

Safer Recruitment Policy and Procedures

WIGMORE HALL

Version History

Version	Date	Change	Initials
1	12/2018		DS
2	2/2019	Formatting TOC x 2 Incorporation of Appendices PDF convert for web	RW
3	3/2020	Extract forms for staff use Update review date Mark relevant appendices as 'for reference'	RW
4	3/2022	Revised policy, inc. separation into 3 policies: Safeguarding Children, Safeguarding Adults and Safer Recruitment	DS

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This policy came into effect on 4 March 2022, including the separation of the former Safeguarding Policy and Procedures into three separate documents following good practice guidance:

- Safeguarding Children Policy and Procedures
- Safeguarding Adults at Risk Policy and Procedures
- Safer Recruitment Policy and Procedures

Safeguarding policies and procedures will be reviewed no less than every two years, and should be made publicly available on the Wigmore Hall Trust (WHT) website.

What is Safer Recruitment?

Safer recruitment is the safeguarding and protection of children and adults at risk during recruitment, selection and induction processes.

Aims of this Policy

As an organisation which employs individuals to work with children and adults at risk, WHT has a duty to safeguard and promote their welfare.

The purpose of safer recruitment is to help deter, reject or identify potential staff who might abuse children or adults at risk, or who are otherwise unsuitable to working with them, by implementing rigorous policies and procedures which:

- Assess candidates have the appropriate attitude, values and behaviours to work with children and adults at risk
- Ensure new employees understand what is expected of them
- Ensure that employees are kept safe as well as the children and adults with whom they are working

Scope

This policy is written in the context of, and in relation to, WHT's Recruitment Policy, Equal Opportunities Policy, Safeguarding Children Policy and Procedures, and Safeguarding Adults Policy and Procedures.

This policy applies to all WHT staff, which includes paid staff, volunteers, the board of trustees, freelance employees and anyone working on behalf of WHT. In the context of and throughout this policy and procedures, 'staff' includes all these individuals.

It is relevant to WHT as an organisation, its activities – in particular activity with children and adults at risk – and its wider community. It has been informed by guidance from the NSPCC and Ann Craft Trust.

Safer Recruitment Statement

WHT is committed to safe recruitment as a vital part of its safeguarding policy and procedures, to ensure we protect children and adults at risk who are taking part in activity. We are committed to creating a setting in which everyone feels welcome and safe. Respect for equality and diversity is embedded within our organisation's culture, and this is promoted and underpinned in our codes of conduct, policies, and procedures. Any discriminatory, offensive, and violent behaviour is unacceptable,

and we will work together to ensure that any complaint or concern is acted upon. This is only possible when people are recruited as safely as possible.

We expect our partner organisations to demonstrate their commitment to the principles and practice as set out in this Safer Recruitment Policy and Procedures.

Legal Framework and Supporting Documents

This policy has been written in the context of the following law and guidance :

- [Keeping Children Safe in Education, updated September 2021](#)
- [Working Together to Safeguard Children, updated December 2020](#)
- [Data Protection Act 2018](#)
- [Childcare Disqualification Regulations 2018](#)
- [Counter-Terrorism and Security Act 2015](#)
- [Protection of Freedoms Act 2012](#)
- [Equality Act 2010](#) and [Guidance](#)
- [Safeguarding Vulnerable Groups Act 2006](#)
- [Childcare Act 2006](#)
- [Sexual Offences Act 2003](#)
- [Police Act \(Criminal Records\) Regulations 2002](#)
- [Police Act 1997](#)
- [Rehabilitation of Offenders Act 1974](#)

Recruitment and Selection

Recruitment

Job Advertisement

This should provide a clear image of WHT and set out its commitment to safeguarding children and adults at risk, encouraging applications from those suitable for the post, and deterring those who are unsuitable. Job advertisements should include:

1. Job title
2. Location
3. Duration and type of post (e.g. fixed term, permanent)
4. Salary and other benefits (e.g. annual leave, private healthcare)
5. Hours (e.g. full time, part time)
6. Background information on WHT, including:
 1. Its programme with children and adults at risk
 2. Organisational values
 3. A statement that clearly sets out WHT's commitment to safeguarding children and adults at risk, alongside:
7. A link to the Safeguarding Children and Adults policies, which should be publicly available on the WHT website

