



THE HARMONY TRUST

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Safer Recruitment Policy September 2021

Description	By Whom	Date
Established	AE/WM	February 2022
Union Consultation with recognised Unions	KB	February 2022
Approved by Trustees	TM	
Review Date	KB	September 2023





Safer Recruitment Policy

1. Introduction

- 1.1 The Harmony Trust is committed to attracting, selecting and retaining employees who will successfully and positively contribute to providing the very best education for our pupils. A motivated and committed workforce with appropriate knowledge, skills, experience and ability to do the job is critical to each academy's performance and fundamental to the delivery of high quality education.
- 1.2 The Harmony Trust is committed to safeguarding and promoting the welfare of children, young people and staff and expects all staff, volunteers, workers and all other members of the academy community to share this commitment.
- 1.3 This policy takes into account relevant legislation and guidance, and makes particular reference to the statutory guidance "Keeping Children Safe in Education" (Department of Education, 2021), as well as the Equality Act 2010, Employment Statutory Code of Practice and the Data Protection Act 2018 (DPA 2018).

2. Purpose

- 2.1 The purpose of this policy is to set out the Trust's approach to the recruitment and selection of both permanent and temporary employees to ensure:
 - The safeguarding and welfare of children and young people is the first consideration at each stage of the process.
 - A professional, consistent and equitable approach to the appointment of all staff within the Trust.
 - That the best person is appointed for each position, with the appropriate qualifications, skills and experience.
 - All relevant equalities legislation is adhered to and that candidates are not discriminated against on the grounds of a protected characteristic.

3. Scope

- 3.1 This policy covers the recruitment and selection of all employees across the Harmony Trust, including the Trust's central/hub teams and Board of Trustees.

4. Equal Opportunities

- 4.1 The recruitment and selection procedures must always be applied fairly and in accordance with the Trust's Equality and Diversity Policy (which can be located on the Trust's [website](#)) and relevant employment law.



5. Recruitment & Selection Procedure

5.1 Job Descriptions and Person Specifications

5.1.1 At the start of the recruitment process it is important to define what the responsibilities of the post holder will be, as well as the qualifications and experience required to perform the role.

5.1.2 When a post requires a DBS Disclosure, this must be reflected in the job description and person specification relating to that post. It is envisaged that due to the nature of work in all Academies, and resultant contact with children, all posts will require an enhanced DBS Disclosure and, in most cases, a check of the children's barred list. Where the Disqualification under the Childcare Act 2006 requirements also apply to a post, this should also be reflected in the person specification.

5.1.3 All job descriptions will, as a minimum detail:

- Job title;
- Grade/scale of post;
- Working arrangements e.g. full or part-time, term time only working, etc;
- Job purpose;
- Line management details;
- Specific responsibilities; and
- The post holder's responsibilities towards the promotion and practice of safeguarding the welfare of children that they come into contact with through their job.

5.1.4 The person specifications will as a minimum detail;

- Qualifications required to do the job;
- Professional Registrations (if required);
- Enhanced DBS Disclosure required / if Disqualification under the Childcare Act 2006 applies;
- Whether the post is in regulated activity and therefore requires a check of the children's barred list;
- The experience, skills and competencies required, if appropriate referencing qualities relating to the safeguarding of children, such as:
 - Motivation to work with children;
 - Ability to form and maintain appropriate relationships and personal boundaries with children;
 - Emotional resilience in working with challenging behaviours;
 - Attitudes to use of authority and maintaining discipline.

5.1.5 Each requirement on the person specification will be graded as either "essential" or "desirable". These grades will be used for shortlisting purposes after the closing date.

5.2 Advertisements

5.2.1 Usually posts will be advertised externally, to encourage as wide a field of candidates as possible. However, as part of the Harmony Opportunities



Programme, vacancies related to career progression would be advertised internally in the first instance.

5.2.2 The advertisement for a vacancy will demonstrate the Harmony Trust's commitment to safer recruitment and vetting procedures in order to act as a deterrent to people who might harm children or are otherwise unsuited to working with them.

