



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

This Policy, which applies to the whole school including the Early Years Foundation Stage (EYFS), is publicly available on the School website and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office.

<b>Version</b>	3
<b>Date Published</b>	September 2020
<b>Authorised by (if required)</b>	Headteacher
<b>Review/Update Dates</b>	September 2021, September 2022, September 2023, December 2023
<b>Next update</b>	September 2024
<b>Responsible Area</b>	Recruitment and Selection Process

**Legal Status:** Complies with the Independent (School) (Standards) (Amendment) Regulations currently in force.

**Monitoring and review:** This policy is subject to continuous monitoring, refinement and audit by the headteacher, who will undertake a full annual review of this policy and procedures, inclusive of its implementation and the efficiency with which the related duties have been discharged. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately and without delay. This policy will next be reviewed no later than September 2024 or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require. All staff will be informed of the updated/reviewed policy and it is made available to them in either a hard copy or electronic format.

Signed:

Mrs Charlotte Crookes  
Headteacher

Date reviewed:

15th December 2023

Date of next review:

01.09.2024



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

### 1 Introduction

The Pointer School is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is also committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment. The aims of the School's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping children safe in education (September 2023) (KCSIE), Disqualification under the Childcare Act 2006 (DUCA), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); Part 4 of the Education (Independent School Standards) (England) (Amendment) Regulations, with reference to the appointment of all staff, external providers and volunteers inclusive of completion of the Single Central Record (otherwise referred to as the Centralised Register) and
- to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy. However, it is the ultimate responsibility of the Headteacher to ensure that all staff are recruited in line with current regulations.

### 2 Recruitment and selection procedure

- 2.1 *Advert* – All vacancies will be advertised, on both the school's own website and also on a trusted recruitment platform eg TES. The advert will set out the school's commitment to safeguarding, and specify the requirements of the role (including the safeguarding responsibilities of the post).
- 2.2 *Application* – All applicants for employment will be required to complete an **application form** containing questions about their academic and employment history and their suitability for the role. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided in the application form and discussed at interview. Incomplete application forms will be returned to the applicant where the deadline for application forms has not passed. A curriculum vitae will not be accepted in place of the completed application form. Applicants will receive a job description and person specification for the role applied for. Application forms, job descriptions and person specifications are available to download from the School's website for vacancies, and can be



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

printed and forwarded to applicants on request. The safeguarding child protection policy and the safer recruitment policy (including details of the school's policy on recruitment of offenders) is sent to all candidates as part of the application pack, and candidates are expected to read the policies prior to interview.

2.3 *Shortlisting* – The school will shortlist candidates to invite for an interview. At least two members of staff who share a consistent approach will be involved in this process. Shortlisted candidates will be required to sign a self-declaration of their criminal record and any reasons why they may not be suitable to work with children. An electronic signature will not be accepted on this declaration (candidates may sign this in person when attending an interview). At this stage the school will consider any potential concerns about a candidate to be discussed at interview, including gaps in employment history, inconsistencies in the application, and any information provided in the self-declaration. At this stage references will be sought (see section 4.2.), and a thorough online search will be undertaken for each shortlisted candidate as part of the school's due diligence. This may help us to identify any incidents or issues that have happened, and are publically available online, which can then be explored at interview. Our human resources department will make known of this due diligence by placing this intention to research publicly available online material within the advert, candidate pack and application form so that it is well known before any short-listing takes place that this will occur.

2.4 *Selection* – The school will make use of a range of methods to identify the most suitable candidate for the post. The procedure will always include a formal interview with the Headteacher and another member of the senior leadership team. It will also include opportunities for candidates to engage meaningfully with pupils e.g. a trial morning or observed lesson. The interview is an opportunity to discuss the candidate's skills and experience in more detail, as well as identifying any negative safeguarding indicators. To safeguard children the interview panel will explore:

- The candidate's attitude towards children
- The candidate's motivation to work with children
- Their ability to form relationships and retain personal boundaries
- Their emotional resilience in working with challenging behaviours and their attitudes in managing discipline and towards authority
- Their ability to support the school's agenda for safeguarding and promoting the welfare of children

Through the above the panel will explore the candidate's suitability to work with children. Any concerning attitudes will be probed further, such as an implication that adults and children are equal; a lack of recognition and/or understanding of the vulnerability of children; any inappropriate idealisation of children; an inadequate understanding of appropriate boundaries between adults and children; and, indicators of negative safeguarding behaviours. Gaps in the candidate's employment history and explanation of repeated changes in career or location must be discussed and clarified by the Headteacher. Concerns or discrepancies arising from the information provided by the candidate



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

or referees must be discussed by the interview panel. The Headteacher will discuss any information provided in the Self-Declaration form prior to the DBS check being completed.

