



Safeguarding Vulnerable Groups

Essential Recruitment and Selection Procedure

New College Durham is committed to safeguarding & promoting the welfare of children and young people, as well as vulnerable adults, and expects all staff and volunteers to share this commitment.

New College Durham
Safeguarding Vulnerable Groups-
Essential Recruitment and Selection Procedure

(Equality and Diversity Assessment)

We will consider any request for this procedure to be made available in an alternative format.

We review our policies and procedures regularly to update them and to ensure that they are accessible and fair to all. All policies and procedures are subject to equality impact assessments. Equality Impact Assessments are carried out to see whether the policy has, or is likely to have, a different impact on grounds of race, gender, disability, age, religion, sexual orientation or human rights.

We are always keen to hear from anyone who wants to contribute to these impact assessments and we welcome suggestions for improving the accessibility or fairness of the policy.

To make suggestions or to seek further information please contact:

Human Resources Department
human.resources@newdur.ac.uk
Tel: 0191 375 4025/4023

If any employee has difficulty understanding this policy or needs assistance completing any documentation associated with the policy, please contact either your trade union representative or the College's Human Resource Department.

Equality Impact Assessed: December 2015

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New College Durham

Safeguarding Vulnerable Groups- Essential Recruitment and Selection Practice Procedure

1. Introduction

- 1.1 New College Durham (the College) is committed to Safeguarding and promoting the welfare of all vulnerable groups (children and adults). As part of this committee the College ensures that key Human Resource processes, notably recruitment decisions, are well informed through a consistent and thorough process of obtaining, collating, analysing and evaluating information from and about applicants and new members of staff or volunteers. The overall aim of this data collection is to provide greater protection for vulnerable members of society, staff and students. All staff and volunteers are required to share this commitment to support and engage in measures that afford greater protection to such vulnerable members.
- 1.2 This procedure should be read in conjunction with the following College Policies:
 - Recruitment and Selection Procedure;
 - Safeguarding Young People Procedure;
 - Safeguarding Adults at Risk Procedure.
- 1.3 This procedure focuses on the recruitment of staff under the prevailing legislation and details explicitly employment checks that will be undertaken in relation to the recruitment of staff. This Procedure is based on guidance issued by the Department for Education (DfE) in their publication "Keeping Children Safe in Education" (July 2015).
- 1.4 All staff of the College should read part 1 of Keeping Children Safe in Education (July 2015) which can be found on the College's HR intranet page.

- 1.5 This Procedure is designed to inform staff of the College's legal responsibility to safeguard vulnerable groups and to ensure safe working practices apply.
- 1.6 As part of the recruitment process, the College will utilise the principles and services of the Disclosure and Barring Service (DBS), formerly known as the Criminal Records Bureau (CRB), to identify candidates who may be unsuitable for certain work with certain groups. Further details on the College's DBS procedure can be found at Annex A of this procedure.
- 1.7 New College Durham is a registered DBS Umbrella Body (UB) and can apply for DBS checks on behalf of other client organisations. It is at the discretion of the College, as to which organisations it will provide UB Services for.

2. Prevailing Legislation and Check Levels

- 2.1 The level of checking procedures that must be undertaken for a potential College employee, is dependent on the level of responsibility associated with caring for, training, supervising, or being in sole charge of persons under 18 and/or adults at risk.
- 2.2 The Further Education (Providers of Education) (England) Regulations 2006 (supported by 'Keeping Children Safe in Education', requires institutions to check (for all new members of staff) their:
 - Identity;
 - Right to work in the UK;
 - Possession of relevant qualification(s);
 - Enhanced DBS clearance (if applicable). The appearance on the DBS barred lists (the children's barred list and/or the adult's barred list) may be checked if applicable to the role and where appropriate, additional checks on those who have lived outside the UK will take place (for example, via the embassy or police force of the relevant country/countries).
- 2.3 In relation to this procedure and our practices the College will comply with the relevant prevailing legislation.