5.2.3 Advertisements should also make clear our commitment to equality and diversity, by including the following statement: "The Harmony Trust is committed to equality of opportunity for all staff and applications from individuals are encouraged regardless of age, disability, sex, gender reassignment, sexual orientation, pregnancy and maternity, race, religion or belief and marriage or civil partnerships"

5.2.4 All recruitment advertisements will include the following as a minimum:

- Post title;
- Hours (this should indicate if full or part time, and if term time only etc);
- Grade or Scale;
- Salary, including any allowances;
- Permanent or fixed term (if fixed term, the duration of the contract should be stated);
- The main responsibility of the post;
- The safeguarding responsibilities of the post as per the job description and personal specification;
- Whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. Which means that when applying for certain jobs and activities certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the DBS filtering guide
- Safeguarding Children Statement "The Harmony Trust is committed to safeguarding and promoting the welfare of children and young people and expects all our staff to share this commitment. The successful candidate will be subject to an enhanced DBS and pre-employment checks";
- Closing date and (where scheduled) interview date.

5.3 Candidate Information

5.3.1 Candidates will be provided with the following documentation:

- Application form (CVs should not be accepted);
- Equality and Diversity monitoring forms;
- Job description and person specification;
- Guidance for applicants, which includes important information for applicants on safer recruitment such as
 - Reference to individual Academy Child Protection Policies
 - DBS – A guide for applicants and information on filtering
 - Guide to the Rehabilitation of Offenders Act and amendments 2020 (filtering of offences)



- Information regarding required pre-employment checks
- Guidance on completing the application form.
- Further information relating to the Trust/Academy.

5.4 Shortlisting

- 5.4.1 The equality and diversity monitoring forms will be separated from each candidate's details prior to shortlisting.
- 5.4.2 The shortlisting panel will review all applications and score them against the person specification.

5.5 References

- 5.5.1 Two references for short-listed candidates will be requested immediately after short-listing. Wherever possible, both references will be taken up before the selection stage, so that any discrepancies can be explored during the interview process.
- 5.5.2 If the applicant has indicated on their application form that they do not wish their current employer to be contacted prior to a post being offered, the academy should make contact with the applicant to understand the reasons for this and then make a decision as to whether to:
- Contact the referee, having agreed this with the applicant
 - Ask the applicant for an alternative referee, and take this up prior to interview
 - Go ahead with the interview without requesting the reference, and take up the reference if a conditional offer of employment is made
 - Withdraw the offer of an interview.

A note of the discussion with the applicant should be kept.

- 5.5.3 Teachers will be expected to provide details of their current Principal/Head Teacher as one of their two referees.
- 5.5.4 References must be made in writing, specific to the job for which the candidate has applied and received directly from the referee. Electronic references should originate from a legitimate source, e.g. company email address. Open references or testimonials are not acceptable. The Harmony Trust will not accept references from relatives or people writing solely in the capacity as a friend.
- 5.5.5 References must be signed by the headteacher of the school providing the reference, or if not a school, then the person who can answer the question about conduct / suitability to work with children.
- 5.5.6 Referees for all candidates will be asked for previous employment details, specific role and child protection related questions. Referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies or to obtain additional information as required. A detailed written note will be kept of such exchanges.



5.5.7 The Harmony Trust reserves the right to seek references from the current/most recent employer even if they are not listed as referees on the application form ensuring the process outlined in 5.5.2 is followed.

5.5.8 Standard forms will be used for seeking reference requests.

5.5.9 No-one should be permitted to start work until two satisfactory references have been received.

5.6 Online Checks

5.6.1 In addition, as part of the shortlisting process the Trust will carry out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview.

5.7 Interviews

5.7.1 Shortlisted candidates will be invited to interview. Interviews will normally be carried out on a face-to-face basis. On rare occasions, for example during Covid restrictions, interview via video conferencing is permissible. On arrival at an individual academy, candidates will be required to verify their identity using photographic identification i.e. passport or driving licence.

5.7.2 The interview process will explore the applicant's ability to carry out the job description and meet the requirements of the person specification. The interview process will also allow time for any discrepancy in a candidate's application form or references to be scrutinised and clarified. Interviewers will question candidates regarding any employment gaps, criminal record disclosures, previous experience, suitability for the post and their motivation to work with children. The panel will be certain that they have explored all relevant areas before they offer a post.