2.5 *Offer of employment* - If it is decided to make an offer of employment, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references which the School considers to be satisfactory (one of which should be from the candidate's current or most recent employer);
- for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (**TRA**), formerly the NCTL, which renders them unable or unsuitable to work at the School;
- for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unable or unsuitable to work at the School;
- where the position amounts to "regulated activity" (see section 4.3 below) the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
- where the position amounts to "regulated activity" (see section 4.3 below) confirmation that the applicant is not named on the Children's Barred List\*;
- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the School;
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the School;
- confirmation that the applicant is not disqualified from working in connection with early or later years provision (if applicable, see section 4.4 below);
- verification of the applicant's medical fitness for the role (see section 3 below);
- verification of the applicant's right to work in the UK;
- for applicants who have lived overseas for 3 months or more in the last 10 years, an overseas overseas criminal records check, and/or certificate of good conduct from each jurisdiction they lived in;
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified); and
- Verification of any award of qualified teacher status (QTS) and the completion of teacher induction or probation by The Teacher Registration Agency (TRA).

For further information about the checks that are required for different roles, please refer to the document

**Person Categorisation: Vetting Checklist.**

\*The School is not permitted to check the Children's Barred List unless an individual will be engaging



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

in "regulated activity". The School is required to carry out an enhanced DBS check for all staff and supply staff who will be engaging in regulated activity. However, the School 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. Whether a position amounts to "regulated activity" will therefore be considered by the School in order to decide which checks are appropriate. It is however likely that in nearly all cases the School will be able to carry out an enhanced DBS check and a Barred List check.

### 3 Medical fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, **after** an offer of employment has been made but **before** the appointment can be confirmed. It is The Pointer School's practice that all applicants to whom an offer of employment is made must complete a confidential Self- declaration Health Questionnaire of their mental and physical health which is sent to the school's medical officer, Dr Anne Allister. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra-curricular activities, layout of the School etc. If the School has any doubts about an applicant's fitness the School will consider reasonable adjustments in consultation with the applicant. The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

### 4 Pre-employment checks

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the Education (Independent School Standards) Regulations the School carries out a number of pre-employment checks in respect of all prospective employees. These checks will be made by the Safer Recruitment Officer or HR Officer, under the direction of the Head.

In addition to the checks set out below, the School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the School. This will be at the discretion of the Head and the Recruitment panel, and may include internet and social media searches. The school will always ask for written information about previous employment history and check that information is not contradictory or incomplete. In fulfilling its obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

### 4.1 Verification of identity and address

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications. A full list of documents which are suitable is set out in the document **List of Acceptable ID**. These requirements comply with DBS identity checking guidelines. They must also provide original documents confirming any educational and professional qualifications referred to in their application form. Where possible a birth certificate will be requested to verify the candidate's name and identity. These documents will be verified and recorded by either the Safer Recruitment Officer or the HR officer.

The School asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE. Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

### 4.2 References

References will be taken up on short listed candidates prior to interview. All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of these references will be from a senior person with appropriate authority at the applicant's current employer. Where there is no current employer, verification of the most recent period of employment and reasons for leaving will be obtained. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. If the applicant has never worked with children, the first reference must be from the current employer. Where electronic references are received, the school will ensure they originate from a legitimate source by telephoning the referee for verification. If a reference is taken over the telephone, for evidential purposes the school takes detailed notes indicating who was spoken to, which are dated and signed. References will be requested by the Safer Recruitment Officer or the HR Officer, and will be reviewed and signed off by the Head and another member of the SLT.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that the applicant has not been radicalised **so that they do not support terrorism or any form of "extremism"** (see the definition of "extremism" at section 8 below). All referees will be sent a copy of the job description and/ or person specification for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, sickness and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving 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 or malicious;



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated or malicious;
- whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" at section 8 below).

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. The School will review all references, and compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed. The School may at its discretion make telephone contact with any referee asking for further clarification as appropriate, for example if the answers are vague or if insufficient. Any information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post (including information obtained from the Teacher Services' checks referred to previously). Further help and advice can be found on the [Advisory, Conciliation and Arbitration Service \(ACAS\) website](#).