3. The Recruitment Process

- 3.1 The College will ensure that all applicants are made aware of the College's commitment to safeguarding vulnerable groups, by including a detailed statement within the recruitment literature they are required to read as part of any application for employment.
- 3.2 Relevant job descriptions and person specifications will make reference to responsibilities towards safeguarding vulnerable groups (SVG) and the suitability of the post holder to work with these groups.
- 3.3 Applicants will be asked to provide the following:
 - full identity details (including full name, address, date of birth and NI number);
 - statement of qualifications;
 - full history since leaving Secondary Education or post compulsory education employment (and reasons for leaving), voluntary work and explanations of any gaps;
 - declaration of any family, or close relationship to a member of the Corporation;
 - details of referees, one of which should be the current or most recent employer;
 - statement of personal qualities;
 - declaration of suitability and/or subject to investigations regarding working with vulnerable groups;
 - applicants commitment to Safeguarding principles and affirmation of the commitment detailed in this Procedure.
- 3.4 All applications will be scrutinised by those tasked with shortlisting potential employees. Additionally, the HR department will check all applications and any forms with missing information relating to declarations will not be accepted. Any forms which detail gaps in employment or education history will be highlighted to the relevant manager, so that further information can be obtained during any subsequent interview (if the individual has been short listed).

- 3.5 Applicants will be asked to bring with them to interview, proof of identity, proof of right to work in the UK and essential qualifications.
- 3.6 For appropriate posts, students will be used as part of the interview process. Interview panels will consist of a minimum of two, appropriately trained members of staff, with the necessary authority to make recruitment decisions.
- 3.7 All interview panels will consist of at least one member who has undertaken Safer Recruitment Training, which covers as a minimum, the guidance as outlined in Keeping Children Safe in Education (July 2015).
- 3.8 Offers of employment will be conditional upon:
- receipt of at least two satisfactory references (one of which must be from current or last employer/school);
 - verification of identity;
 - appropriate DBS Disclosure and relevant overseas checks;
 - verification of medical fitness;
 - verification of qualifications;
 - commitment to participate in the relevant probationary period.
- 3.9 All new staff will be appropriately inducted with training and information regarding the College's Policies and Procedures including those related to SVG.
- 3.10 Monitoring of this procedure and the College's policies and procedures on recruitment and selection and induction etc. will be monitored through staff turnover, reasons for leaving and Employment Reflection surveys and/or interviews.

4. Checking Procedures and Information

4.1 Identity Checks

- 4.1.1 The HR department will verify the identity of all new employees (and volunteers). The criterion includes checking a person's name

(including any previous names used), date of birth and address verification.

- 4.1.2 The identification should be either a valid passport or a birth certificate and proof of NI number, together with a document containing a photograph (eg driving licence). All documents must be originals. **Photocopies are not accepted.**

4.2 Right to Work in the UK

- 4.2.1 All staff will be asked to provide evidence that they are legally entitled to work in the UK, as part of the recruitment process (at interview) and upon appointment. In accordance with the Immigration, Asylum and Nationality Act 2006, guidance is provided to all applicants/employees as to acceptable documentation that can be used to verify their right to work in the UK.

4.3 Barred Lists

- 4.3.1 The DBS hold two barred lists – the Children’s Barred List and the Adults Barred List. The barred lists can only be checked when carrying out an Enhanced DBS check and where the applicant/employee role involves regulated activity. A role involves regulated activity if as a result of their work they:

- Will be responsible, on a regular basis in a College, for teaching, training, instructing, caring for or supervising children; or
- Will carry out paid, or unsupervised unpaid, work regularly in a College where that work provides an opportunity for contact with children; or
- Engage in intimate or personal care or overnight activity, even if this happens only once.

For staff who have an opportunity for regular contact with children who are not engaging in regulated activity, an

enhanced DBS certificate, which does not include a barred list check, will be appropriate.

