

Autumn 2025

Next Review Date: Autumn 2027

Disclosure Policy

For QUEST Schools

Company Number 09306360

Hindley Green Community Primary School
St. Peter's C. of E. Primary School
St. John's C. of E. Primary School Abram
St. John's C. of E. Primary School Hindley Green
University Collegiate School Bolton



Disclosure Policy

QUEST is committed to creating a culture of safe recruitment and adopts recruitment procedures that help deter, reject or identify people who might abuse children.

1. **The Requirement for Criminal Record Checks by the Academy Trust**

1.1 It is of fundamental importance to the Academy Trust to ensure so far as possible that those who take up appointments do not pose a risk to the children in its care. It is therefore important for the Academy Trust to apply for and review the past criminal records of any successful applicants for positions. Any formal offer of appointment will be conditional upon satisfactory completion of pre-employment checks including satisfactory Disclosure from the DBS with barred list information and prohibiting checks, together with references and interview information. The Academy Trust also considers it essential that the confidential and personal Disclosure information from the DBS is used fairly and sensibly in order to avoid unfair discrimination of applicants for appointments in the Academy Trust.

1.2 Disclosure information is:

- Contained in criminal record certificates under Section 113 of the Police Act 1997 (the Act) and are referred to by the DBS as "Standard Disclosures"; or
- Contained in enhanced criminal record certificates under Section 115 of the Act and are referred to by the DBS as "Enhanced Disclosures";
- Provided by the police under Section 115(8) of the Act.

2. **Types of Disclosure**

2.1 There are three types of Disclosure that may be applied for depending on the nature of the position and whether the work is regulated activity.

- (a) Standard: a check of the Police National Computer (PNC) records of convictions, cautions, reprimands and warnings;
- (b) Enhanced: a check of the PNC records as above, plus other information held by the police that is considered relevant by the police; and
- (c) Enhanced with barred list information: for people working in regulated activity with children. This adds checks of the DBS Children's Barred List to the enhanced check.

2.2 When the DBS has completed its check of an applicant's PNC record and, if appropriate, whether or not they are on the barred list, the relevant information will be recorded on a certificate (the DBS certificate) that is sent to the applicant. The Academy Trust will receive a DBS clearance notification from the e-bulk service which is filed on the employee's personnel file.

2.3 All staff are also required to complete the Annual Personal Declaration Form, and relevant staff are required to complete the annual Staff Suitability Form to provide relevant information as to whether they are suitable to work with children. Staff and volunteers are required to complete the Annual Personal Declaration and/or Suitability Form (if relevant to their role) at the commencement of their employment with the Academy Trust and at the beginning of each school year thereafter. Additionally, staff, volunteers and Trustees are required to inform the Academy Trust as soon as possible should any change in their circumstances arise.

3. **Application Procedure**

3.1 When appointing new staff, the Academy Trust will:

- verify a candidate's identity, preferably from current photographic ID and proof of address except where, for exceptional reasons, none is available;
- obtain a certificate for an enhanced DBS check with a barred list information where the person will be engaging in regulated activity;
- obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available;
- check that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State, using the Teacher Services - Organisations online service;
- verify the candidate's mental and physical fitness to carry out their work responsibilities through an independent occupational health questionnaire. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role.
- verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then prospective employers, or volunteer managers, should follow advice on the GOV.UK website;
- if the person has lived or worked outside the UK, make any further checks the Federation considers appropriate;
- verify professional qualifications, as appropriate; and
- all short-listed candidates for posts will be required to complete the Staff Suitability Declaration Form as part of the pre-employment process.

3.2 Where an applicant has changed his/her name by deed poll or for other reasons (eg marriage, adoption) the Academy Trust will require evidence of this change of name. The DBS application form will be completed and signed by the applicant for the position and countersigned by a registered person at the Academy Trust.

3.3 The Trustees require all applicants new to the Academy Trust to obtain an enhanced DBS disclosure. In addition, all volunteers will be required to apply for an enhanced DBS check as they will be undertaking unsupervised activities.

