teach;
- a check of professional qualifications, where required; and
- a check to establish the person's right to work in the United Kingdom.

For agency and third party supply staff, we will also include whether written confirmation that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, whether details of any enhanced DBS check certificate has been provided in respect of the member of supply staff, and the date that confirmation was received. See also paragraph 16 below.

The School does not keep copies of DBS certificates to fulfil the duty of maintaining the SCR unless we have a valid reason for doing so. To comply with the requirements of the Data Protection Act, where the School chooses to retain a copy of the DBS Certificate, they will be retained in line with the DBS guidance on retention. A copy of the other documents used to verify the successful applicant's identity, right to work in the UK and required qualifications will be held on the personnel file along with the criminal record and other sanctions self-disclosure, notes of any discussions with the employee about that self-disclosure and the risk assessment of suitability, where relevant criminal history was disclosed (see model Cause for Concern Risk Assessment).

The details of an individual will be removed from the single central record once they no longer work at the school.

15.1 Multi-academy trusts (MATS)

MATs **must** maintain the single central record detailing checks carried out in each academy within the MAT. Whilst there is no requirement for the MAT to maintain an individual record for each academy, the information should be recorded in such a way that allows for details for each individual academy to be provided separately, and without delay, to those entitled to inspect that information, including by inspectors.

16. Agency and third-party staff

The School will obtain written notification from any agency, or third-party organisation, we use that the organisation has carried out the necessary checks on an individual who will be working at the School that the school would otherwise perform. This will include, as necessary, confirmation that the following checks have been carried out prior to appointment:

- DBS Enhanced Disclosure for Regulated Activity, including confirmation that the certificate has been obtained by either the employment business or another such business;
- Prohibition check(s) (those employed to teach only);
- Declaration that the individual is not disqualified under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendments) Regulations 2018.
- the individual has the legal right to work in the UK.

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

The School will ensure that the person presenting themselves for work is the same person on whom the checks have been made and will record the date this ID check was carried out (usually the first day the individual presents in school).

Part 4 of the Schedule to the Education (Independent School Standards) Regulations 2014 requires that Education Businesses who supply staff to Academies, Independent and Free Schools provide those settings with a copy of an individual's DBS certificate prior to placing the supply staff member. A person offered for supply by an employment business should only begin work at the school if the proprietor considers that the person is suitable for the work for which the person is supplied. The Certificate number which was received by the school must be recorded on the Single Central Record.

17. Trainee/Student teachers

Where applicants for initial teacher training are salaried by the school, the School will ensure that all necessary checks are carried out as if the trainee were an employee including, where necessary, a Childcare Disqualification Declaration. As trainee teachers will generally be engaged in work that is 'regulated activity' relating to children, a DBS Enhanced Disclosure (including a CBL check) will be obtained.

Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry

out the necessary checks, with written confirmation that the appropriate checks have been carried out, being given to the school in advance of the placement. We will not request copies of the Certificates but will ensure that the person presenting themselves for work is the same person on whom the checks have been made.

18. Volunteers

Under no circumstances will a volunteer on whom no checks have been obtained be left unsupervised or allowed to work in 'regulated activity'. Such volunteers who do not meet the criteria for 'regulated activity' i.e. who volunteer occasionally, will be subject to reasonable supervision by a person who themselves are in 'regulated activity'.

18.1 New volunteers

For new volunteers in 'regulated activity' i.e. those who will frequently[4] teach or look after children, provide personal care[5] (even if this happens only once) or accompany children on an overnight visit (regardless of whether they interact with children) we will obtain a DBS Enhanced Disclosure with a CBL check **prior** to the volunteering taking place. We recognise that this also applies to volunteers in holiday clubs and wraparound care. In addition, the Head teacher will determine whether a Childcare Disqualification declaration is required. See section 23.3 for information relating to work experience placements.

For any new volunteers we will undertake a volunteer work risk assessment and use our professional judgement and experience when deciding whether to seek a DBS Enhanced Disclosure (with a CBL check) depending on whether the individual will be working in 'regulated activity' or volunteering occasionally and subject to reasonable supervision. In these cases we may seek either a DBS Enhanced Disclosure (without a CBL check) or a basic DBS Disclosure.

In undertaking the risk assessment, we will take the following into consideration:

- the nature of the work with children, especially if it will constitute regulated activity;
- if not deemed 'regulated activity because the role does not meet a period condition, the level of supervision required;
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers. We will also undertake an online search (not including social media) and record the outcome on the online search record form;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability; and
- whether the role is eligible for a DBS check and, if it is, the level of check, for volunteer roles that are not in 'regulated activity'.

Details of the risk assessment will be recorded.

18.2 Existing volunteers

From 1 September 2026, the Crime and Policing Act 2026 changed the definition of 'regulated activity' by removing the supervision exemption. Under that exemption, **unpaid activities** such as teaching, training, instructing, or caring for or supervising children were not classed as regulated activity if supervised by someone who was themselves in regulated activity (for example, a class teacher).

