



# RECRUITMENT AND SELECTION POLICY

<b>Author</b>	HR Director	July 2022
<b>Reviewed by</b>	Director of Compliance & Quality Assurance Clerk & Legal Advisor Lower Master	September 2022

<b>Date of Next review</b>	HR Director	July 2024
Regulatory Compliance	Keeping Children Safe in Education (2022) Independent School Standards Regulations (2014) National Minimum Standards of Boarding (2015)	
Publication	Firefly Website	

## Contents

1. Our Philosophy.....	2
2. Policy aims.....	2
3. Pre-employment checks.....	2
4. Our recruitment processes .....	3
5. Data protection.....	6
6. Queries .....	7
Appendix One – Pre-employment checks for applicants.....	7
a. Verification of your work history .....	8
b. Verification of your qualifications.....	8
c. Verification of your identity and right to work in the UK.....	8
d. References .....	8
e. Verification that you are not prohibited from teaching in the UK or EEA.....	10
f. Verification that you are not prohibited from holding a management role.....	10
g. Online search.....	10
h. Relevant criminal records checks within the UK and overseas.....	11
i. Verification that you are not barred from working with children.....	12
j. Verification of your medical fitness .....	12
k. Other checks as applicable to the role and the circumstances .....	12
l. Other checks applicable to Senior Managers of a charity.....	13
Appendix Two - List of valid identity documents.....	14
Appendix Three – The definition of ‘extremism’ .....	15
Appendix Four – The definition of ‘teaching work’ .....	16
Appendix Five – The definition of ‘Regulated Activity’.....	17
Appendix Six – DBS Checks and DBS Filtering Rules .....	18
Appendix Seven - Checks for Contractors, Supply Staff, Agency Workers and the Self Employed ....	21
Appendix Eight - Checks for Volunteers .....	23
Appendix Nine - Checks on non-employed residents .....	24
Appendix Ten - Policy on the recruitment of ex-offenders.....	25

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

## 1. Our Philosophy

Eton College (the “College” or “we”) is committed to promoting the best habits of independent thought and learning in the pursuit of excellence. We aim to enable everyone, pupils and staff, to discover their strengths and make the most of their talents within the College and beyond. There is no ‘typical Etonian’, likewise there is no typical member of Eton College staff. We value individuality, difference, teamwork and the contribution everyone makes to the life of the College.

We aim to provide high standards of professional recruitment practices. We believe in fair and equitable selection procedures, and in appointing the right employee for the job. Our recruitment is based upon an applicant’s abilities, skills, experience and potential, to help deliver on our philosophy, and to make a positive contribution to the College and its pupils.

We do not discriminate on any grounds including, but not limited to, disability, sex, gender, gender reassignment, race, religion or belief, age, sexual orientation, marital or civil partnership status, parental status, caring responsibilities or social background. We are committed to continuously improving inclusion throughout the organisation. The College’s Equality and Inclusion Policy can be found on our website, and is also available on request from the HR team via [recruitment@etoncollege.org.uk](mailto:recruitment@etoncollege.org.uk).

## 2. Policy aims

The aim of this policy is to provide a framework to help ensure the fair treatment of applicants throughout the recruitment process, and meet the legal requirements of recruitment and selection. We wish to provide consistency and transparency for hiring managers, and those being hired.

All employees involved in recruitment and selection activities are responsible for familiarising themselves with, and adhering to, the guidance provided by this policy.

These guidelines will be regularly reviewed to ensure they continue to reflect legal obligations, and the needs of both the College and the applicant. This policy does not form part of any employee’s contract of employment, and the College may amend it at any time.

If you have any questions regarding the content of this policy, please contact a member of the HR team using [recruitment@etoncollege.org.uk](mailto:recruitment@etoncollege.org.uk).

## 3. Pre-employment checks

As a school we are legally required to comply with a variety of specific recruitment and pre-employment checks to ensure that we appropriately safeguard the pupils in our care. This includes requirements outlined in the relevant legislation, recommendations and guidance published by the Department of Education, such as: Keeping Children Safe in Education 2022 (KCSIE), the Revised Prevent duty guidance for England and Wales 2015 (updated 1 April 2021), and any guidance or code of practice published by the Disclosure and Barring Service (DBS). We are also required to comply with the Education (Independent School Standards) Regulations 2014 and the National Minimum Standards of Boarding Schools (2015).

Further details of these policies can be found online via the government’s website, or can be requested from the HR team via [recruitment@etoncollege.org.uk](mailto:recruitment@etoncollege.org.uk).

The Eton College Safeguarding (Child Protection) Policy is available on our website, on our intranet (Firefly) or can be forwarded upon request by HR.

## 4. Our recruitment processes

We employ approximately 1,000 people in a variety of jobs, from chefs, gardeners and cleaners, to teachers, musicians and clinical psychologists. As a result, the application process will vary, depending on the type of role and the skills we are looking to recruit. The pre-employment checks, however, will remain the same.

All roles which are open to external applicants can be found on the careers section of our website, along with the corresponding job description and person specification. There are a limited number of roles which are only open to internal candidates. If you already work at the College you will have access to view these roles via the weekly recruitment email.

Please be aware that we are unable to accept speculative CV's or job applications, however, you can register your interest in working for the College and sign up for job alerts via our careers website.