4.4 DBS Checks

4.4.1 The College can only apply for a DBS check if the position is included in the list of exceptions to the Rehabilitation of Offenders Act 1974 and therefore falls under the published DBS Disclosure Access Category/Reference Codes.

4.4.2 There are three types of check that can be undertaken:

Type of Check	What it will check for
Standard	Spent and unspent convictions, cautions, reprimands, final warnings
Enhanced	As above – plus any additional information held locally by police forces that's reasonably considered relevant to the post applied for
Enhanced with list checks	As above – plus a check of the appropriate DBS barred lists

4.4.3 The College has established guidance based on government's statutory guidance on the supervision of children and the definition of 'Regulated Activity' on which posts within the College will be subject to a DBS check and which level of check is appropriate.

4.4.4 Any offer of employment will be conditional until the individual receives a copy of their DBS certificate and presents this document to the HR department for verification. Failure to do this will either lead to a delay in

employment commencing, or the conditional offer of employment being withdrawn.

Should any information be disclosed on the certificate, the decision to employ rests with the Principal and Chief Executive, with guidance from the Director of HR and Corporate Services.

Further information on this and the DBS service can be found in Annex A of this procedure.

4.5 Overseas Checks

- 4.5.1 Staff who have lived overseas will undergo the same checks as those who have lived solely in the UK. Where appropriate, DBS checks will be sought and where the DBS check is deemed as not sufficient for making a recruitment decision, further criminal records information should be sought from countries where individuals have worked or lived. The information will be sought by obtaining certificates of good conduct from relevant embassies or from the High Commission of the country in question by the Human Resources Department
- 4.5.2 A DBS check, will be deemed as insufficient in situations where an individual has, since leaving secondary education, lived and/or worked (not on holiday or travelling) in a country outside of the UK. Managers are required to review this information during the recruitment process (short listing and interview), and should notify, and seek further guidance from, HR Department.
- 4.5.3 Staff may commence employment prior to the College receiving an appropriate DBS check (and any overseas checks) if applicable, provided **ALL** other checks (paragraph 3.8) have been carried out with satisfactory results, and the employee is continuously and appropriately supervised, and the criminal records checks have been requested. Only the Director of HR and Corporate Services can give this authorisation once a written request and appropriate

supervision measure have been arranged by the recruiting manager.

4.6 Qualification Checks

- 4.6.1 The College will verify that the candidate has obtained any qualifications legally required for the job and that they claimed for on their application form. Sight of original qualification certificates, or where not available, a letter from the awarding institution, will be required.
- 4.6.2 Where a newly appointed lecturer does not hold a recognised teaching qualification, it will be the College's expectation that they undertake the College's "Teaching, Learning and Assessment Toolkit" programme within their probationary period.

4.7 References

- 4.7.1 At least two references will be sought for all new employees, one of which should be from the current or most recent employer. The College will not accept references that are provided by candidates, or that are open, for example, references that are addressed "*To Whom it May Concern*". If a candidate for a teaching post (unless this is their first teaching post) is not currently employed as a teacher the College will check with the school, college or local authority at which they were most recently employed and previously undertook teaching, to confirm details of their employment and their reasons for leaving.
- 4.7.2 Reference requests will include a copy of the job description and person specification, and will ask for the referee's opinion in relation to the suitability of the candidate to the role, and where appropriate, their suitability to work with children and adults. They will also ask about the relationship between the candidate and the referee.

- 4.7.3 Where information that has been requested is missing from the reference, this will be sought by contacting the referee and requesting the information be returned in writing.
- 4.7.4 Other information that will be sought via reference requests includes:
- confirmation of current/most recent post and salary;
 - comments about the applicant's performance history and conduct;
 - details of any disciplinary procedures the applicant has been subject to (including any related to the safety and welfare of children or adults).