5.7.3 All interview panels will include at least one person who has successfully completed safer recruitment training. This will enable the scrutiny of each candidate's motivation to work with children by a trained interviewer.

5.7.4 The interview panel will score all interviewees against the published person specification as follows:

0	Insufficient evidence
1	Poor evidence
2	Satisfactory evidence
3	Good evidence
4	Exceptional evidence

5.6.5 Any candidate scoring zero for an aspect will not be appointed. The panel will normally appoint the highest scoring candidate unless there is good reason to do otherwise.

5.8 Employment Gaps

5.8.1 At the interview, gaps in employment history must be discussed with the candidate. If there are gaps in their history, the candidate should declare the



reasons for their break from work. These should be documented and signed by the candidate. Valid reasons for gaps in employment may be: the candidate did not need to work, travelling, bringing up a family, caring responsibilities, family bereavement, a period of sickness, or time out of work in relation to a disability.

5.8.2 It is important to ensure that the candidate is able to give as much detail as possible, in order for the panel to make an informed decision. At this stage of the recruitment process there should be a focus on documenting the reasons for any gaps in the employment record, ensuring that the reasons are clear, rather than getting into a discussion about possible implications for their suitability for future employment. This is particularly true for reasons linked to family responsibilities or health. Any offer of employment, for any candidate, would be subject to completion of a pre-employment health declaration.

5.8.3 If the explanation for a gap identified is concerning, advice should be sought from HR. In addition to employment gaps, it is strongly advisable to discuss patterns of repeated change in career or employers at interview, ensuring that the reasons for this are fully explored and satisfy the interview panel.

5.9 Commitment to Safeguarding Children

5.9.1 Interviews allow the Trust to explore a potential candidate's views and expectations in relation to working with children. The recruiting panel should seek to identify the candidate's experience or views on the following points:

- Motivation to work with children;
- Ability to form and maintain appropriate relationships and personal boundaries with children;
- Emotional resilience in working with challenging behaviours;
- Attitudes to use of authority and maintaining discipline.

5.9.2 Providing questions that ask candidates to draw on their experience of situations with children will give a good impression of the candidate's understanding of the points above. It will enable the panel to probe issues or lack of knowledge that candidates may have and explore their motivation to work within an Academy environment or with children.

5.10 Additional Selection Methods

5.10.1 In addition to panel interviews, a number of selection methods may be used to assess a candidate's suitability for the post. Selection methods may include but are not limited to:

- Lesson observations;
- Presentations;
- Group decision making/discussion exercises;
- Group discussions with pupils;
- In-tray exercises;
- Aptitude tests (verbal and numerical);
- Technology based tests including word-processing;
- Written exercises.

6. Pre-Employment Checks



- 6.1 An offer of appointment to a successful candidate, including one who has lived or worked abroad, will be conditional upon satisfactory completion and verification of pre-employment checks.
- 6.2 Prior to employing new staff, the Trust will:
- Conduct an Online check, as per the Keeping Children Safe in Education 2022 guidance.
 - Verify the candidate's identity using photographic identification based on statutory guidelines;
 - Obtain, via the applicant, an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity.
 - Obtain a separate barred list check and complete a DBS risk assessment if an individual will start work in regulated activity before the DBS certificate is available.
 - Verify the candidate's fitness to carry out their responsibilities.
 - Obtain two references.
 - Verify the candidate's right to work in the UK, where the right to work in the UK cannot be verified, the offer of employment will be immediately withdrawn and the Board Agency notified of the details of the applicant.
 - Verify professional qualifications as appropriate;
 - If the candidate has lived or worked outside of the UK, make any further checks that the Trust considers appropriate in line with Keeping Children Safe in Education;
 - Check that a candidate who is taking up a management position is not subject to a section 128 direction made by the Secretary of State;
 - Check that a candidate who is employed as a teacher is not subject to a prohibition order issued by the secretary of state by using the Teacher Services System;
 - If appropriate, obtain via the applicant, verification that they are not disqualified from providing childcare in a relevant setting (see section 8 below);
 - Verify any professional registration that is required by the person specification.
- 6.3 A copy of documentation for all the above checks will be kept on the personnel file of the employee in line with Data Protection regulations.