3.4 QUEST will undertake a barred list check and an enhanced DBS check for all Trustees and LAC representatives. In addition, any new chair of Trustees must complete an 'Identity Verification Form' in conjunction with the Disclosure & Barring Service application form. Once the form has been completed, identity verification will take place. Guidance on how to do this is included on the form available from www.wigan.gov.uk or in the resources area of GovernorHub. All checks will be recorded on the Trust's Single Central Record. See DBS and Section 128 checks Policy for Trust members, Trustees and LGB representatives

3.5 All members and prospective members of the Trust Board or Local Advisory Committee will be subject to a Section 128 direction check, undertaken via the Teachers Services webpage, and this will be recorded on the Trust's Single Central Record.

3.6 Visiting Professionals and Speakers:

The Trust ensures that individuals such as psychologists, Wigan Council employees and other public sector staff will have been checked by their employing organisation (i.e. LA, Primary Care Trust or NHS). The Trust will ask for a copy of individual's DBS and/or ID badge. The Trust will also ask for confirmation of employment from their employing organisation and request that the individual brings the following proof of ID upon arrival:

- ID badge with Photo evidence
- Passport
- Driving Licence
- Utility Bill/Bank statement which is no less than three months' old
- Any evidence of a change of name
- A phone check is also made with key contact as an additional measure.

However, if the individual is self-employed, the same checks will apply as those for employed staff.

3.7 Volunteers:

Volunteers will be required to complete a Trust DBS application and will be subject to the following checks, in line with current guidance:

- ID
- Enhanced DBS Certificate (including barred list check where appropriate)
- Overseas checks (where appropriate)
- Informal Interview/Meeting

If a volunteer does not fall into the definition of 'regular', the Trust will complete a risk assessment based on the circumstances and decide which additional, discretionary checks are required. The Trust regards regular as, once a week, or more often or on 4 or more days in a 30-day period

No vetting checks will be carried out for those who are one-off volunteers for Trust events or trips, these are treated as visitors. Visitors are under no circumstance left unsupervised.

3.8 Contractors and Visitors:

Any contractors or visitors from other organisations are required to provide a DBS to be allowed in the Trust unaccompanied. If a DBS is not provided the individual will be supervised at all times. The Trust will ensure that their contract with any company, which provides staff who will have access to areas where unsupervised contact with children is possible, provides for the required checks on staff to be completed by the company itself. Please refer to the Contractor and Visitor Policy.

3.9 Vetting Check Exemptions:

The Trust will not conduct vetting checks on the following, all these will be treated as visitors and will be supervised at all times during their visit.

Those who have only brief contact with children in the presence of a teacher i.e. Students aged under 16 on work experience or similar, those on site when pupils are not present, visitors carrying out repairs or servicing equipment.

The Trust does not re-check staff returning from maternity leave or similar because they are still an employee of the Trust. Staff who leave the Trust and are reemployed at a further date will be required to complete a new DBS check. All timesheet / ADHOC staff who have had a 3 month break in service or more will be rechecked prior to returning.

3.10 The Single Central Register of Appointments:

In accordance with current legislation, the Trust and its schools keeps a Single Central Register of Appointments, indicating whether or not the following checks have been completed on all current members of staff at the Trust, the Trustees, Local Advisory Members, and all individuals who work in regular contact with children including volunteers, supply staff, peripatetic staff, and those employed as third parties:

- Identity checks
- Qualification checks for any qualifications legally required for the position
- Enhanced Disclosure (or DBS Status Check)
- Barred List check (date of DBS check unless a separate earlier barred list check was undertaken)
- Right to work in the UK
- Overseas checks, where applicable
- Prohibition from Teaching Check (where appropriate)
- Prohibition from management check (where appropriate)
- References – employees only

4. Consideration of Disclosure Information by QUEST

4.1 On receipt of Disclosure from the DBS, the Academy Trust shall consider the following:

- (a) Whether or not the conviction or other information disclosed is relevant to the position in question.
- (b) The seriousness of the offence or other matter revealed.
- (c) The length of time since the offence or other matter occurred.
- (d) Whether the applicant has a pattern of offending behaviour or other relevant matters.
- (e) Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matter.
- (f) The circumstances surrounding the offence, and the explanation(s) offered by the convicted person.

4.2 The applicant may be interviewed by a senior member of Academy Trust staff as part of its consideration of disclosure. In conclusion of consideration of these elements the Academy trust shall make a decision about the suitability of the applicant for employment or deployment as a volunteer within the Academy Trust. Decisions will be notified to the applicant in writing. Ultimately, it is the Academy Trust's Decision if they deem that employing a person, or deploying a volunteer, would bring the Trust into disrepute or jeopardise the Trust's reputation.