4.8 Occupational Health Check

- 4.8.1 All appointees new to the College must undergo an occupational health check. This is to ensure that they are fit for work in their appointed role and to enable the College to provide for any adaptations/adjustments for the appointee to do the role, for example a special chair, keyboard etc as necessary.
- 4.8.2 The individual will be asked to complete a health questionnaire which should be returned to the HR department in the envelope provided which will be forwarded to the Occupational Health unit for assessment. A report will then be issued to the HR department declaring whether or not the individual is fit to work, including any recommended adjustments (if applicable).

5 The Single Central Record

5.1 The College will maintain a record of all staff/volunteers who are employed/engaged at the College, and also any that are employed as supply staff, whether employed directly via the College Supply Pool; through an external agency, or through a contracted service. The record will indicate whether or not the following are required, have been completed and when, and by whom:

- Identity checks;
- Qualification checks;
- Checks of right to work in the UK;
- Barred List checks;
- DBS checks;
- Further overseas records checks.

6 Code of Conduct

6.1 The College's Code of Conduct applies to all College employees and can be found at Annex E. Employees should be aware that failure to comply with the Code of Conduct could result in disciplinary action including dismissal. The Code of Conduct is designed to give clear guidance on the standards of behaviour all staff are expected to observe.

7 Procedure Review

- 7.1 The effectiveness of this Procedure will be monitored annually and reviewed every five years in light of experience, guidance from the Department for Education, the Disclosure and Barring Service, changes in legislation and best practice. This mechanism recognises that changes to employment legislation may prompt a review of the Procedure before the five years stipulated.
- 7.2 In considering the effectiveness of this Procedure, consultation will be undertaken with Trade Unions, staff and managers to assist in the review and monitoring of this Procedure.

Implementation	June 2009
First Review (completed)	June 2013
Second Review (completed)	December 2015
Third Review	December 2017

Guidance issued by Disclosure and Barring Service (DBS)

1. Background

- 1.1 The DBS has been formed through a merger between the CRB (Criminal Records Bureau) and the Independent Safeguarding Authority (ISA) and took effect from 01 December 2012. The DBS is designed to identify candidates who may be unsuitable for certain work.
- 1.2 The DBS further maintains the registers which indicate where an individual is barred from working with children or adults. The College is able to access these lists; the children's barred list and the adult's barred list, via an Enhanced DBS check.
- 1.3 DBS checks have to be requested by or through a Registered Body (RB). The College is registered through the DBS and is therefore able to request such checks. However these can only be undertaken by the lead counter-signatory or designated counter-signatories.
- 1.4 The College can only apply for a DBS check if the position is exempt from the Rehabilitation of Offenders Act, and falls under the occupations that are known as the exceptions.

2. Guidance

- 2.1 There are three types of checks that can be undertaken:
 - Standard Check;
 - Enhanced Check ;
 - Enhanced Check with barred lists.

- 2.2 The College has established guidance on which posts within the College will be subject to a DBS check and which level of check is appropriate (please refer to Section 5 "Regulated Activity" of this Annex for further information on this). The College recognises that the guidance does not allow for a 'blanket approach' when seeking DBS clearance, ie applying for checks for College Staff regardless of role.
- 2.3 The College recognises and welcomes that the DBS have the right to conduct audits to check compliance with its procedures and codes and to provide advice on good practice. The College gives an unequivocal commitment to adhere to the DBS Code of Practice.
- 2.4 The College recognises that any individual can refuse to apply for a DBS check; however, some posts require disclosure by law. In this instance, if an individual refuses to apply for a DBS check, the College will not progress the job application (where such a check is required for the post). If an individual is currently working for the College and changes role and/or type/age of student, which prompts the need for a DBS check, this requirement would be regarded as a "*Reasonable Management Instruction*" and failure to comply fully result in more formal action.
- 2.5 Individuals registered with New College Durham Supply Pool, are required to apply for a DBS check upon registration. If the individual refuses to apply for such a check, positions may be limited as to the type of work offered to them. However, individuals registered with the Supply Pool, who do not apply for a DBS check during registration, can at a later stage choose to apply.