7. Disclosure of Criminal Record

- 7.1 Posts within the Trust are exempt from the Rehabilitation of Offenders Act 1974 (updated guidance March 2014). Therefore, candidates are asked to disclose any unspent and spent convictions during the application stage.
- 7.2 Having a criminal conviction will not necessarily bar a person from working with children. Successful candidates will be required to complete an enhanced DBS application. Once the enhanced DBS, with barred list clearance for those in regulated activity is verified, any discrepancy in convictions declared on the application form and the DBS clearance will be discussed with the candidate and may lead to the offer of employment being withdrawn with immediate effect, even if the person has commenced work.
- 7.3 If the Executive Principal/Principal wishes for an individual to start work in regulated activity before the DBS certificate is available then a risk



assessment must be completed and authorised by the Head of Safeguarding and the Head of Human Resources.

8. Childcare Disqualification Arrangements

- 8.1 In line with the Disqualification under the Childcare Act 2006 guidance (updated in 2018), relevant staff are disqualified from working in the Trust when they are barred from working with children or young people.
- 8.2 Staff are covered by this legislation if they are employed and/or provide early years childcare (this covers the age range from birth until 1 September following a child's fifth birthday i.e up to including reception age) or later years childcare (this covers children above reception age but who have not attained the age of 8) in nursery, primary or secondary school settings, or if they are directly concerned with the management of such childcare.
- 8.3 The Trust and Academies will take steps to gather information about whether a relevant member of staff is disqualified by asking them to declare any cautions or convictions for a relevant offence; where a care order is issued with respect to a child who has been in the person's care; whether they are named on the DBS Children's Barred list and whether they have committed an offence overseas which would have resulted in disqualification if it had occurred in the UK. Employees are expected to inform their Executive Principal/Principal immediately should their circumstances change and they believe that they may meet the criteria for disqualification.
- 8.4 The Academy will keep a record of those staff who are employed to work in or management relevant childcare, and record the date on which disqualification checks were completed on the Single Central Register.
- 8.5 In the event of information leading to disqualification being obtained, the Trust and Academy will follow guidance set out in the Disqualification under the Childcare Act 2006 guidance.

9. Temporary Staff Employed Directly by the Trust

- 9.1 Staff employed on a temporary contract issued by the Trust will follow the same recruitment process as any other permanent employee. All pre-employment checks must be completed.

10. Adults Working within the Academies but not directly Employed by the Trust

10.1 Peripatetic Tutors and Agency Staff (including agency supply teachers)

- 10.1.1 All service providers/staffing agencies providing staff to undertake regulated activity will be required to provide confirmation to the Academy of the same pre-employment checks that the Trust would complete if they were directly employing the staff themselves. This should be submitted in writing, through the completion of the Third Party/ Agency Staff/ Contractor confirmation check form and should be agreed as part of any contract between the Academy and provider. Evidence of checks from external providers will be recorded on the single central record.



10.1.2 If evidence is not provided then the Academy will not allow the peripatetic tutor or agency staff to have unsupervised access to children.

10.1.3 On arrival at an individual Academy, all peripatetic teachers and agency workers will be required to verify their identity using photographic identification i.e. passport or driving licence.

10.2 Contractors

10.2.1 Any contractor who is to work at the Academy must be subject to the appropriate level of DBS check. Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity.

10.2.2 If a contractor is self-employed, the Academy should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

10.2.3 On arrival at an individual Academy, contractors will be required to verify their identity using photographic identification i.e. passport or driving licence.

10.3 Volunteers

10.3.1 Under no circumstances should a volunteer in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity.

10.3.2 Volunteers who engage in regulated activity must have an enhanced DBS certificate including barred list information. A supervised volunteer who regularly teaches or looks after children is not in regulated activity. For further guidance see KCSIE (2021).