5. Criminal Records Bureau Code of Practice

5.1 The Academy Trust agrees to comply with the provisions of the DBS Code of Practice.

6. Security of Disclosure Information

6.1 Given the confidential nature of the disclosure information, the Academy Trust will ensure that it is stored securely. Documents will be locked away, with access restricted to senior members of staff who are the authorised signatories, with the DBS and their administrative support staff. Once a recruitment decision has been made, the Academy Trust will not retain the Disclosure information for any longer than necessary, which shall normally be less than 6 months. All disclosure information will be destroyed by secure methods (such as shredding or burning).

7. **Risk Assessment**

- 7.1 Staff and volunteers will be required to renew their DBS disclosure every 5 years on a rolling programme.
- 7.2 All staff are required to complete the Annual Personal Declaration Form
- 7.3 Relevant staff are required to complete the Staff Suitability Form
- 8. Further guidance:
<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

This policy was presented to and approved by Trustees during the Autumn Term 2025.



Wigan[♥]
Council

Childcare Disqualification Requirements (Early Years, Childcare and Schools)

Author: Human Resources & Organisational Development

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Introduction

Statutory Guidance was issued in August 2018 by the Department for Education, detailing the obligations on early years settings, schools and local authorities under the Childcare Act 2006 and the application of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. Schools and local authorities must have regard to the guidance when carrying out their duties to safeguard and promote the welfare of children.

The guidance sets out:

- The responsibilities of schools and local authorities & what they need to do to comply with the legislation
- Who is covered by the arrangements – including the changes to the arrangements for staff who live in the same household where a disqualified person lives or is employed
- The circumstances where staff should be directed to Ofsted to apply to waive disqualification

This guidance is a summary of the key points of the DfE guidance and has been developed to support schools and council settings covered by the regulations. Where the guidance refers to 'manager' this will be the Headteacher for schools.

Where the guidance refers to 'staff' this includes individuals employed by the school or the Local Authority (LA), those undertaking training in schools (both salaried and unsalaried), casual workers and volunteers.

The arrangements set out in the guidance are additional to the arrangements in place to safeguard and promote the welfare of all children set out in:

- *Keeping Children Safe in Education (KCSIE)*,
- The statutory framework for *Early Years Foundation Stage (EYFS) - Working Together to Safeguard Children*.

Settings must therefore continue to exercise their safeguarding duties in respect of all staff and should seek advice and support from LADO and their HR representative in relation to any matter that may represent a safeguarding concern or risk.

Who does this Policy Apply to?

Which Settings and Staff are Covered by the Regulations

The following categories of staff in nursery, primary or secondary school settings are covered:

Early Years Provision

Staff who provide any care for a child up to and including reception age (i.e. from birth up to reception age). This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range. **Later Years Provision (for Children under 8)**

Staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities, such as the school's choir or sports teams) but it does include before school settings, such as breakfast clubs, and after school provision.

Staff who are directly concerned with the management of such early or later years provision; this will include the headteacher and may also include other members of the school leadership team.

- Where schools rent their facilities to childcare providers who employ staff, schools should ensure these providers have the appropriate policies and procedures in place to safeguard children.
- Where LA employees are deployed within schools then the LA should ensure these staff are compliant with the regulations.
- Where schools use staff from agencies or third-party organisations to work in a relevant childcare provision, they must obtain confirmation that the relevant checks have been carried out.
- Schools must ensure that self-employed providers are compliant with the relevant legislation.
- The requirements will apply to trainees. If a trainee is salaried then the school is responsible for ensuring they comply with the legislation. Where trainees are not salaried then the training provider must confirm to schools that the relevant checks have been conducted.

Volunteers and casual workers (including individuals on work experience) who are directly concerned with the management of childcare provision, or who work on a regular basis, whether supervised or not, in relevant childcare.

Which Settings and Staff are not Covered

School governors are **not** covered by the regulations unless they volunteer to work in relevant childcare on a regular basis, or they are directly concerned with the day-to-day management of such provision.