3. Responsibilities

- 3.1 DBS checks for staff can only be processed by the College's HR department. The Director of HR and Corporate Services, Lead Counter Signatory has ultimate responsibility for ensuring that the DBS Code of Practice is adhered to at all times, by the College.

- 3.2 Recruiting Managers must not agree on a start date until the HR Department has provided the authority to do so. Only in exceptional circumstances, and with the agreement of the Director of HR and Corporate Services, will staff be allowed to commence work prior to receiving the appropriate clearance.

4. Disclosure Processes and Charges

- 4.1 The DBS charge a fee for checking applications. The fee charged will be paid for by the staff member.
- 4.2 The process for applying for such a check will involve the completion of a paper application form, which will be provided to the individual by New College Durham. The individual will also be required to provide identification, including proof of name, date of birth and current address. The College will not accept photocopies of any documentation required to verify identity. The College will issue guidance to offer assistance on suitable forms of identification.

5. Regulated Activity

- 5.1 Regulated Activity relating to children

- **Type of Activity** - There are various types of activity which fall under the 'regulated' banner in relation to contact with children:

Unsupervised Activities	Teach, train, instruct, care for or supervise children, provide advice/guidance on well-being, drive a vehicle for children;
Specified Establishments	Schools, College's, Children's Homes, Childcare premises;
Personal Care* / Health Care*	washing, dressing or health care provided by or supervised by a health care professional;
Registered Child-minding*	And Foster Carers*
Day to day Management	Day to day management on a regular basis of a person providing a regulated activity

(*Even if only done once)

- **Frequency of Activity (Period Conditions)**

Whether doing any of these activities depicts 'Regulated Activity' depends on the frequency and amount of contact.

If in an "unsupervised activity" (as detailed in point above), it would be a regulated activity if one of the following period conditions can be met; Contact with a child for:

- Once a week or more;
- Four or more days in a 30-day period;
- Overnight between 2am – 6am and the opportunity for face-to-face contact.

In a "specified establishment" the 'period conditions' can be one of the following forms of contact;

- Once a week or more;
- Four or more days in a 30-day period;
- Overnight between 2am – 6am and the opportunity for face-to-face contact;
- The opportunity as a consequence of anything s/he is permitted or required to do in connection with the activity that results in her/him having contact with children.

The other 'regulated activities' do not have 'period conditions'.

If the above conditions are met then the College would be justified in undertaking an Enhanced Check and a check of the Children's Barred List.

5.2 Regulated Activity Related to Adults

5.2.1 There are five types of 'regulated activity' in England relating to adults:

Health Care	When provided by any health care professional, or under the direction or supervision of one;
Personal Care	Washing, dressing, eating, drinking and toileting;
Social Work	In connection with Health or Social services;
Assistance with the Conduct of Affairs	Power of Attorney, etc.;
Conveying of an Adult	This must be for health, personal or social care due to age, illness or disability.

5.2.2 Unlike regulated activity for children there are no Specified Establishments for adults. There is also no 'period conditions' for frequency or amount of contact in relation to adults. Regulated activity for Adults starts from the first activity contact, even if it only happens once.

5.2.3 If the above conditions are met then the College would be justified in undertaking an Enhanced Check and a check of the Adults Barred List.

6. Posts eligible for DBS checks within the College

6.1 The HR department maintains an up to date list of posts eligible for DBS checks within the College.

- 6.2 The process used by the HR department to identify if a post is eligible for a DBS check and a check against the 2 Barred Lists, can be found in Annex D. This 'Decision Workflow' will be used for each new appointment or when a post changes substantially its role or responsibilities.
- 6.3 It is not normally necessary for existing staff to have DBS checks carried out unless the nature of their job changes to a significant extent that would bring them into the "regulated activity" categories.
- 6.4 Where the role has significantly changed a DBS check may be requested. Where an individual is appointed into a role that meets the definition of 'regulated activity', and they had not previously held a DBS check, the relevant check will be undertaken prior to their commencement in the new post. If the post is new to the College the above guidance/definitions will be used to determine the level of check to be undertaken.