1. Where appropriate, a statement that the interview will include questions related to safeguarding and that a Disclosure and Barring Service (DBS) check will be undertaken
2. An equal opportunities statement and link to WHT's Equal Opportunities Policy which should be publicly available on the WHT website
8. A link to an application pack, alongside a statement that only applications with completed application forms will be accepted

When placing job advertisements you should consider:

- Where to place your advert
- The audience you want to reach

Application Pack

The pack should include:

- Job description, including:
 - o Expected duties relating to safeguarding, acknowledging that safeguarding is everyone's responsibility
 - o An expectation that all staff should work within WHT's Safeguarding Children and Adults policies at all times
- Person specification, including:
 - o Expected behaviours, attitudes, values and qualifications relating to good safeguarding practice e.g. 'ability to work in a way that promotes the safety and wellbeing of children and adults at risk'
- Outline of the selection process, including:
 - o Shortlisting
 - o Interviews
 - o Verification and references
 - o DBS check
- An application form
 - o This is in place of CV, which is more likely to only contain information applicants wish to convey
 - o It is a standardised form which:
 1. Ensures a common set of information from each applicant
 2. Is easier to check for accuracy
 3. Ensures all applicants have a fair opportunity to provide relevant information
 4. Helps to identify gaps or anomalies
 5. Eliminates blanket CVs
 - o This should include:
 1. Personal details: Name, address, telephone number
 2. Education, training and qualifications including details of awarding bodies and dates
 3. Employment history: Full history in chronological order, including full-time, part-time and voluntary roles, explanations for periods not in employment, reasons for leaving employment

4. Personal statement: How the applicant meets each of the requirements set out in person specification
5. Details of referees: Name, email, telephone numbers
 - Two appropriate referees should be provided, with one being current or most recent employer
 - Family members or friends should not be used as referees
6. Self-disclosure: An opportunity to declare details of cautions or convictions that are not protected under the Rehabilitation of Offenders Act 1974 in England, Scotland and Wales (see below for further details)
7. Signed declaration that all the information given is truthful and accurate, and that nothing relevant has been omitted. This should be accompanied by a statement which notes that providing false information is an offence and could result in an application being rejected, or dismissal if applicant has been selected, and possible referral to police.

Selection

Shortlisting

Ensure at least two people are involved in shortlisting and scrutinising applications, and that their role in decision-making is clarified.

- The panel should:
 - o Check applications and that
 - Forms are fully completed
 - Information is consistent
 - There are no discrepancies
 - Any gaps in employment history are identified
 - o Follow up and clarify any discrepancies, gaps in employment or omissions with applicants before drawing up a shortlist where possible, and if this is not possible they should make a note of anything to raise at interview
 - o Consistently apply the same criteria from the person specification to each applicant
 - o Only open any confidential disclosures after shortlisting, using the guidance below
- Applications should be redacted by a WHT staff member not on the panel, in order to minimise the likelihood of the panel being influenced by personal information, such as age, ethnicity, gender, personal feelings or assumptions, which may affect the selection process

Confidential Disclosures

- A self-disclosure is an opportunity to declare details of cautions or convictions that are not protected under the Rehabilitation of Offenders Act 1974 in England, Scotland and Wales.
- This self-disclosure should be marked confidential and kept in a separate, sealed envelope
- Only consider disclosures made at shortlisting – disclosures from candidates not taken to shortlisting phase should not be opened and should be securely disposed of once the appointment has been made
- When assessing disclosures, take the following into account:

- o Relevance, nature and seriousness
 - What behaviour did the offence represent?
 - How serious was it?
 - Is it relevant to the post?
 - In general, offences involving sex, drugs or violence will be of concern if the applicant is seeking to work with children or adults at risk, but any mitigating factors must be taken into account
 - The severity of the sentence will often indicate how seriously the Court viewed a person's behaviour (e.g. a custodial sentence or community service generally indicates that a crime was more serious than one dealt with by a fine or caution)
- o Timescale
 - How long ago did it occur?
 - What age was the applicant when the offence was committed?
- o Repetition
 - Was it a one-off offence or a series of offences over a short time span, which could suggest there may have been particular circumstances?
 - Is there a history of repeated or varied offences over a period of time?
- o Mitigating circumstances
 - Is there any evidence of mitigating circumstances such as youth, immaturity or illness, or acting under the influence of someone else?
- o Changes and remorse
 - Have the applicant's personal circumstances changed since the offence was committed?
 - Is there evidence of remorse and rehabilitation?
- o Country of conviction
 - Was the offence committed abroad? If so, you may need to check the behaviour more exactly: some behaviour considered a criminal offence in other countries may not be considered an offence in this country
- o Decriminalisation
 - Behaviour considered a criminal offence in the past may no longer be against the law, because the relevant legislation has changed
- If a shortlisted applicant has made a disclosure, the panel should open this when preparing for an interview
- The panel should first consider whether the offence(s) disclosed is relevant to the post or not. If it is not relevant the disclosure can be ignored.
- If the offence(s) is clearly relevant, or the disclosure doesn't give enough information to reach a decision, the panel should decide:
 - o What further information it needs to obtain from the applicant at interview
 - o Whether it needs to approach anyone else to obtain further information, such as the police force that dealt with the case or a previous employer
- If an applicant discloses a recent or serious offence against or involving children or adults at risk and is not registered with the Disclosure and Barring Service (DBS), you should consult the DBS before proceeding with the interview to find out whether they wish to consider barring the person from working with children and/or adults at risk

Interviews

- Once the panel has invited a shortlist to interview, it should:
 - o Ensure all candidates will be assessed equally against the criteria in the person specification, which should be appropriate to the position
 - o Avoid being influenced by personal information, such as age or gender, and not allow personal feelings or assumptions to inform the interview or any decisions made afterwards
 - o Ask candidates in their interview invitation if they require any reasonable adjustments to enable them to participate (this should not influence the appointment decision)
 - o Be well briefed and trained as appropriate:
 - At least one member should be trained in safer recruitment
 - All should be well briefed on the post, clear on their roles, and clear what they are looking for from a successful candidate
 - o Consider role play or group exercises where appropriate to assess how well candidates interact with others
 - o Involve young people and/or adults at risk in the process where possible and appropriate, to observe their interaction with children and/or adults at risk, and to involve children and adults at risk in the decision-making process
 - o Treat volunteers and freelance staff in the same way as permanent staff. Although processes may differ (see [Freelance Employees section](#)), ensure they take part in as rigorous a process, as they have the same (and sometimes more) access to children and adults at risk
 - o Agree what questions will be asked and how, including:
 - A question which aim to reveal the candidate's attitude to safeguarding
 - Questions which aim to reveal the candidate's attitude to children and adults at risk
 - What open and closed questions will be asked (both play an important role)
 - Making sure questions are clear and relevant to the job description and person specification
 - Avoiding hypothetical questions; ask about actual experiences, attitudes and abilities. (However, they may be required for less experienced candidates.)
 - o Ask the same questions of each candidate, although the following should be considered of individuals candidates:
 - Any follow-up questions which may be required
 - Gaps in employment history
 - Any discrepancies in application
 - o Agree clear positive and negative indicators for each question
 - o Confirm the candidate understands the need for a DBS check where appropriate, the kind of information that will be disclosed, and whether they wish to declare anything

Guidelines to ensure effective interviewing:

- Hold interviews within a short enough period of time to keep impressions fresh, and sufficient time between interviews to discuss each candidate and prepare for the next interview

- Be prepared: The panel should review information about each applicant, and meet to agree questions and what constitutes good or poor responses
- Have relevant paperwork to hand: application form, questions, space for notes
- Treat all candidates equally, whether internal or external candidates
- Ask questions appropriately, and avoid:
 - o Asking questions in a threatening way
 - o Making assumptions and applying those in your questioning
 - o Using complex words or jargon, unless relevant to the post
 - o Leading the candidate in a particular direction
 - o Talking too much yourself
 - o Letting the candidate side-track the process; stick to the agreed questions and request an answer
 - o Accepting a short and vague answer and moving on; probe and ask further questions if required
 - o Asking elaborate questions or several questions at once
- Make notes to provide an accurate record, rather than relying on memory. Notes should be destroyed after the successful candidate's probation period has come to an end (see [Keeping Records](#)).
- Avoid telephone interviews, although this may be a reasonable adjustment if the candidate is unable to attend in person or via video call

Causes for concern:

Some answers may cause concern about the individual's suitability to work with children or adults at risk.