- Staff who are not employed directly to provide childcare such as caretakers, cleaners, drivers, transport escorts, catering staff and office staff would normally be excluded.
- Staff who are not involved in the management of the relevant provision and who only provide:
 - Education, childcare or supervised activity during school hours to children above reception age.
 - Childcare or supervised activities out of school hours for children who are aged 8 or over.
- Staff involved in any form of health care provision for a child such as school nurses, speech and language therapists and educational psychologists.

Most staff who are only occasionally deployed and are not regularly required to work in relevant childcare **will not automatically come within the scope of the legislation.**

Setting managers should exercise their judgement about when and whether such staff are within scope, evaluating and recording any risks and control measures put in place, and taking advice from the LA Designated Officer (LADO), safeguarding lead officer or adviser and HR provider when appropriate.

A record of any risk assessment should be retained on the employee's personnel file and a copy provided to the individual concerned. Such assessments would be appropriate, for example, in secondary schools where staff are involved in liaising with primary schools and may have contact with pupils up to age eight.

Disqualification

Who is Disqualified?

The criteria for disqualification under the 2006 Act and 2018 Regulations include the following:

- a. Inclusion on the Disclosure and Barring Service (DBS) Children's Barred List,
- b. Being found to have committed certain violent and sexual criminal offences against children and adults
- c. Certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2018 Regulations.
- d. Refusal or cancellation of registration relating to childcare (Except if the refusal or cancellation of registration is in respect of registration with a child minder agency or the sole reason for refusal or cancellation is failure to pay a prescribed fee), or children's homes, or being prohibited from private fostering.
- e. Living in the same household where another person who is disqualified lives or is employed (disqualification 'by association') as specified in regulation 9 of the 2018 Regulations (**note that regulation 9 only applies where childcare is provided in domestic settings, or under a domestic premises registration**).
- f. Being found to have committed an offence overseas which would constitute an offence regarding disqualification under the 2018

Regulations if it had been done in any part of the United Kingdom.

The above list is only a summary of the criteria that leads to disqualification. Further details about the specific orders and offences which will lead to disqualification are set out in the 2018 Regulations.

Full details of what constitutes "disqualification" can be found in the DFE Guidance. Any queries should be referred to Ofsted.

Current Staff

Statutory guidance states that it is not necessary for settings to ask staff to complete a self-declaration form to obtain information about whether a staff member is disqualified.

However, it does state that settings **must** keep a record of those staff who are employed to work in, or manage, relevant childcare and this record should contain the date on which any information about disqualification was provided. Therefore, it is advised that settings use the staff suitability declaration form provided.

Settings should inform all relevant staff of the disqualification regulations and what specific details they need to provide for the purposes of childcare disqualification, as not all convictions are relevant.

Many roles in relevant settings are exempt from the Rehabilitation of Offenders Act and as a result, individuals are normally required to disclose all their unprotected convictions and cautions, including those that are spent. The exception here is certain minor convictions and cautions are protected, which means they are not subject to disclosure. Majority of offences are not protected however and must always be disclosed by a member of staff employed to work in relevant childcare.

By signing the form, staff are declaring their own situation is accurate and up to date as of that point in time. **Staff will be required to sign a declaration at the beginning of September each year to confirm the same.** Staff will also be required to inform the setting as soon as possible should any change in their circumstances arise. As each newform is signed, the previous form on file will be confidentially destroyed.

Settings should make available to staff the DfE Guidance, which details the disqualification orders and offences. This does not provide a comprehensive list and therefore if there are any potential disqualifications settings may wish to take advice from their HR advisers, designated officers or safeguarding lead officer. Anything further should be explored with Ofsted. It is recognised that in some cases the completion of the forms could be a very sensitive matter for employees. Managers are encouraged to provide support as necessary.

Storage and use of Information

Declaration forms must be treated in the strictest confidence and must be retained on personal files in accordance with data protection provisions. Settings must ensure that they are adherent to their obligations for handling personal data lawfully and fairly under the Data Protection Act 2018 (DPA), the General Data Protection Regulation (GDPS), Rehabilitation of Offenders Act 1974 (ROA) and Human Rights Act 1998.