This means that **all** such activity is now considered to be 'regulated activity' if it meets a 'period condition'. A period condition means:

- on 4 or more days in a 30-day period
- overnight

Volunteers who may not previously have been in 'regulated activity' because they were supervised by a member of staff are (from 1 September 2026) legally required to hold a DBS Enhanced Disclosure

[4] Frequently means on 4 or more occasions in any 30 day period.

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

Certificate with a Barred list check where they meet a period condition as outlined above. This applies to existing volunteers in holiday clubs and wraparound care.

Given that it is an offence for a barred person to engage in 'regulated activity' or for the school to permit a barred person to engage in 'regulated activity', we will ensure that all existing volunteers who are likely to meet the period conditions apply for a new DBS Enhanced disclosure for Regulated Activity.

We are permitted to obtain a standalone CBL check through DfE Sign-in to 'top-up' an Enhanced Disclosure certificate only where:

- the person will begin engaging in 'regulated activity' before they get the DBS certificate i.e. where an enhanced DBS certificate (without the CBL check) has been applied for but not yet received by the applicant;
- we have recently (in the 3 months prior to September 2026) obtained an enhanced DBS check without CBL information and there has been no break in service.

There are certain circumstances where we may obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in 'regulated activity'. This is set out in DBS workforce guides, which can be found on GOV.UK

We are not legally permitted to request a barred list check on a volunteer who is not in 'regulated activity'.

Volunteers engaging in 'regulated activity' do not have to be re-checked if they have already had a DBS check (which includes barred list information if engaging in 'regulated activity') unless we have concerns or they have had a break (3 months or more) from volunteering with our trust. In these circumstances, we will seek a new DBS certificate unless the volunteer is registered with the DBS Update service. Other DBS checks for volunteers not in 'regulated activity' can be re-applied for at the level appropriate to the volunteer role if we have any concerns.

18.3 People who volunteer in multiple settings

Where we have a volunteer who works in multiple settings, each instance of teaching, training, instructing, caring for or supervising a child counts towards the '4 or more days in a 30-day period' period condition and, as such is regarded as working in 'regulated activity'. We will work with other settings to decide which setting will apply for the DBS check in these circumstances. The same DBS Certificate can then be provided to each school and logged on the Single Central Record.

We will encourage all our volunteers to register their Disclosure Certificate with the DBS Update Service within 30 days of the date of issue on their Certificate. Registration with the DBS Update Service for volunteers is free of charge.

19. Proprietors of Independent Schools including Academies and Free Schools or Alternative Provision Academies and Free Schools

The requirement for a DBS check and certificate is disapplied for the Chair of an Academy Trust if the academy is converting from a maintained school and the person has already been subject to a check carried out by the Local Authority.

Where the proprietor is a body of people (including a governing body in an academy), the Chair must ensure that enhanced DBS checks are undertaken for the other members of the body and that where such a check has been undertaken, an enhanced DBS certificate is obtained. Where a governor, trustee or member is engaged in 'regulated activity' i.e. meets a period condition as outlined in section 18.2 above, a DBS Enhanced Disclosure with a CBL check will be sought.

In all circumstances, we will encourage and strongly recommend that Governors, trustees or members register with the DBS Update Service within 30 days of the date of issue on their Certificate.

Checks on members and trustees **must** also include:

- confirmation of the individual's identity
- a Section 128 check (See section 14.4 for further information on how to perform the check)
- confirmation of the right to work in the UK (recommended for local governing body members)
- any other checks where the individual has lived or worked outside the UK, as appropriate.

The above checks are not required for the 'governance professional'.

Where an academy trust delegates responsibility to any delegate or committee (including a local governing body), the trust must require an enhanced DBS check (with or without a barred list check) on all delegates and members of such committees. Academy trusts must also check that members are not barred from taking part in the management of the school as a result of a Section 128 direction (see Section 14.4).

20. Individuals engaged in management roles in Academies, Independent and Free Schools

The Independent School Standards which also apply to Academies and Free Schools require that checks be made prior to appointment for the existence of directions made by the Sectary of State under s.128 of the Education and Skills Act 2008 barring individuals from taking part in the management of an Independent School.

The scope of the barring directions covers membership of proprietor bodies (including governors if the governing body is the proprietor body for the school), and **all** staff positions as follows:

- Head teacher/Deputy or Assistant Head teachers
- any teaching or non-teaching positions which form part of the Senior Leadership Team
- senior leaders of a multi-academy trust (e.g., CEO, Finance Director)

It is important to note that the individual's job title is not the determining factor and whether other individuals such as teachers with additional responsibilities could be considered to be 'taking part in management' depends on the facts of the case.

21. Alternative Provision

Where we place a pupil with an alternative provision provider, the school continues to be responsible for the safeguarding of that pupil and, as such, we will obtain written confirmation from the alternative provider that appropriate safeguarding checks have been carried out on individuals working at the establishment i.e. those checks that we would otherwise perform in respect of our own staff.