- Volunteers who teach or look after children regularly on an unsupervised basis, or who provide personal care on a one-off basis, will be in regulated activity. In this case, an enhanced DBS check including barred list information should be obtained. If planning to allow volunteers to work unsupervised with children, the academy should confirm with their insurer that adequate cover is in place.
- An enhanced DBS check (without barred list check) may be requested for volunteers who are not engaging in regulated activity but have the opportunity to come into contact with children on a regular basis (e.g. supervised volunteers).
- Although there is not a requirement to re-check volunteers in regulated activity at prescribed intervals, academies may conduct a repeat DBS check (including barred list information) on any volunteer about whom they have concerns.
- If no DBS check is completed the reasons for this should be documented and the volunteer must be supervised* at all times and must not engage in regulated activity.



- If the volunteer is providing teaching work, checks of the relevant TRA lists should be completed.
- If the volunteer is working in an area which is subject to the Disqualification from Childcare Act, they should also be asked to complete a declaration form prior to commencing.

10.3.3 If a volunteer becomes a paid employee, then all pre-employment checks must be completed with the exception of the Enhanced DBS check if it is already held by the Academy. A barred list check will be required if it is not already part of the enhanced DBS check.

10.3.4 All members of the Board of Trustees must have an enhanced DBS check but not a barred list check, unless they also engage in regulated activity.

10.4 Students and Trainee Teachers

10.4.1 All student and trainee teachers are recruited in line with safer recruitment guidelines and are included on the Central Staff Single Central Record (SCR).

11. Trustees and Central Staff

11.1 All trustees and central staff are recruited in line with safer recruitment guidelines and are included on the Central Staff Single Central Record (SCR).

12 Single Central Record

12.1 Each Academy must keep a Single Central Record (SCR) of all staff who work at the Academy. This record provides confirmation that all of the relevant checks have been made.

12.2 The information that must be recorded in respect of all staff members, including teacher trainees on salaried routes, is whether the following checks have been carried out, and the date on which each check was completed:

- Identity check.
- Barred list check.
- Enhanced DBS check.
- Establishment of the person's right to work in the UK.
- Professional qualifications check.
- Further checks on people who have lived or worked outside of the UK.
- Prohibition from teaching.
- Section 128 check for those in management positions.

12.3 For supply staff and contractors, the SCR must 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 any enhanced DBS check certificate has been provided in respect of the member of supply staff/contractor, and the date that communication was received.

12.4 Volunteer checks must be recorded on the SCR.



- 12.5 For trustees and Trust central staff the SCR must include written confirmation that the Harmony Trust has carried out the relevant checks and obtained the appropriate certificate.

13. Induction

- 13.1 All new staff and regular volunteers will be provided with induction training which will include as a minimum:
- the academy's child protection policy and procedures;
 - the Trust's Staff Code of Conduct;
 - the academy's pupil behaviour policy;
 - the Whistleblowing Policy
 - online safety policy and user agreements
 - the role of the designated safeguarding lead, and their contact details
 - safeguarding risks of children missing education

In addition, all individuals will be provided with a copy of:

- The relevant sections of Keeping Children Safe in Education, depending on the level of contact with children
- What to do if you're worried about a child (DfE 2015)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/419604/What_to_do_if_you_re_worried_a_child_is_being_abused.pdf

- Sexual violence and sexual harassment between pupils in schools & colleges (September 2021)

<https://www.gov.uk/government/publications/sexual-violence-and-sexual-harassment-between-children-in-schools-and-colleges>

Individuals will be asked to confirm in writing that they have read and understood these documents. If they are unsure of anything, advice should be sought from the designated staff. At some academies, staff will also be required to undertake online safeguarding training in line with the relevant Local Safeguarding Children's Partnerships guidelines.

14. Review

- 14.1 The Trust's policy on safer recruitment will be reviewed biennially, or when the Department for Education (DfE) issues revised guidance on this topic.
- 14.2 An Equality Impact Assessment will be carried out annually and shared with union representatives.



Appendix 1

Policy statement on the recruitment of ex-offenders

It is a legal requirement that all registered bodies and prospective employers must treat DBS applicants who have a criminal record fairly and not discriminate because of a conviction or other information revealed. Registered Bodies and employers who are Regulated Activity Providers (including schools) are obliged to have a written policy on the recruitment of ex-offenders, which is available to DBS applicants at the outset of the recruitment process.