### 4.1 Authorisation to recruit

- Approval to recruit must be given by the relevant member of the Leadership Team and by HR before a role can be advertised. This is to ensure College budgets are adhered to and a formal role review has taken place.
- Job descriptions must be completed by Hiring Managers, and must include the required skills and competencies for the role. The job description is expected to provide a true representation of the vacant post, consideration of those requirements genuinely considered to be essential, and the person required to fill the post.
- In drawing up the job description and conditions of service, and in line with the Equality Act 2010, no job applicant will receive less favourable treatment than another on the grounds of any protected characteristic, nor will an applicant be placed at a disadvantage by unjustifiable requirements of conditions which would have a disproportionately adverse impact on a particular group.
- Attention will be paid to the language used within job descriptions, and to this end a linguistic decoding tool may be used.
- When using recruitment agencies or other recruitment suppliers, only those who have been approved in advance by the HR team, and who have demonstrated a commitment to our guiding principles can be used. Under no circumstances should a Hiring Manager directly engage a supplier, unless prior authorisation has been given by the HR team.
- We expect all Hiring Managers to undergo appropriate training when requested. This is to ensure those involved in the recruitment and selection process are cognisant of our recruitment policies and procedures, and commit to minimising bias wherever possible.

### 4.2 Advertising roles

- Attempts will be made to advertise vacancies using diverse channels and the College will avoid using media which, because of their particular source of applicants, provides only or mainly applicants from a particular group.
- Vacancies which are open to external candidates will be posted on the College website. Internal candidates are welcome to apply for any external vacancies.
- We may, on occasion, decide to restrict roles to internal candidates only. Information about internal and external vacancies is shared in the weekly Recruitment Roundup email. Where vacancies are for internal candidates only, this will be made clear within the Recruitment Roundup. Internal candidates will be selected for interview on the same basis as external candidates.

- Employees on maternity leave should have access to advertisements for posts at Eton during their period of maternity leave – this may be by way of the Recruitment Roundup, the external website, or via communication from their line manager.

#### **4.3 Applications and shortlisting**

- Applications should be made through the College's Applicant Tracking System, Tribepad. Consideration will be given to those candidates who find this difficult, and contact details will be provided for any queries.
- Candidates will be provided with the aforementioned job description, any supporting documentation, and details of the conditions of service. If known, an indication of the date (or week) interviews will be held will be provided.
- A shortlist of candidates will be drawn up for interview based on merit and suitability for the post. Wherever possible shortlisting should be carried out by more than one person. Permission to challenge shortlisting decision making is encouraged as part of the process.
- Shortlisted applicants will be asked whether there are any reasonable adjustments needed for them to attend an interview.
- Other than in exceptional circumstances, reasonable notice will be given to allow candidates sufficient time to prepare for and make the necessary arrangements to attend the interview (interviews may also be conducted online).
- In addition to interviews, a range of other selection techniques such as skills testing, verbal and numerical reasoning tests and interactive activities may be used. In such circumstances, reasonable notice and relevant information will be provided to allow candidates sufficient time and information to prepare.

#### **4.4 Selection methods**

- Interviews will normally be held by a panel comprising of a minimum of two people, except in the case of final stage 'safeguarding interviews' which are normally held one-to-one. Interviewers should encourage candidates to be at ease during the interview, allowing them to give a fair and accurate impression of themselves.
- Before job offers are made, all successful applicants will be interviewed regarding their suitability to work with children (the 'safeguarding interview'). This may happen at the first stage of the interview process or later in the process, depending on the role applied for.
- A semi-structured interview should be used to reduce the risk of bias and to allow for a consistent candidate experience. Interview questions will be agreed by the interviewer(s) in advance and will be developed from the current job description for the post and desired competencies. The same interview format and questions should be used for all candidates where possible.
- Every effort should be made by all interviewers to take concise, accurate and impartial notes to ensure a transparent and clear basis for decision making. These must be given to the HR team after the interview process has concluded and will be kept for 6 months before being confidentially destroyed.
- We recognise that an interview is a two-way process and, wherever possible, candidates will be given the opportunity to view the areas within which they would work. We encourage candidates to ask questions about the College and the role for which they are applying to help them develop a good sense of whether they would like to work with us.
- Where selection tools other than interviews are used, these selection tools will assess job relevant criteria and should be chosen on the basis of their ability to predict performance. In choosing such selection tools consideration will be given to potential adverse impact on protected groups.
- Those involved in the selection process are encouraged to question and challenge hiring decisions with one another, and are expected to take ample time for decision making. This approach aims to reduce potential bias and ensure that fully considered hiring decisions are made.

- All interviewed candidates will be notified of the outcome of the selection process as soon as reasonably possible. Feedback will also be offered.
- In line with Keeping Children Safe in Education (2022) the College is required to seek references in advance of interview for applicants for roles which work closely with pupils (for example teaching and pastoral roles). Where this is required, candidates will be made aware during the application process.
- In line with Keeping Children Safe in Education (2022), the College may carry out an online search as part of its due diligence on candidates. This helps the College identify any incidents or issues that have happened, and are publicly available online, which the College might want to explore with the applicant at interview.
- Members of the recruitment panels will have been trained in relevant 'Safer Recruitment' practices for schools.
- All interviewees are expected to present their identity documents in person to their interview (see Appendix Two), so their identity can be verified.

#### 4.5 Pre-employment checks

Any offers of direct employment are conditional upon satisfactory pre-employment checks as set out in Appendix One. Please be aware candidates cannot start work until these checks have been received and verified<sup>1</sup>. This checking process will usually be completed by our HR team or, in some cases, by an external provider specifically engaged to support the College with elements of our pre-employment checking process.