- It's important not to jump to conclusions based on a single unsatisfactory answer. If an answer causes concern, ask a follow-up question to clarify the issue.
- There may be times when it is necessary for you to pass on details of concern about an applicant – see Vetting section below for details

References and Vetting

Once the panel has reached an agreed view on the successful candidate, they should:

- Make a conditional offer to the candidate, pending receipt of satisfactory references and DBS check where appropriate
- Make clear to the candidate what kind of information will be requested from referees

When asking for references, use the [Reference Request Form template at the end of this document](#). This ensures comprehensive and standardised information is provided.

When checking references:

- Send referee job description and person specification with Reference Request Form
- Discard open references, those provided by applicant, photocopied references and basic references with no useful character information

- Take inconsistencies into account
- Check referees have answered all questions and there are no vague or ambiguous statements, and compare information to that given by applicant
- If they do reveal any inconsistencies, discrepancies, doubts or concerns, follow up with referee, ideally by telephone with a written record of conversation. If the issues are significant, confirm your understanding in writing to the referee and ask them to approve your record of the conversation.
- Unfounded allegations in references should be discarded. It could be illegal to ask for more details about a disciplinary hearing.

There is no legal requirement for an employer to provide a reference unless stated in the contract of employment. If they refuse, find out why and seek an appropriate alternative.

The following pre-appointment checks should be made before confirming a final offer:

- Identity, including date of birth
- Eligibility to work in the UK
 - o Depending on their situation, overseas applicants, refugees and other foreign nationals may have additional documents that you will need to check
 - o The DBS check will not show overseas convictions, so if a candidate has worked or been resident overseas for a period of three months or more over the past five years (including UK citizens), obtain a check of the candidate's criminal record from the relevant authority in that country
 - o If the candidate has lived overseas outside of the past five years and has worked with children or adults at risk during that time, it is good practice to also complete a criminal record check to cover that period
 - o Any documents not provided in English must be accompanied by a certified translation. Translator credentials should be provided, along with an official declaration that the translation is accurate.
- Criminal record check or enhanced DBS check (where appropriate, see [below](#) for details)
- Qualifications and professional membership
 - o Ask candidates at interview for original or certified copies of any qualifications required, and verify these with the awarding body
 - o Where appropriate, check the candidate is registered with the appropriate professional body

There may be times when it is necessary for you to pass on details of concern about an applicant, for example if:

Circumstance	Communication
The candidate is barred or disqualified from working with children	If someone in this position applies for a role working with children, it is a criminal offence and must be reported to the police

The candidate has supplied false information in or in support of their application	This may be a criminal offence and you should consider reporting it to the police
There are serious concerns about the candidate's suitability to work with children or adults at risk, which have led the organisation not to appoint the person	These should be reported to the DBS, so it can consider whether the individual should be barred from working with children and/or adults at risk
The candidate belongs to a professional body and you have reason to think that they are in breach of the standards/behaviours required by this body	To pass on details of your concerns about the candidate, follow reporting procedures of the respective professional body

- Any appointment through third parties such as an agency should follow the same pre-appointment checking procedures that you use for direct recruitment
- If the third party is carrying out the checks on your behalf, ensure they are aware of the requirements and processes they must follow
- Obtain copies of all satisfactory pre-appointment checks before confirming the final offer
- When recruiting temporary staff through employment agencies, obtain written confirmation from the agency to state it has satisfactorily completed the necessary checks. You don't need to carry out these checks yourself, but do confirm the identity of the worker and verify that they are the person sent by the agency.