Policy Statement

1. As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, The Trust complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. We undertake not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.
2. The Trust is committed to the fair treatment of its staff, potential staff or users of its services, regardless of gender, pregnancy and maternity, ethnicity, culture, age, disability, sexual orientation, gender identity, religion or belief, marital and civil partnership status, education, learning styles, caring responsibilities or offending background.
3. A summary of this policy on the recruitment of ex-offenders is available to all DBS applicants on request.
4. We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, knowledge and experience.
5. As a Regulated Activity Provider (RAP) most paid employees of the Trust are in regulated activity with children and therefore subject to checks of the DBS children's barred list in addition to enhanced DBS certificate.



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6. In relation to volunteers and contractors, we only request a DBS check after a risk assessment had indicated that one is both proportionate and relevant to the position concerned.
7. For those positions where a DBS check is required, all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.
8. We expect shortlisted applicants to provide details of any criminal record history that is not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (as amended in 2013 and 2020) prior to interview. This should be done using the disclosure at Appendix 2. Applicants should disclose details of any unspent convictions, cautions, reprimands, bind-overs and final warnings you may have in addition to any criminal proceedings pending against you. You should not disclose any criminal history that would be protected or filtered. If the completed disclosure is not returned prior to interview, the Trust reserves the right to withdraw the offer of interview.
9. We guarantee that this information will only be seen by those who need to see it as part of the recruitment process. Disclosed information will only be considered for shortlisted applicants. Disclosures for applicants that are not shortlisted will be confidentially destroyed and will not be considered during the recruitment process.
10. We ensure that everyone within the Academy who is involved in the recruitment process has been suitably briefed to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance on the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 and its amendments and know how to access advice and support.
11. At interview, or on a separate occasion, we ensure that an open and measured discussion takes place on the subject of any relevant offences or other matter that may 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.
12. We undertake to discuss any matter revealed in a DBS check with the person seeking the position before considering withdrawing a conditional offer of employment. This discussion and any subsequent risk assessment may be undertaken by our HR team, the Head of Safeguarding or another trained member of the Senior Leadership Team within the Academy.



Appendix 2 Information on Disqualification under the Childcare Act 2006

The role you have applied for has been identified as one where Disqualification under the Childcare Act 2006 applies. Please read this guidance carefully. If you are offered a post you will be asked to complete a declaration form.

Disqualification under the Childcare Act 2006 sets out the circumstances in which an individual will be disqualified and may not provide relevant childcare provision or be directly concerned in the management of such provision. Academies are prohibited from employing (or using as a volunteer) a disqualified person in connection with relevant childcare provision in certain settings. A copy of the statutory guidance can be found here:

<https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006/disqualification-under-the-childcare-act-2006>

Who is disqualified?

Under the legislation a person is disqualified if they are found to have committed a 'relevant offence', which includes (a) being convicted of a relevant offence or (b) on or after 6 April 2007, being given a caution, reprimand or warning for a relevant offence. A list of the relevant offences that lead to the disqualification of an individual is set out in the tables in the statutory guidance.

By way of a summary, a person is disqualified if any of the following apply:

- they have been cautioned for, or convicted of certain violent or sexual criminal offences against adults and any offences against children;
- they are the subject of an Order, direction or similar in respect of childcare, including orders made in respect of their own children;
- they have had registration refused or cancelled in relation to childcare of children's homes or have been disqualified from private fostering.

What does this mean in practice?

Anyone offered a role which falls within the scope of the Childcare Act will be asked to complete a declaration form to the best of their knowledge. A copy of the form is provided for information only at this stage.

Further information on what you should, and should not, declare is contained within the statutory guidance. You only need to provide information on relevant offences. For example, cautions, reprimands and warnings only amount to disqualifying offences if issued on or after 6 April 2007, and you are not required to disclose the spent cautions or convictions of a person who lives or is employed in your household. You are asked only to complete the form, not to provide copies of supplementary information.



Information will be treated in the strictest of confidence and in line with the Trust's Data Protection Policy which includes the rules set out in the General Data Protection Regulation. If you think you have relevant information about yourself, your completed form should be emailed to the HR Team, clearly marked "Strictly Confidential".