The pre-employment checks that we will complete once candidates are offered a role are mandated by government legislation and are as follows (for a detailed explanation of each check please see Appendix One):

- Verification of full work history;
- Verification of qualifications;
- Verification of identity and right to work in the UK;
- Verification and receipt of a minimum of two written references;
- A check of medical fitness to perform the role (this check is completed in accordance with the Equality Act 2010);
- Verification that the candidate is not prohibited from teaching in the UK or overseas (relevant roles only);
- Verification that the candidate is not prohibited from holding a management role (relevant roles only);
- An online check;
- Receipt of a criminal records check from the Disclosure and Barring Service;
- Overseas criminal records check (if required);
- Verification that the candidate is not barred from working with children (if the role amounts to regulated activity – see Appendix Five);
- Verification that the candidate is not prohibited from acting as a trustee or senior manager of a charity (relevant roles only).

We reserve the right to complete other checks as applicable to the role and circumstances.

---

<sup>1</sup> If all of other checks have been received and are considered to be satisfactory and your DBS check has been applied for, we may be able to complete a risk assessment to allow the candidate to start before the DBS certificate has been received. Please be aware, this is only possible for certain roles and in rare circumstances.

We have a duty to ensure that all individuals engaged by the College are suitable to work in a school environment. As such relevant pre-employment checks will also be performed for contractors, supply staff, agency workers, self-employed individuals and volunteers. For more information about this, please see Appendices Seven and Eight.

For those offered employment and accommodation with the College, members of their family may also be subject to criminal records checks. Please be aware, these checks will need to be considered satisfactory to the College before these family members are allowed to move into College accommodation. For further details, please see Appendix Nine.

We are an organisation which aims to recruit on the basis of merit and ability. If a candidate has a criminal record, this will not automatically bar them from employment at the College, but each case will be judged individually, in accordance with the objective assessment criteria set out in Appendix Ten.

#### **4.6 Offers of employment**

A contract will be supplied to successful candidates as soon as practicable, along with clear communication, contacts and obligations regarding signing.

#### **4.7 References**

Any Eton employee who is approached directly to provide a reference for a current or former member of staff must refer to the Employment Reference Policy (available on Firefly or from the HR team), prior to completing a reference.

### **5. Data protection**

The College complies with the Data Protection Act 2018 and the General Data Protection Regulation, and processes all personal data in accordance with its Privacy Notice. The Privacy Notice is available to view on our website, and can also be printed and sent to candidates on request.

We are legally required to carry out the pre-employment checks detailed within this procedure. To enable us to complete these checks employees and prospective employees will be required to provide certain information to the College. We will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and Teaching Regulation Agency (previously known as the National College for Teaching and Leadership), and third parties whom we contract with to provide pre-employment checking services.

Failure to provide the requested information may result in the College not being able to meet our employment, safeguarding or legal obligations. Therefore, if we, or our third-party suppliers, are not provided with the requested information, we may not be in a position to offer employment.

In order to meet our commitment to providing an ever more inclusive workplace, candidates may be asked to complete a recruitment monitoring questionnaire. All completed monitoring forms will be treated as confidential. This data will be separated from the application on receipt, and those involved in the selection process will not have access to it. The information given by candidates will be solely used for the purpose of benchmarking, and helping us improve the recruitment process.

## 6. Queries

If you have any questions or queries about any of the details contained within this policy, please contact [recruitment@etoncollege.org.uk](mailto:recruitment@etoncollege.org.uk)

Appendix One – Pre-employment checks for applicants

### **a. Verification of your work history**

It is an essential part of our checking process that we understand the full work and academic background of all candidates who apply to work at the College. This is irrespective of the role applied for. To make sure we understand your full work and academic history we will ask you to complete relevant paperwork during your application process and this will be reviewed with you. If there are any gaps in your employment or academic history these need to be listed on the form and explained to us - for instance gaps could include extended travel abroad between school and starting a job (i.e. a 'gap year'), being unemployed for a period of time, or taking time out of the workplace to look after a dependent etc. If you have spent time living or working abroad, please remember to tell us which countries you visited and how long you were there for.

Please be aware that as part of the application process the College will need to know, and see proof of your date of birth. This is necessary so that we can verify your identity (please see section c below) and check for any unexplained discrepancies in your employment and education history. We are an equal opportunities employer and do not discriminate on the grounds of age.

### **b. Verification of your qualifications**

If we have listed specific professional or academic qualifications within the job description or during the recruitment process, or if you have listed qualifications as part of your application (whether or not they are required for the role) the College will need to verify that you have these qualifications. To do this we will need to see original copies of certificates and we may also contact the awarding body to confirm that the qualifications were awarded.

### **c. Verification of your identity and right to work in the UK**

We need to verify that you are who you say you are, and that you also have the right to work in the UK. We will also use these documents for the DBS checking process (outlined in section 3g).

To verify your identity and right to work in the UK we need to see at least three identity documents. These documents are those used by the DBS checking authority (see Appendix Two). These must be a mixture of 'primary identity' documents (Group 1 documents), 'trusted government documents' (Group 2A documents) and 'Financial and Social History documents' (Group 2B documents). The College will need to see:

- one document from Group 1; and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify your current address.

If you have changed your name during the course of your life (for example as a result of marriage, adoption or a statutory declaration) we will also need to see documentary evidence of this change. This may, for instance, be in the form of a marriage certificate, adoption certificate or formal confirmation from deed poll.