All checks should be:

- Confirmed in writing
- Verified, documented and kept on the personnel file
- Followed up if they are unsatisfactory or if there are discrepancies in the information provided

Keeping Records

The following information should be held and used in accordance with the Data Protection Act 2018:

- Completed application form
- Evidence of right to work in UK and photo ID
- Job description and copy of advertisement
- Completed references (if received by email, retain accompanying email)
- DBS disclosure number and date of issue
- Evidence of original qualifications and associated checks
- Details of professional registration
- Interview documentation

Records should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties and/or encrypted (labelled 'Confidential - Encrypted') and stored in an access-controlled location. Records should only be kept for the duration of the successful candidate's probation period, after which they should be destroyed.

In accordance with the Police Act 1997, DBS certificate information should only be passed to those who are authorised to receive it in the course of their duties. Certificate information should only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

You should not keep a copy of the DBS disclosure certificate, or a photocopy or other image of the certificate, or any copy or representation of the contents of a certificate. You may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

For more information: <https://www.gov.uk/government/publications/handling-of-dbs-certificate-information/handling-of-dbs-certificate-information>

Induction and Training

Every new employee should begin work with some form of induction, supervision and mentoring. This will vary according to the post and experience of the individual. All inductions should follow the WHT Induction Procedures, and should include ensuring the employee has read the Staff Handbook, knows who the Designated Safeguarding Officers (DSOs) are, what to do if they have a cause for concern, or what to do if someone discloses to them. Employees working with children and adults at risk should also:

- Read and become familiar with WHT's Safeguarding Children Policy and Procedures, the Safeguarding Adults at Risk Policy and Procedures, and, for those involved in recruitment, the Safer Recruitment Policy and Procedures. We invite and encourage staff to ask questions and make suggestions to ensure continued relevance and robustness of these policies and procedures.
- Receive a briefing from their Line Manager or a WHT DSO to ensure they are familiar with key elements and procedures

All new permanent staff members working with children should undertake the following as part of their induction, in addition to the above, as appropriate according to their existing and recent training:

- Online Introduction to Safeguarding course
- Annual safeguarding course, which explores additional needs or considerations for the safeguarding of children with regard to the Equality Act 2010's [Protected Characteristics](#)
- Staff managing remote activity should undertake additional appropriate training, for example online safety training
- Supervision by line manager during probationary period to ensure they adhere to and understand safeguarding policies and procedures

All new freelance staff members working with children must:

- Read the Safeguarding Children Policy and Procedures and be familiar with relevant sections as highlighted by their Line Manager. We invite and encourage staff to ask questions and make suggestions to ensure its continued relevance and robustness.
- Receive a briefing from their Line Manager or a WHT DSO to ensure they are familiar with key elements and procedures
- Discuss their existing safeguarding training and knowledge with their Line Manager, in order for the Line Manager, in consultation with a WHT DSO, to devise a training plan for them where appropriate. This may include an online Introduction to Safeguarding course, and/or training specific to the context in which the freelance staff member will be working. Where possible/appropriate freelance staff members will be invited to join safeguarding training with WHT Learning department staff.
- Take part in an annual review of their safeguarding training needs with their Line Manager or a WHT DSO, to ensure they have regular policy and procedure updates, and regular training appropriate to their role

WHT is committed to providing annual safeguarding training for its Learning department staff members, key Front of House staff members, and any other relevant staff members. It also provides any additional training for individuals where appropriate, including an annual briefing for all Front of House staff, regular DSO training and specific training for Learning staff. It is WHT's policy that at least one Designated Safeguarding Officer has undertaken Safer Recruitment training.

Some parts of induction may not always be formal but they do need to be well planned and consistently delivered to ensure all new employees and volunteers are fairly treated and received the same information.

Training, resources and research on safeguarding children is available from NSPCC:

<https://www.nspcc.org.uk/services-and-resources/>

Training, resources and research on safeguarding adults at risk is available from Ann Craft Trust:

[Safeguarding Adults at Risk Training Courses – ACT \(anncrafttrust.org\)](https://www.anncrafttrust.org.uk/safeguarding-adults-at-risk-training-courses-act)

Freelance Employees Working with Children and Adults at Risk

Wherever possible the recruitment and selection procedures above should be followed – and these should always be followed for permanent staff – but there may be circumstances in which it is not feasible or appropriate to do so, for example when appointing freelance employees such as workshop leaders and musicians for one-off or short-term engagements such as a concert or short-term project.