What happens next?

If you are the preferred candidate and are offered a role, this will be a conditional offer and you will be asked to complete and return the declaration form. If you declare any relevant information on your completed form this will not necessarily preclude you from employment with us. It is possible to apply to Ofsted for a waiver. If relevant, the academy will contact you to discuss the information that you have provided and advise you about how you can apply for a waiver. You are not required to provide the academy with further information of the order, restriction, conviction, caution etc. However, Ofsted may wish to consider such documents in order to exercise their power to waive disqualifications (in which case, such information should be sent directly to Ofsted). If the waiver is not granted, the conditional offer will be withdrawn.

Further information on applying for a waiver can be found here:

<https://www.gov.uk/government/publications/applying-to-waive-disqualification-early-years-and-childcare-providers> .

Questions

If you have any questions about this information, please refer to the statutory guidance and/or contact the HR Team.



Appendix 3 Pre-interview self-disclosure form

Please return this disclosure to the HR Team at least one day prior to the interview. If we have not received this, we reserve the right to withdraw the offer of interview.

Post Applied For:	
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Surname:	
Forename:	
Previous name(s) (if any):	

The Harmony Trust is committed to safeguarding and promoting the welfare of children and we expect all staff to share this commitment.

For this post, pre-employment checks will be carried out, references will be sought and successful candidates will be subject to an enhanced DBS check and other relevant checks with statutory bodies.

We comply with the Disclosure & Barring Service (DBS) code of practice and have a written policy on the recruitment of ex-offenders, both of which are available on request.

As you have been shortlisted, you are required to declare criminal proceedings pending, and any relevant convictions, cautions, court orders, reprimands, warnings or other matters which may affect your suitability to work with children (or vulnerable adults, where relevant). As a result of amendments to the Rehabilitation of Offenders Act 1974 (exceptions order 1975) in 2013 and 2020, some minor offences are now protected and should not be disclosed to potential employers, and employers cannot take these offences into account.

Please read the information provided in our Safer Recruitment Policy, including Appendix 1 & 2 of our Safer Recruitment Policy before answering the following questions. There is more information on filtering and protected offences on the DBS website.

1. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974?	Yes / No
2. Do you have any criminal proceedings pending?	Yes / No
If yes, please provide details here:	
3. Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020?	Yes / No



If yes, please provide details here:

4. Are you included on the DBS children’s barred list? Yes/No

If yes, please provide details here:

5. Qualified Teachers only) Are you, or have you ever been, prohibited from teaching or sanctioned by the GTCE? Do you have an interim prohibition order? Yes/No/Not Applicable

If yes, please provide details here:

6. (Management posts only) Have you been prohibited from management of a school / academy (s128)? Yes/No/Not Applicable

If yes, please provide details here:

7. Have you lived or worked outside the UK for more than 3 months in the last 10 years? Yes/No

If yes, please provide details here:

8. Are you subject to any sanctions in the EEA Yes/No

If yes, please provide details here:

9. Applicants for posts in early years or later years childcare (wrap around care) only The Disqualification under the Childcare Act 2006 Regulations (2018) state that anyone employed to care for children in early years (children under the age of 5) or later years (wrap-around care for children under the age of 8) is disqualified from that work if they meet certain criteria. These criteria include (this is not an exhaustive list):

- Certain serious criminal offences
- Court orders relating to the care of your own child
- Being prohibited from private fostering

Do you have any reason to believe you are disqualified from working in childcare? Yes / No

If yes, please contact us for more information on the Regulations.

Please complete the declaration below:

I declare that all the information I have provided in this disclosure is full and correct at the time of application and that I have not omitted anything that could be relevant to the appointment of someone who will work with children. I understand that the recruitment panel may be made aware of any relevant information that I have disclosed in order to discuss the matter(s) with me as part of the recruitment process and that, if my application is successful, a risk assessment of the disclosed information will be held securely on my personnel file.

Signed:	
Dated:	

All information will be treated in confidence in accordance with GDPR. Information will only be used for Safer Recruitment Purposes.



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Please note that, if you are unsuccessful, this disclosure form will be securely destroyed within 6 months of your application.