More information about the types of identity documents we can accept, and what documents are included in groups 1, 2a and 2b, is outlined in Appendix Two.

### **d. References**

All offers of employment are subject to the receipt of a minimum of two written references, the content of which must be considered to be satisfactory by the College:

- One reference must be from your most recent employer (if the College is your most recent employer, a reference may be taken from your line manager);
- If you do not currently work with children but have worked with children in the past (however long ago), one of the two references must be from that employer.

Please be aware that your referees cannot be a relative or someone known to you solely as a friend or colleague. References need to be from a senior person within an organisation who has the appropriate authority and knowledge to provide a reference for you.

All referees will be asked whether they believe that you are suitable to undertake the role which you have applied for, and whether they have any reason to believe that you are unsuitable to work with children. Current and previous employers will also be asked to confirm the following:

- Your dates of employment.
- Your job title and duties.
- For those applying for 'teaching roles'<sup>2</sup> - if you have ever been referred to, or are the subject of a sanction, restriction or prohibition issues by the Teaching Regulation Agency, or other equivalent body in the UK.
- Your disciplinary record, including whether you have ever been the subject of disciplinary issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired) except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious.
- Whether any allegations have been raised about you that relate to the safety and welfare of children or young people, or behaviour towards children or young people, except where allegations or concerns were found to be false, unsubstantiated or malicious.
- Whether you could be considered to be involved in 'extremism' (please see the definition of extremism in Appendix Three).
- Your reason for leaving.

We are aware that it is the policy of some employers to only provide a factual references (e.g. job title and dates of employment). If your referees only provide such references you will not necessarily be disadvantaged, but it is likely that we will need to ask for additional references before your appointment can be confirmed.

Please be aware that the College can only accept references obtained directly from the referee – we cannot rely on references or testimonials provided by you, or on open references or testimonials. Electronic references will be verified to confirm that they originate from a legitimate source. At the College's discretion, we may contact a referee by phone or email to verify the details provided within the reference.

References will be compared with information you have provided as part of your application, and any discrepancies or inaccuracies will be considered by the College and addressed with you and/or the relevant referee. For instance you and/or your referee may be asked to provide further information, evidence or clarification.

---

<sup>2</sup> The definition of teaching is not confined to classroom teaching, it also includes coaching sport and games, and other activities such as working in our Combined Cadet Force. The test we use to determine whether a role is a 'teaching role' is outlined in Appendix Four.

Please be aware, if you are applying for a teaching position, we may take references prior to interview; for all other roles we will request references once an offer of employment is made.

All offers of employment are conditional on receipt of references which are satisfactory to the College.

**e. Verification that you are not prohibited from teaching in the UK or overseas**

In line with Section 142 of the Education Act 2002, if you intend to carry out 'teaching work' we will need to check that you are not prohibited from teaching in the UK or overseas. The definition of teaching work is not confined to classroom teaching, it also includes coaching sport and games, and other activities such as working in our Combined Cadet Force. The test we use to determine whether a role undertakes 'teaching work' is outlined in Appendix Four.

We use the Teaching Regulation Agency Teacher Services system to check whether successful job applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency in the UK. We will also ask you, and your referees, to declare whether you have ever been referred to, or are the subject of, a sanction, restriction or prohibition issued by the Teaching Regulation Agency or other equivalent UK body.

If you have carried out teaching work overseas, in any country, for 3 months or more in the previous 5 years we will check whether you are subject to an overseas teaching sanction. To do this we will ask you to provide proof of your past conduct as a teacher, issued by the professional regulating authority in the country/countries in which you worked. We may also seek an additional reference from the school where you worked.

Please be aware, if you are not currently prohibited from teaching but you have been the subject of a referral to, or a hearing before the Teaching Regulation Agency (or other equivalent body) whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, we will need to consider whether the facts of the case render you unsuitable to work at the College.

**f. Verification that you are not prohibited from holding a management role**

If you have applied for a management position we are required to check that you are not subject to a direction under Section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts you from being involved in the management of an independent school. For clarity, we are required to check both external and internal candidates.

We can obtain this information either through declarations on an Enhanced DBS Certificate or through the Teaching Regulation Agency Teacher Services System. We will use either or both of these methods to obtain this information.

Please be aware, if you are not currently prohibited from management, but you have been the subject of a referral to, or hearing before the Department for Education or other appropriate body, whether that resulted in the imposition of a Section 128 direction or other sanction, or where a Section 128 direction or other sanction has lapsed or been lifted, we will need to consider whether the facts of the case render you unsuitable to work at the College.

**g. Online search**

In line with Keeping Children Safe in Education (2022), we will perform an online search as part of the pre-employment checking process for most of our roles. If you have applied to work in a pupil-facing role (for example a teaching or pastoral role), this process may take place at the point you have been shortlisted for interview. If you have applied for a role which does not work directly with pupils, this check will normally be completed once a conditional offer of employment has been made.

The online search aims to identify any incidents or issues that have happened, and which are publicly available online, and which may impact your suitability to work with children or in a school environment. Depending on the role you are applying for, the online search may include an 'Adverse Media Check', a check of social media, or a combination of the two. If information is found during this search which the College feels affects your suitability for the role you have applied for, this will be discussed with you.

We normally use a specialist search company to undertake our online searches. The search company may contact you directly in advance of the search taking place to provide them with a limited amount of factual information to help them perform their online search.