In those circumstances, the following procedure should be followed:

- Create a Role Profile which includes:
 - o Title and description of role
 - o Duration of engagement
 - o Agreed fee

- o Background information on WHT, including:
 - Its programme with children and adults at risk
 - Organisational values
 - A statement that clearly sets out WHT's commitment to safeguarding children and adults at risk, alongside a link to the Safeguarding Children and Adults policies, which should be publicly available on the WHT website
- o An equal opportunities statement and link to WHT's Equal Opportunities Policy which should be publicly available on the WHT website
- Freelance employees will often be engaged by WHT Learning Programme Managers. In these circumstances the details above should be confirmed with the Learning Director prior to confirming the engagement with the employee, along with the following if this is their first engagement with WHT working with children or adults at risk:
 - o A CV or link to the individual's website
 - o Two emailed references, at least one of which should be from a current or recent employer
 - When requesting references send referee the individual's Role Profile
 - These should take the form of a short (approx. 100 – 150 words), written statement about the individual and their suitability for the role
 - When requesting this information from the referees, inform them of the following:
 - We are asking for this information in line with our Safeguarding and Safer Recruitment policies
 - The referee may be contacted later for clarification on any part of the reference
 - Under the Data Protection Act 2018, where there has been a Subject Access Request, we may not be able to guarantee confidentiality of the information contained in this reference
 - Where the reference will be stored
 - If references reveal any inconsistencies, discrepancies, doubts or concerns, follow up with referee, ideally by telephone with a written record of conversation. If the issues are significant, confirm your understanding in writing to the referee and ask them to approve your record of the conversation.
 - Unfounded allegations in references should be discarded. It could be illegal to ask for more details about a disciplinary hearing.
 - There is no legal requirement for an employer to provide a reference unless stated in the contract of employment. If they refuse, find out why and seek an appropriate alternative.
- Carry out the relevant Disclosure and Barring Service (DBS) check (see [below](#) for guidance)
- If the employee will be working with children under 8 years of age in a school or with a local authority, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

- Issue a contract which includes:
 - o Title and description of role
 - o Dates of employment
 - o Breakdown of fee
 - o A link to the Safeguarding Children Policy and/or Safeguarding Adults Policy as appropriate, informing them that signing the contract acknowledges they have read and understand the relevant parts of the policy/ies as highlighted
- There may be times when it is necessary to for you to pass on details of concern about an applicant, for example if:

Circumstance	Communication
The candidate is barred or disqualified from working with children	If someone in this position applies for a role working with children, it is a criminal offence and must be reported to the police
The candidate has supplied false information in or in support of their application	This may be a criminal offence and you should consider reporting it to the police
There are serious concerns about the candidate's suitability to work with children and/or adults at risk, which have led the organisation not to appoint the person	These should be reported to the DBS, so it can consider whether the individual should be barred from working with children and/or adults at risk
The candidate belongs to a professional body and you have reason to think that they are in breach of the standards/behaviours required by this body	To pass on details of your concerns about the candidate, follow reporting procedures of the respective professional body

Relevant records should be kept as per [policy above](#).

Ongoing Review

WHT monitors its approaches to safer recruitment and induction through:

- Examining staff turnover and reasons for leaving
- Conducting exit interviews
- Showing continuous commitment to safeguarding through:
 - o Regular training for all members of staff and volunteers working with children and adults at risk
 - o Additional specialist training as appropriate
 - o Regular evaluation of the effectiveness of training
 - o Regular review and revisions of the Safeguarding Children and Adults Policies and this policy
 - o Ensuring appropriate supervision, monitoring behaviour and performance

Disclosure and Barring Service

The Disclosure and Barring Service (DBS) exists to help employers make safer recruitment decisions and to prevent unsuitable people from working with children and adults at risk. Employers can check the criminal record of someone being appointed for a role, known as processing a DBS check.