Personal data is held in line with GDPR, as set out in the Data Privacy Primary Notice and the Recruitment and Employment Privacy Notice. Advice for schools on handling data is provided in the DfE's Data Protection Toolkit. Settings may choose to keep information on the declaration form as part of the single central record or maintain a record separately. Where personal information that is relevant to disqualification is filed it should be kept on the personal file. Substantive details of criminal records checks should not be retained and information that is provided that is not relevant should be destroyed.

Settings must not ask staff or third parties to make requests for their criminal records in connection with employment. This is an offence under section 184 of the 2018 DPA and may result in prosecution against an organisation making such a request.

For more details, please see the DfE Guidance.

If an Employee Appears to be Disqualified

If a manager becomes aware that an employee or volunteer in their setting is, or may be, disqualified from working with children they must inform the individual of this and explain the implications of disqualification to them, including whether they can apply to Ofsted for a waiver of disqualification (Ofsted cannot grant a waiver to an individual who is on the Children's Barred List). It must be made clear what information the individual will need to share with Ofsted and why. Further guidance on what information is to be shared can be found in the DfE Guidance. When communicating these matters to an employee, managers should take advice from HR, LADO and safeguarding lead officer or adviser.

Settings must not continue to employ an individual who is determined to be disqualified in connection with early or later years childcare provision. Any disqualified individuals also must not provide or be directly concerned in the management of such provision unless they have received a waiver from Ofsted which covers the role they wish to undertake.

Whilst awaiting a waiver decision where these circumstances arise, consideration should be given as to whether it is appropriate to make alternative working arrangements such as redeployment or adjusting the role so that the employee is not working with the relevant age range.

Such adjustments may not be feasible or may not be appropriate and so a setting may need to consider granting leave with pay, or as a last resort, suspension with pay, whilst the waiver application is considered.

Suspension from work would not be a punitive step and would be taken to ensure that the legislation and DfE guidance are being observed.

Managers should contact their HR representative for advice on these matters.

When making decisions about the redeployment of staff, managers should consider the risk of harm to children concerned and their obligations under the 2006 Act, the EYFS, KCSIE guidance and any other relevant safeguarding guidance.

At this point, if the manager has not already informed LADO, they should do so by completing the LADO referral form in full ensuring that they detail:

- The individual's name.
- The individual's date of birth.
- The name of the setting the individual works in.
- The individual's home address.
- The name and contact details of the person referring the matter to the LADO; and
- A brief outline of the details (including child's details if applicable).

Alternatively, the manager may ring the LADO Team on 01942 486034 or email lado@wigan.gcsx.gov.uk.

The waiver application can only be made by the individual concerned; the setting cannot make it on their behalf, although they can support/assist the individual to make the application. Whilst the waiver is under consideration, the employee must not undertake work in the relevant settings.

The details of how to make an application are available from Ofsted

There are no defined timescales for waiver decisions. If a waiver is granted, the setting will need to see the waiver letter before they can allow the individual to return to their previous role. If a waiver is not granted, or is partially granted, there will be implications for the continued employment of the person concerned, which may ultimately result in dismissal. Settings should contact their HR representative in such cases.

Staff suitability declaration form – recruitment process

All short-listed candidates for posts covered by the regulations, as outlined in this guidance, will be required to complete a declaration form as part of the pre-employment process.

For schools who purchase services from the Local Authority, this is part of the pre-employment checks during the recruitment process for schools. Other schools will need to take appropriate steps to implement an appropriate process themselves.

External agency workers

Managers must ensure that any external agency providing staff in relevant settings carry out these checks prior to placing them in the school by asking the agency to confirm that such checks have been undertaken.

Trade Union Consultation

Local trade unions have been advised of the approach the LA recommends and have been provided with a copy of this guidance.

Further Information

If you require further advice or support around disqualification from working with children, please contact the LADO Team on 01942 486034 or your HR Representative.

You may contact the DfE with specific queries regarding disqualification requirements by emailing: mailbox.disqualification@education.gov.uk

The general enquiries number for Ofsted is 0300 123 1231.

For schools that purchase the Wellbeing Hub and Helpline which provides free confidential advice and support to employees on a range of issues, visit The Hub.

The Education Support Partnership <https://www.educationsupport.org.uk/get-help/> is available for support and guidance on a wide range of issues; this service is a free service, available 24 hours a day, seven days a week, 365 days a year. Telephone 08000 562 561, text on 07909 341 229 or email enquiries@edsupport.org.uk