#### **h. Relevant criminal records checks within the UK and overseas**

If you are offered a role at the College (this includes roles in a volunteering capacity) you will be required to undergo a relevant police check. All applicants will require a UK police check, and if you have worked or lived abroad (including extended holidays) in most cases we will also need to conduct an overseas police check.

For the vast majority of our roles the UK police check will be an Enhanced Disclosure from the Disclosure and Barring Service (DBS). The check is conducted at enhanced level when roles are considered to be engaging in 'regulated activity'.

- For more information about what constitutes regulated activity, please see Appendix Five.
- For more information about Enhanced DBS checks, and the current DBS filtering rules, please see Appendix Six.

#### DBS Checks:

The DBS will issue a disclosure certificate directly to you, this will not be sent to the College. However, it is a condition of employment that we view the original certificate therefore the HR team will arrange a suitable time with you to bring the certificate into the College. Applicants who are unable to attend to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Please be aware, where a certified copy is sent, the original disclosure certificate must still be provided on your first working day.

If you have an existing enhanced 'portable' DBS which is registered to the DBS Update Service, it may be possible to use this as part of your recruitment checks. The College will need your permission to verify the DBS on the DBS Update website, which will confirm whether the certificate is still current and if there is any additional information on it. The College will also carry out a separate Barred List Check at this point. The results of both of these checks must be acceptable to the College.

If we applied for your DBS, your employment will remain conditional upon the original certificate being provided and it being considered satisfactory by us. We do not keep copies of the DBS certificate, but we do record the certificate number and date of issue for our records.

#### Overseas Police Checks:

We take into account the guidance issued by the NSPCC when deciding whether to request overseas information from applicants and reserve the right to ask you to apply for an overseas police check where you have previously lived or worked overseas. This will usually be where you have lived or worked overseas for more than three months during the last five years but may be requested in other

cases, depending on the role applied for. We will assess each applicant's situation on its individual facts, taking into account any guidance issued by the Secretary of State.

If we require an overseas police check you will be notified by a member of the HR team. The process for undertaking overseas police checks varies depending on the country from which they are sought. In most cases you will need to complete additional forms which will need to be returned directly to the authorities in the relevant countries. Depending on the country, the outcome certificate of the overseas police check may be returned directly to you, or it may be returned to the College. In all instances we will need to see the original certificate before you are able to start work.

#### **i. Verification that you are not barred from working with children**

Barred List checks are only available for applicants who will be engaged in regulated activity (for a full definition see Appendix Four). In practice, the majority of roles at the College are considered to be regulated activity. If you apply for a role which is considered to be regulated activity we are required to undertake a check of the Children's Barred List before you can start work. The Children's Barred List is a list of individuals who are barred from working with children and is maintained by the Disclosure and Barring Service.

Please be aware, if you are included on the Children's Barred List you will be breaking the law if you seek to work in regulated activity with children. Please be aware that we must make a report to the Police and/or DBS if we:

- Receive an application from a barred person;
- Are provided with false information in, or in support of an applicant's application; or
- Have serious concerns about an applicant's suitability to work with children.

We will check the Children's Barred List either as part of an Enhanced DBS check, or as a separate Barred List check (previously known as a List 99 check). It is at our discretion which option is chosen.

More information about regulated activity is included in Appendix Five.

#### **j. Verification of your medical fitness**

As a result of specific school-related legislation (including KCSIE and National Minimum Standards of Boarding) we are also legally required to verify the medical fitness of anyone we appoint to ensure they can perform the duties of the specified position. Please be aware, this will take place after an offer of employment has been made, but before the appointment is confirmed.

To determine medical fitness, we ask candidates to complete a health questionnaire which is reviewed by our independent occupational health advisor. The advisor will review your questionnaire against the job description and person specification for the role, together with the details of any other physical or mental requirements of the role (e.g. the proposed teaching timetable, required extra-curricular activities, layout of the College etc.). If the College's health advisor has any doubts about your fitness for the role we may seek further medical opinions from a specialist or request that you undertake a full medical assessment.

Please be assured that we are aware of our duties under the Equality Act 2010, and we will not withdraw a job offer on the grounds of medical fitness without first consulting with you and considering reasonable adjustments and suitable alternative roles within the College.

#### **k. Other checks as applicable to the role and the circumstances**

In addition to the checks set out above, we also reserve the right to obtain such formal or informal background information about you as is reasonable in the circumstances to determine whether you are suitable to work with us. This may include credit checks (for example for Finance roles) and internet and social media searches.

#### **I. Other checks applicable to Senior Managers of a charity**

If you have been appointed to a role on the Leadership Team we will need to check that you are not prohibited from acting as a trustee or senior manager of a charity. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a senior manager. These include various spent and unspent criminal offences and other sanctions. We will therefore check the following registers:

- The Insolvency Register;
- The register of disqualified directors maintained by Companies House; and
- The register of persons who have been removed as a charity trustee.

Please be aware that if you fail to disclose relevant information, or provide false information, about your ability to act as a charity trustee or senior manager of a charity this may amount to a criminal offence. It may also result in the withdrawal of any offer of employment.

All individuals on our Leadership Team also have an ongoing duty to inform the College if there is a change in their circumstances which may result in them becoming disqualified from acting as a senior manager of a charity.