7. Working with under 18s (including volunteers)

- 7.1 The Protection of Children Act 1999 requires the College to run a check on applicants for teaching, non-teaching and jobs for volunteers, if the successful applicant will have contact with children under 18 years old.
- 7.2 The College has also developed a range of measures for providing a safe working environment. Specific attention is drawn to the College's health and safety policies for "Young Persons" and "Key Stage 4"
- 7.3 Where the student is attending college from another educational institution e.g. School, the College will work in partnership with the appropriate authorities eg LEA to ensure that the appropriate checks are conducted on all applicants who may work with the student.

8. **Secure Storage, Handling, Use, Retention & Disposal of Disclosure Information**

- 8.1 The College will comply with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use storage, retention and disposal of Disclosure information and with the consent of the individual to retain such information.
- 8.2 In accordance with the relevant prevailing legislation, certificate information is only passed to those who are authorised to receive it in the course of their duties. The College maintains a record of all those to whom certificate information has been revealed and recognises that it is a **criminal offence** to pass this information to anyone who is not entitled to receive it. Hence, the College will use certificate information only for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 8.3 Once a recruitment decision has been made, the College does not keep certificate information for longer than six months. This is to allow for the consideration and resolution of any disputes or complaints. If the College considers it necessary to keep certificate information for longer than this period, consultation with the appropriate body or bodies will take place, giving full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

- 8.4 Once the retention period has elapsed, the College will ensure that any certificate information is destroyed by secure means, ie shredding. The College will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. The College keeps a record of the name of the individual; the date a copy of the certificate was taken; the date of the certificate; the certificate type; the position for which the certificate was requested, the unique reference number of the certificate and the details of the recruitment decision made.

9 The Recruitment of Ex-Offenders

- 9.1 For those positions where a DBS check is required, staff are not entitled to withhold information regarding convictions. Any failure to disclose such convictions could result in dismissal or disciplinary action by the College. Applicants applying for such posts will be informed during interview that a DBS check is required and the process to be followed.
- 9.2 Having a criminal record will not necessarily bar an individual from working with the College. This will depend on the nature of the position, nature of the offence (s) and the circumstances and background of the offence(s).
- 9.3 The College will not engage any individual with a criminal record that includes sexual offences of any nature, whether the individual is on the sex offenders register or not.
- 9.4 When a DBS certificate reveals information regarding a conviction or other matter, the College will endeavour to consider the following when reaching a recruitment decision:
- Whether the information is relevant to the position in question;
 - The seriousness of any offence or other matter revealed;
 - The length of time since the conviction or other matter occurred;
 - Whether the applicant has a pattern of offending behaviour or other relevant matters;

- Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters, and;
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

9.5 Where it is felt the nature of the offence(s) places an individual's employment in question, this will be raised with the Director of HR & Corporate Services. S/he will discuss the matter with the Principal and Chief Executive whose decision will be final.

10 DBS Code of Practice

- 10.1 The DBS Code of Practice exists to ensure that information made available through DBS Certificates is used fairly and is intended to provide assurance to applicants that this is the case.
- 10.2 The Code of Practice is an important document that sets out the obligations that must be met by Registered Persons and other recipients of DBS certificate information.
- 10.3 The College seeks to ensure that all individuals subject to DBS checks through the College are aware of the existence of the Code of Practice. A copy of this document is available from the HR department.
- 10.4 If it is perceived by an individual that the practices explained in this Procedure are not applied fairly, they should in the first instance write to the Director of HR & Corporate Services, outlining their concerns and outcome sought from their enquiry

11 Umbrella Body (UB) Services of New College Durham

- 11.1 All client organisations will be provided with a copy of the DBS Code of Practice by New College Durham. They will also be provided with a copy of the College's Safeguarding Procedure for Staff (including the security Procedure and Procedure on the recruitment of ex-offenders). Client Organisations are advised to have their own written policies on security, and the recruitment of ex-offenders.