Types of Checks

There are different kinds of checks which can be processed according to the nature of activity the staff member is employed to lead or take part in:

- A basic check, which shows unspent convictions and conditional cautions
- A standard check, which shows spent and unspent convictions, cautions, reprimands and final warnings
- An enhanced check, which shows the same as a standard check plus any information held by local police that's considered relevant to the role
- An enhanced check with barred lists, which shows the same as an enhanced check plus whether the applicant is on the list of people barred from doing the role. This is required for anyone working in 'regulated activity' (see below)

Employers can only request a DBS check on an individual when they are legally allowed to do so; they must be entitled by law to ask an individual to reveal their full criminal history. To establish which check you can complete, use this eligibility tool: <https://www.gov.uk/find-out-dbs-check> as well as [this guidance](#). If you are unsure, speak to a WHT DSO.

Regulated Activity

Regulated activity is work that a barred person cannot do. What constitutes regulated activity differs according to whether the work is with children or adults.

Regulated activity with children comprises:

1. Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children
2. Work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises. Not work by supervised volunteers

Work under (1) or (2) is regulated activity only if undertaken frequently (once a week or more often), or on 4 or more days in a 30-day period, or overnight.

Regulated activity with adults at risk is defined under the following categories:

- Providing health care
- Providing personal care
- Providing social work
- Assistance with general household matters
- Assistance in the conduct of a person's own affairs
- Conveying

For more information: [Eligibility guidance for enhanced DBS checks - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/eligibility-guidance-for-enhanced-dbs-checks)

Processing a DBS Check

WHT DBS checks should be processed through Atlantic Data, which is a Responsible Organisation (an organisation registered with the DBS to submit checks through a web service).

If you are issuing a DBS check, wherever possible you should register the individual to the [Update Service](#), which enables WHT to see if any relevant information has been identified about the individual since their certificate was last issued.

If a completed check contains criminality or barring information, you should pass this on to a DSO who will determine whether the information prohibits them from working with children or adults at risk, and where necessary may need to pass on this information to external organisations (see [References and Vetting](#)).

A DBS check has no official expiry date; any information included is accurate at the time the check was carried out. WHT's policy on renewal is that a new check must be carried out every three years.

You can accept a certificate that was requested for a previous role at WHT but you must:

- Have the individual's consent to see the certificate
- Check the applicant's identity matches the details on the certificate
- Check the certificate is the appropriate level for the work they are now being employed to lead or take part in
- Check to see if anything has changed if the applicant has signed up for the update service

Further guidance on DBS checks can be found here: <https://www.gov.uk/dbs-check-applicant-criminal-record/overview> or by contacting Atlantic Data.

See '[Keeping Records](#)' for information on how to store DBS information.

Appendix: Reference Request Form

Name of candidate	
Name of referee completing this form	
Date reference completed	
If you are a representative of the candidate's current or previous employer please complete both Part A and Part B below. If you are giving a reference in any other capacity, please complete only Part B. If necessary, please include further details on a separate sheet.	
Part A	
What is the name of your organisation?	
What position do you hold?	
How long have you worked/did you work with the candidate?	
Please confirm the candidate's role and/or duties	
Please confirm the candidate's dates of employment	
If the candidate has ceased employment with you, please confirm the reason for the termination of the candidate's employment	
Has the candidate been the subject of any substantiated formal or informal disciplinary proceedings during the last 12 months of their employment? If so, please provide details of the allegation(s) against the candidate and the outcome.	
Has the candidate been the subject of any substantiated disciplinary proceedings (formal or informal, current or time-expired) relating to the safety and welfare of children or young people? If so, please provide details of the allegation(s) against the candidate and the outcome.	
Part B	
What is your relationship to the candidate?	
How long have you known the candidate?	
Please comment on their suitability for the role, with regards to the role as set out in the job description	
Please comment on the candidate's attitude to work, time-keeping and attendance, and working relationships	
Are you completely satisfied that the candidate is suitable to work with children and adults at risk? If, not please give specific reasons for your concerns.	
Do you have any other comments?	

Please find the advertised job description attached for your reference. Please be aware that:

- Referees have a legal liability for references and the reference should contain no material misstatement or omission
- The referee may be contacted later for clarification on any part of the reference
- Under the Data Protection Act 2018, where there has been a Subject Access Request, we may not be able to guarantee confidentiality of the information contained in this reference