22. Others with the potential for contact with children

22.1 Contractors

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

The School will ensure that any contactor, or any employee of the contractor, who is to work at the school has been subject to the appropriate level of DBS check. Contractors who are engaging in 'regulated activity' will require an Enhanced DBS check for Regulated Activity i.e. including a CBL check. For all other contractors who are not engaging in 'regulated activity', but whose work provides them with an opportunity for **regular** contact with children, an enhanced DBS check will be required. In considering whether the contact is regular, it is irrelevant whether the contactor works on a single site or across a number of sites. In cases where the contractor does not have opportunity for regular contact with children, we will decide whether a basic DBS disclosure would be appropriate.

Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in 'regulated activity'. Schools are responsible for determining the appropriate level of supervision depending on the circumstances and risks to children involved. A model Contractors on site risk assessment (child protection) is available from the KAHub.

From 21 January 2026, if an individual working in school is a self-employed sole trader, in specific circumstances, they are able to apply themselves for a DBS Enhanced Disclosure (with or without a CBL check) by approaching a DBS Umbrella Body. The eligibility criteria which determines what level of DBS is required for particular roles has not changed. The DBS provides an electronic eligibility tool which can help determine what check is available to whom. See DBS checks for self-employed people and personal employees for further information. Alternatively, where a self-employed individual is contracting services to a school, the school may apply on the individual's behalf. In these cases, we will request to see the certificate to ensure that the DBS check is at the level required by the trust.

We will, however, always check the identity of contractors and their staff on arrival at the school.

For additional information on the safe appointment of contractors we will refer to our 'procedures for protecting children when contractors are working in educational settings'.

22.2 Visitors

For visitors provided by a third party e.g. educational psychologists, social workers, other education-related practitioners who are in the trust in a professional capacity, as well as guest speakers or performers and those connected with the building/grounds maintenance see Section 16 above. We will ensure that ID checks are carried out and seek assurance that the visitor has had the appropriate DBS check for work with children and that where unsupervised access to a child is required, this includes the CBL check (or the visitor's employers have confirmed that their staff have appropriate checks, including, where necessary, the CBL check). We will not ask to see the certificate in these circumstances.

Where a visitor will have no contact with children, it is unlikely that a DBS check will be required.

The trust does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors to the trust who are not working directly with children e.g. children's relatives or other visitors attending an activity in the trust. Staff in this trust will use their professional judgement about the need to escort or supervise visitors.

22.3 Adults who supervise children on work experience

When organising work experience placements, we will ensure that the placement provider has Policies and procedures are in place to protect children from harm.

Consideration will be given to whether a barred list check is required for an individual who supervises a child under the age of 16 on a work experience placement. In forming a view, the trust will consider the specific circumstances of the work experience, the nature of the supervision and the frequency of the activity being supervised, to determine what, if any, checks are necessary.

If the person providing the teaching, training, instruction or care or supervision to the child on a work experience placement or activity will be doing so frequently or on 4 or more days in a 30-day period, or overnight, this is a 'regulated activity'. We will not allow someone on the barred list to take part in 'regulated activity'.

Other individuals in the workplace who are not involved in teaching, training, instructing or caring for or supervising the child on a work experience placement or activity are not in 'regulated activity'.

We are not able to request that a work experience provider obtains a DBS Enhanced Disclosure with CBL information for staff supervising children aged 16 to 17 on work experience.

If the activity undertaken by the child on work experience takes place in our trust and, as such, gives the opportunity for contact with children on 4 or more occasions in a 30 day period, this may itself be considered to be 'regulated activity'. In these cases, and where the child is 16 years of age or over, we will undertake a risk assessment for work experience/young worker and a volunteer work risk assessment and ensure that, where necessary, the appropriate DBS Disclosure is in place. Further guidance to enable schools to make a decision on the level of check required for individual work experience placements is available from DBS guidance leaflet 'Regulated Activity with Children' (Section 3).

Where the work experience is part of a related field of study e.g. Childcare qualification at College, Early Childhood studies at University etc, the person will meet all 5 of the criteria outlined in Regulated Activity with Children' (Section 3) and would require a DBS Enhanced Disclosure for Regulated Activity (with a CBL). The check would need to be fully paid for as they are not a volunteer. In these cases, it is the responsibility of the College or University to seek the DBS check to ensure they are suitable for the career they are studying in.

Where the work experience is taking place in an EYFS setting or EYFS facility in a school and is 'regulated activity', a DBS for 'regulated activity' must be in place and viewed by trust staff **before** the placement starts (section 3.15-17 EYFS statutory framework for group and school based providers refers). The responsibility for seeking the Disclosure rests with the work experience provider. Where required, the DBS Certificate applied for would be for a volunteer.

It is unlawful for us to request, or to apply for, a DBS check for children/young people under the age of 16. Those under the age of 16 will always be subject to reasonable supervision in the setting.

22.4 Children staying with host families (homestay)

The trust may make arrangements for our pupils to have learning experiences where, for short periods, the pupils may be provided with care and accommodation by a host family to whom they are not related. This might happen, for example, but not only, as part of a foreign exchange visit or sports tour, often described as 'homestay' arrangements. Such arrangements could amount to "private fostering" under the Children Act 1989 or the Safeguarding Vulnerable Groups Act 2006, or both. Sections 408-413 of 'KCSiE' provides further details of this situation and the checks which may need to be carried out by the trust to safeguard its pupils.