- 11.2 The College will contact the DBS if it has any concerns about the behaviour of any client organisation that they are acting on behalf of.
- 11.3 Client organisations must satisfy the College that they are genuinely likely to ask the exempted question under the exceptions Order to the Rehabilitation of Offenders Act 1974.
- 11.4 Client organisation must ensure their applicants are aware of the DBS certificate process.
- 11.5 The recruitment decisions are the sole responsibility of the client organisation, unless the relationship between the client organisation and New College Durham involves employees of the organisation carrying out work for the College at the College's premises.

12 Referrals to the DBS

- 12.1 Where a member of staff or volunteer has been dismissed or leaves the College due to causing harm or potential harm or damage to a child or adult, the Director of HR and Corporate Services will formally write to inform the DBS as per the Code of Practice. The employee concerned will further receive written confirmation that such actions will occur.

NCD Roles covered by the Rehabilitation of Offenders Act 1974 (ROA) Exceptions Order 1975.

1. New College Durham positions

- 1.1 The Human Resources Department retains an up to date list detailing the relevant positions covered.

2. Guidance for checking eligibility for a DBS check.

- 2.1 Schedule 1 (Part II) of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 states that;

"Any employment as a teacher in a school or establishment for further education and any other employment which is carried out wholly or partly within the precincts of a school or establishment for further education, being employment which is of such a kind as to enable the holder to have access to persons under the age of 18 in attendance at the school or establishment for further education in the course of his normal duties".

- 2.2 DBS Eligibility Guidance (Ref 05) 2012 states;

"Any work in a further education institution or 16 to 19 Academy where the normal duties of that work involve regular contact with children" are eligible for DBS checks.

Glossary of Terms

Safeguarding Vulnerable Groups Essential Recruitment and Selection Practice Procedure

Adult: People aged 18 years or over who are not defined as vulnerable.

Applicant: An individual that applies for a job.

Barred Lists: There are two types of lists – the Children’s Barred List and Adults Barred List which are held by the Disclosure and Barring Service (see DBS below). These are checked to ensure that an applicant is suitable for working with children and/or adults.

Child: A person under the age of 18 years. A child becomes an adult on the date of their 18th birthday

Counter-signatory: An individual that works for the College that has been approved by the DBS (see DBS below) to make a request for a police check to be undertaken on a prospective member of staff.

DBS: Disclosure and Barring Service. A Government agency that helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups and children. They are responsible for processing requests for criminal records checks.

Employment Checks: Robust recruitment checks that are carried out on all individuals working with children and vulnerable groups in educational establishments.

Enhanced Disclosure: This shows details of all spent and unspent convictions, cautions reprimands and final warnings and includes a check on all local police records.

Overseas Check: The practice of obtaining further criminal records checks from the embassies or High Commission of a country where a prospective employee has lived and worked.

References: A statement from a previous employer or teacher that can attest to an applicant's skills, qualities and abilities and suitability for the role applied for.

Regulated Activity: Work that a barred person must not do which includes unsupervised activities eg teaching and training or working within a specified establishment, for example a school meaning that they would have regular access to children or vulnerable groups.

Right to Work in the UK: A check of an employee's eligibility to ensure that they are legally entitled to work in the UK in accordance with the Immigration, Asylum and Nationality Act 2006.

Safeguarding: Protecting children, young people and vulnerable adults from physical, emotional or sexual abuse and neglect.

Single Central Record: A register that is kept and maintained by the College detailing all employment checks that have been carried out on all individuals employed by the College.

Umbrella Body: A registered organisation that can undertake DBS checks on behalf of a smaller organisation.

Vulnerable groups: Disadvantaged groups that require additional support or interventions to enable them to progress.

Young Person: A term used to define 'children' of college age who are under the age of 18.

Annex D

DBS & BARRED LISTS DECISION

***Is the Position covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended)?**

YES

NO

Is the position a Regulated Activity with children and/or adults as defined by the Safeguarding Vulnerable Groups Act (amended by the Protection of Freedoms Act 2012)?