Please be aware, a person who discloses that one or more of the disqualification criteria is applicable to them may apply to the Charity Commission for a waiver of the disqualification. However, we may, at our discretion, withdraw an offer of employment from a senior manager if a waiver application becomes necessary or is rejected by the Charity Commission. For clarity, we are not required to await the outcome of a Charity Committee waiver application before taking these steps.

## Appendix Two - List of valid identity documents

### **Group 1: primary identity documents**

- current valid passport
- biometric residence permit (UK)
- current driving licence (photocard - full or provisional (UK/Isle of Man/Channel Islands and EEA)
- birth certificate - issued within 12 months of birth (UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces)
- adoption certificate (UK and Channel Islands)

### **Group 2a: trusted government documents**

- current valid driving licence (photocard - full or provisional (all countries outside the EEA excluding Isle of Man and Channel Islands)
- current valid driving licence (paper version; UK/Isle of Man/Channel Islands and EEA; full or provisional)
- birth certificate - issued after time of birth (UK, Isle of Man and Channel Islands)
- marriage / civil partnership certificate (UK and Channel Islands)
- Immigration document, visa or work permit (issued by a country outside the EEA. Valid only for roles whereby the applicant is living and working outside of the UK. Visa / permit must relate to the non EEA country in which the role is based)
- HM Forces ID card (UK)
- fire arms licence (UK, Channel Islands and Isle of Man)

### **Group 2b: Financial and social history documents**

- mortgage statement (UK or EEA)\*\*
- bank/building society statement (UK and Channel Islands or EEA)\*
- bank/building society statement (countries outside the EEA)\*
- bank/building society account opening confirmation letter (UK)\*
- credit card statement (UK or EEA)\*
- financial statement - e.g. pension, endowment, ISA (UK)\*\*
- P45/P60 statement \*\*(UK and Channel Islands)
- council tax statement (UK and Channel Islands)\*\*
- letter of sponsorship from future employment provider (non UK/non EEA only; valid only for applicants residing outside the UK at the time of application; must be valid at time of application)
- utility bill (UK; not mobile telephone bill)\*
- benefit statement - e.g. child benefit, pension (UK)\*
- a document from central or local government/government agency/local council giving an entitlement - e.g. from the Department for Work and Pensions, the Employment Service , HM Revenue & Customs, Jobcentre, Jobcentre Plus, Social Security (UK and Channel Islands) \*
- EU national ID card (must be valid at time of application)
- cards carrying the PASS accreditation logo (UK and Channel Islands; must be valid at time of applications)
- Letter from Head or College Principal (for 16-19 year olds in full-time education. This is only used in exceptional circumstances if other documents cannot be provided; must be valid at time of application).

### **Note**

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

## Appendix Three – The definition of ‘extremism’

The College complies with the Prevent duty guidance and the definition of extremism as set out in Keeping Children Safe in Education 2022 (KCSIE).

KCSIE states:

"Extremism is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces."

The College is an equal opportunities employer and in fulfilling its Prevent duty obligations does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, gender reassignment, marital or civil partner status, pregnancy or maternity, disability or age.

### Useful links:

Keeping Children Safe in Education (2022) is available to view via the UK government’s website here: <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Information about the Prevent duty is available via the UK government’s website here: <https://www.gov.uk/government/publications/prevent-duty-guidance>

## Appendix Four – The definition of ‘teaching work’

Teaching work is defined in The Teachers’ Disciplinary (England) Regulations 2012 to encompass:

- Planning and preparing lessons and courses for pupils;
- Delivery of lessons to pupils;
- Assessing the development, progress and attainment of pupils;
- Reporting on the development, progress and attainment of pupils.

(‘Delivery’ includes delivering lessons through distance learning or computer-aided techniques).

None of these actions are considered ‘teaching work’ if the person carrying out the activity does so subject to the direction and supervision of a qualified teacher or a person nominated by the Head Master.

## Appendix Five – The definition of ‘Regulated Activity’

Regulated Activity is defined in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 (as amended by the Protection of Freedoms Act 2012).

“Any position undertaken at, or on behalf of, the School will amount to regulated activity if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or if it
- satisfies the "period condition", meaning 4 times or more in a 30 day period; and
- provides the opportunity for unsupervised contact with children.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.”

It is for us to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, please be aware that nearly all posts at the College amount to regulated activity (including all activities relating to personal care, health care, the provision of advice or guidance for children on well-being and driving a vehicle only for children). Limited exceptions could include an administrative post undertaken on a temporary basis in the School Office outside of term time or voluntary posts which are supervised.

We are required to carry out an enhanced DBS check for all employees, supply staff and governors who will be engaging in regulated activity. However, we can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

## Appendix Six – DBS Checks and DBS Filtering Rules

### **The Disclosure and Barring Service**

The Disclosure and Barring Service (DBS) was established in 2012 and carries out the functions previously undertaken by the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).

The DBS helps to prevent unsuitable people from working with vulnerable groups, including children. Safeguarding is at the heart of everything at the DBS.

The DBS is responsible for:

- processing requests for, and issuing, DBS checks for England, Wales, the Channel Islands and the Isle of Man;
- making considered decisions regarding whether an individual should be barred from engaging in regulated activity with children, adults or both, in England, Wales and Northern Ireland; and
- maintaining the children's and adults' barred lists

Information about the DBS can be found online here:

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

### **Disclosure checks (DBS checks)**

The DBS disclosure team carries out criminal record checks that result in DBS certificates being issued to an individual. Employers can then ask to see this certificate to ensure that they are recruiting suitable people into their organisation.

There are currently three levels of criminal record check:

- basic check
- standard check
- enhanced check (with or without barred lists)

The information contained on each type of check is different, as is the process for applying. The DBS break their checking service down into Basic, Standard and Enhanced checks. The College only uses Enhanced checks as the vast majority of roles consist of regulated activity.

#### Enhanced check

An enhanced DBS check is suitable for people working with children.

The certificate will contain the same details as a standard certificate and, if the role is eligible, an employer can request that one or both of the DBS barred lists are checked.

The certificate may also contain non-conviction information supplied by a Chief Officer, if they feel it is relevant and ought to be contained in the certificate.

An individual cannot apply for an enhanced check by themselves. There must be a recruiting organisation who needs the applicant to get the check. This is then sent to DBS through a registered body. The service is free for volunteers.

#### Barring

Where requested, an enhanced certificate will also include a check of one or both of the DBS barred lists. If an individual is listed, this will appear on their DBS certificate.

It is the responsibility of the DBS to maintain these lists. This involves making fair, consistent and thorough decisions that are appropriate to the behaviour that has occurred, and considering the risk of future harm.

People are brought to the attention of the DBS barring team in one of three ways:

- automatic barring offence – also known as autobar;
- disclosure; or
- referral.

#### Automatic – also known as autobar

This is when someone has been newly convicted or cautioned for a serious offence and they are considered for immediate barring, either with or without the opportunity to make representations. This information comes from the Police National Computer.

#### Disclosure

This is when someone applies for an enhanced DBS check to work with children or adults in certain circumstances, such as those in receipt of healthcare or personal care, and the check reveals relevant information that results in the individual being considered for inclusion on one or both of the barred lists.

#### Referral

This is when an employer, volunteer manager or other organisation has concerns that someone has either caused harm or has the potential to cause harm to vulnerable groups and submits a referral to the DBS.

Regulated activity providers (employers or volunteer managers of people working in regulated activity in England, Wales or Northern Ireland) and personnel suppliers have a legal duty to refer to DBS where conditions are met.

### **DBS filtering rules**

Since 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions which work as follows:

#### Those aged 18 or over at the time of an offence

An adult conviction for an offence committed in the United Kingdom will be removed from a DBS disclosure if:

- eleven years have elapsed since the date of conviction;
- it is the person's only offence; and
- it did not result in a custodial sentence.

It will not be removed under any circumstances if it appears on a list of "specified offences" which must always be disclosed. If a person has more than one offence on their criminal record, then details of all their convictions will always be included.

A caution received when a person was aged 18 or over for an offence committed in the United Kingdom will not be disclosed if six years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

#### Those aged under 18 at the time of an offence

A conviction for an offence committed in the United Kingdom will be removed from a DBS disclosure if:

- five and a half years have elapsed since the date of conviction;
- it is the person's only offence; and

- it did not result in a custodial sentence.

Again, the conviction will not be removed under any circumstances if it appears on the list of "specified offences", or if a person has more than one offence on their criminal record.

A caution received when a person was aged under 18 for an offence committed in the United Kingdom will not be disclosed if two years have elapsed since the date it was issued and if it does not appear on the list of "specified offences".

#### The list of "specified offences" which must always be disclosed

This contains a large number of offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record. The list of "specified offences" can be found at:

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

#### **The DBS disclosure certificate**

The DBS issues the DBS disclosure certificate to the subject of the check only, rather than to the College. It is a condition of employment with the College that the original disclosure certificate is viewed and recorded by us prior to starting.

A convenient time and date for bringing the certificate into the College should be arranged with the HR Department as soon as it has been received. Applicants who are unable to attend at the College to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Where a certified copy is sent, the original disclosure certificate must still be provided on the first working day.

In exceptional circumstances, and with the prior agreement of the HR team, the original certificate may be sent by recorded delivery to the HR Department. Original DBS certificates will be returned to you either once your employment with Eton has started, or in advance of that date by way of recorded delivery, depending on the circumstances.

**Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the College.**

**We do not keep copies of your DBS certificate, but we will record the certificate number and date of issue.**

## Appendix Seven - Checks for Contractors, Supply Staff, Agency Workers and the Self Employed

Staff can come to us under other arrangements, however, we still have a duty to ensure that these individuals are suitable to work within a school environment. If you are not applying for a direct position with the College, you may be engaged in one of the following ways:

### **Supply Staff:**

Eton defines Supply staff as, persons supplied to the College by a business, on a long-term basis as a de-facto member of staff. Supply staff can perform any function, for any department, not just teaching. The checks at Annex One apply to supply staff as they would for direct employees (see above). The supply company is required to provide us with written confirmation that the checks have been completed before an individual is allowed to start work. We will also need to see the original DBS certificate and photo ID on arrival.

### **Agency Staff:**

Eton defines Agency staff as, persons supplied by a temping agency, on a short-term basis as a de-facto member of staff. Agency staff can perform any function, for any department. The checks at Annex One apply to agency staff as they would for direct employees (see above). The agency is required to provide us with written confirmation that the checks have been completed before an individual is allowed to start work. We will also need to see the original DBS certificate and photo ID on arrival.

### **Self-Employed Staff (paid by the College):**

Eton defines self-employed staff as, individuals who work for themselves, but who have a direct agreement with the College to provide a service. The service they provide will always include an element of teaching, coaching, guidance or support of pupils. Due to the safeguarding implications the checks at Annex One apply to self-employed staff as they would for direct employees (see section 4.5 and Appendix One for more information). In some instances we will undertake the pre-employment checks on your behalf. We will also need to see the original DBS certificate and photo ID on arrival.