Children: Any activity involving working or volunteering with children that is of a 'specified nature'

- Unsupervised Activities: Teaching, training, instruction, care for/supervision of children, providing advice/guidance on the wellbeing of children, or driving a vehicle only for children. Has to be done **frequently*;
- Specified Establishments: Working in schools, children's homes and childcare premises, with the opportunity for contact with children. Not including children's hospitals and work by supervised volunteers. Has to be done **frequently*;
- Providing personal/health care: Providing personal care, e.g. washing or dressing; or health care provided by or supervised by a healthcare professional;
- Registered child minding and foster-caring.

Adults: Any activity involving working or volunteering with adults that is of a 'specified nature', regardless of the frequency and establishment

- Providing health care;
- Providing personal care;
- Providing social work;
- Assisting with household affairs e.g. cash, bills, shopping;
- Assistance in the conduct of a person's own affairs;
- Conveying (transporting) adults for health reasons.

****Frequently is defined as once a week or more, 4 or more days in a 30-day period or overnight between 2-6am and the opportunity for face-to-face contact.***

NO

Can the position be defined as 'Regulated Activity' under the pre-10 September 2012 definition?

YES

NO

DECISION:
Carry out an Enhanced DBS check WITHOUT Barred Lists.

DECISION: The position is not eligible for a DBS check at Standard or Enhanced level.

**For 'positions of trust' and with certain responsibilities you may wish to ask applicants/employees to apply for a Standard DBS check where current (unspent) convictions will be disclosed.*

YES

Who is the Regulated Activity with?

CHILDREN

ADULT

CHILDREN & ADULTS

DECISION:
Eligible for Enhanced DBS & Child Barred list check.

DECISION:
Eligible for Enhanced DBS & Adult Barred list check.

DECISION:
Eligible for Enhanced DBS & Child and Adult Barred lists check.

Version 1

New College Durham Code of Conduct

This code of conduct shall provide clear guidance on the standards of behaviour all college staff are expected to observe. Failure to comply with the Code of Conduct could result in disciplinary action including dismissal. A serious breach of this code may result in a referral being made to an external or statutory agency.

New College Durham seeks to provide a safe and supportive environment where the welfare and health and safety of students and staff is paramount. Staff should act professionally at all times. All staff have a duty of care to keep students safe and are accountable for the way in which they use their authority and position of trust.

1. Setting An Example

a. All staff must:

- avoid using inappropriate or offensive language at all times;
- demonstrate high standards of conduct to encourage students to do the same;
- avoid putting themselves at risk of allegations of abusive or unprofessional conduct.

2. Safeguarding

- All staff have a role to play in safeguarding children;
- All staff are responsible for their own actions;
- All staff are required to read Part 1 of Keeping Children Safe in Education (July 2015) as well as the College's relevant safeguarding policies and procedures;

- All staff are required to undertake Safeguarding Training which should be refreshed every three years;
- All staff should take reasonable care of students under their supervision with the aim of ensuring their safety and welfare;
- Any safeguarding concerns should be reported to the College's designated safeguarding lead;
- All staff and work placement providers should be aware of, and follow, the College's safeguarding procedures;
- Staff should never give out their own personal details or the personal details of other members of staff or students;
- Staff must never access, store or disseminate inappropriate images;
- Staff should never make contact with students outside of College for the purpose of 'friendship', including via the use of Social Media;
- All staff must accept the terms of the College's E-Mail, Internet and Telephone Monitoring Policy and Data Protection Policy and they must adhere to the College's Acceptable Use Policy for Network Registration, by signing and dating the statement. Staff who do not adhere to this, will not be given access to College systems or networks;
- Staff are encouraged to report any suspected infatuation or any situation which they may feel compromises their professional standing;
- Staff are vulnerable to accusations when working alone with a student. If possible leave the door open or use a room with a window in the door. Avoid travelling in a car with one student.