### **Self-Employed Contractor:**

Eton defines a self-employed contractor as an individual who works for themselves [whether through a personal services company or otherwise] and is engaged under a contract to supply a service. The service they provide includes no element of instruction or guidance to pupils. They are required to undergo an enhanced DBS check (including a barred list check if the activity is regulated) and bring the original DBS certificate and their photo ID on arrival.

### **Contractors:**

A contractor is a person or company engaged under a contract to supply services. The service they provide includes no element of instruction or guidance to pupils. As contractors may, at times, be unsupervised, they are required to undergo an enhanced DBS check (including a barred list check if the activity is regulated) and bring the original DBS certificate and their photo ID on arrival.

### **Occasional Contractors:**

Eton defines an occasional contractor as a person or company engaged under a contract to supply services. An occasional contractor will be working at the College for less than 3 days in a 30 day period and will not be working overnight. Occasional contractors are supervised at all times, therefore

a risk assessment is carried out prior to the individual commencing work to decide if a DBS check is necessary.

## Appendix Eight - Checks for Volunteers

The types of checks we complete for volunteers depends on whether the role they perform is considered to be regulated activity. For clarity, the vast majority of our volunteering roles are engaged in regulated activity. Where volunteers are not considered to be in regulated activity this is likely to be because their duties are subject to regular, day-to-day supervision by a fully checked College employee or volunteer whom we have deemed appropriate to supervise and ensure the safety of those pupils in their care. Appendix Five provides more information about regulated activity.

- **Volunteers undertaking regulated activity** - We will undertake an enhanced DBS check including a Children's Barred List check.
- **Volunteers not involved in regulated activity** – We will undertake an enhanced DBS disclosure without barred list information.

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

All volunteers will also be subject to a check of their identification, and we reserve the right to obtain such further suitability information about a volunteer as we consider appropriate in the circumstances. This may include, but is not limited to, the following:

- Formal or informal information provided by employers, parents, and other volunteers;
- Character references from the volunteer's place of work or any other relevant source; and
- An informal 'safer recruitment' interview;
- A reputational search across social media.

We need to undertake a new DBS check each time you volunteer if you haven't been involved in volunteering activities for three consecutive months or more. Therefore, if you volunteer regularly with the College we will request that you sign up to the DBS update service, so that criminal record checks can be performed for you as quickly as possible.

## Appendix Nine - Checks on non-employed residents

The College is a full boarding school and we accommodate a large number of our employees and their families. If you are accommodated by the College, members of your family may also be subject to criminal record checks. Please be aware that these checks will need to be satisfactory to the College before members of your family are allowed to move into College accommodation.

### **For those living in boarding houses**

All persons aged 16 and over (not employed by the College) who live on the same premises (or have unrestricted access to the same premises) as our pupils are required to have an enhanced DBS with Children's Barred List disclosure. There are separate rules for occasional visitors to boarding house, which are set out in our Visitor Policy.

Each non-employed resident aged 16 or over will also be required to sign a written agreement specifying the terms of their accommodation, guidance on contact with boarders, their responsibilities to supervise occasional visitors, and notice that their permission to live in College accommodation may be rescinded if we believe that they are unsuitable to have regular contact with our pupils.

They will also be required to notify the Designated Safeguarding Lead if they are charged with or convicted of any offence.

## Appendix Ten - Policy on the recruitment of ex-offenders

### **Our philosophy**

We make all appointment decisions on the basis of merit and ability. If you have a criminal record this will not automatically bar you from employment at the College; instead each case will be judged individually, in accordance with the objective assessment criteria set out below.

### **What you must declare**

All positions within the College are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered 'spent', except those received for an offence in the United Kingdom if it has been filtered in accordance with the DBS filtering rules (please see Appendix Six for further information).

We encourage you to declare as much information as possible to us, as having a previous criminal record will not automatically prevent you from working here. However, a failure to disclose a previous conviction (which should be declared) may lead to your application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the College to employ anyone who is barred from working with children. It is also a criminal offence for any person who is barred from working with children to apply for a position at a school. We must make a report to the police and/or the DBS if we:

- receive an application from a barred person;
- are provided with false information in, or in support of an applicant's application; or
- have serious concerns about an applicant's suitability to work with children.

#### **a. Assessment criteria and process**

In the event that you volunteer relevant information (whether in relation to previous convictions or otherwise) during the recruitment process, or we obtain information through a disclosure check, we will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position you have applied for;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether you have a pattern of offending behaviour or other relevant matters;
- whether your circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) you provide.

We will complete a risk assessment based on the information available to us, including your representations. The risk assessment will be assessed by a senior member of the HR team (normally the HR Director or Deputy HR Director) and in some cases will be verified by the Designated Safeguarding Lead or Deputy Designated Safeguarding Lead.

**b. Disputing information contained within a disclosure**

If you wish to dispute information which has been revealed during a disclosure you may do so by contacting the Disclosure and Barring Service directly.

In cases where you would otherwise be offered a job were it not for the disputed information we may, at our discretion and if practicable, defer a final appointment decision until you have had a reasonable opportunity to challenge the disclosure information.

**c. Retention and security of disclosure information**

We observe the guidance issued or supported by the DBS regarding the use of disclosure information.