### 4.3 Criminal records check

The school undertakes a DBS check on all relevant persons. This will be overseen by the SRO who is the DBS Recruiter. Staff complete an online application which is then verified and submitted by the SRO or HR Officer. Checks are carried out by our partner company, CCPAS.

The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to "regulated activity" as defined in KCSiE. The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. 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
- satisfies the "period condition", meaning four times or more in a 30 day period;
- provides personal care, or health care (including helping a child eat, drink, washing, dressing);
- 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 the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the School amount to regulated activity. Limited exceptions



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

could include an administrative post undertaken on a temporary basis in the School office outside of term time or voluntary posts which are supervised.

The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the School, and the results appear online for the school. However, for safeguarding purposes, the school also requires sight of the original certificate once received by the candidate. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

If there is a delay in receiving a DBS disclosure the Head has discretion to allow an individual to begin work pending receipt of the disclosure certificate. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place. In this instance the Head will undertake a Risk Assessment, which will be regularly reviewed.

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:

For 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".

For 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".



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

### **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>.

### **Candidates who have lived overseas**

For the purposes of safer recruitment, the school considers a candidate to have 'lived overseas' if they have spent a period of more than three months in a country outside of the UK in the last 10 years. DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants will also be asked to provide further information to enable the school to make a judgement on their suitability to work with children. In order to determine the checks to be made, the school makes use of the Government guidance provided by the Home Office on criminal records checks for overseas applicants. This may include, for example, a criminal records check from the relevant jurisdiction(s), and / or certificate of good conduct. These checks will be requested before the candidate starts work, and where possible, the school will seek to ensure that this information has been received and reviewed before the candidate starts work. Where this is not possible (due to delays, or if the relevant jurisdiction does not have a suitable system in place), the school will undertake a risk assessment and undertake alternative methods of assessing the candidate's suitability (e.g. requesting additional references).

### **4.4 Prohibition from teaching check**

The School is required to check whether staff who carry out "teaching work" are prohibited from doing so. At The Pointer School, we check all staff as all staff members may be required to take part in teaching activities (e.g. teaching assistants covering for class teachers, office staff leading after school clubs). These checks are made by the Head or the SRO. The School uses the TRA Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the TRA. In addition the School asks all applicants for roles which involve "teaching work" (and their referees) to declare in the application form whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by, the TRA or other equivalent body in the UK. If the school is made aware that the Secretary of State has made an interim prohibition order in respect of an individual who works at the school, immediate action will be taken to ensure the individual does not carry out work in contravention of the order, i.e pending the findings of the TRA investigation, the individual must not carry out teaching work. We would not employ, not allow an existing member of staff to continue working with children including teaching work should a teaching prohibition order, or an interim prohibition order be issued.

It is the School's position that this information must be provided in order to fully assess the suitability of an applicant for a role which involves "teaching work". Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the TRA (or other equivalent body)



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

The School carries out this check, and requires associated information, for roles which involve "teaching work". In doing so the School applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012 which states that the following activities amount to "teaching work":

- planning and preparing lessons and courses for pupils;
- delivering lessons to pupils;
- assessing the development, progress and attainment of pupils; and
- reporting on the development, progress and attainment of pupils.

The above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Head. If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches. In addition, for all appointments made on or after 18 January 2016, where an applicant has carried out teaching work outside of the UK the School will ask the applicant (and their referees) whether they have ever been referred to, or are the subject of a sanction issued by, a regulator of the teaching profession in the countries in which they have carried out teaching work.

#### 4.5 Prohibition from management check

The School is required to check whether any applicant for a management position is subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (a **section 128 direction**). These checks are made by the Head or the SRO. This check will be made via the Teaching Regulation Agency (TRA). This check applies to appointments to the following positions made on or after 12 August 2015:

- Head;
- Any staff on the senior leadership team; and
- Teaching posts which carry a departmental head role.

The relevant information can be obtained through the TRA Teacher Services system. In addition the School asks all external applicants for management roles to declare in the application form whether they have ever been the subject of a referral to the Department for Education, or are subject to a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

It is the School's position that in order to fully assess the suitability of an applicant for a management role it must be provided with the above information. Where an applicant is not currently prohibited from management but has 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, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

### 5 Childcare disqualification requirements

The Childcare Act 2006 (**Act**) and the Childcare (Disqualification) Regulations 2009 (**Regulations**) state that it is an offence for the School to employ anyone in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP.

- EYP includes usual school activities and any other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place on the school premises during or outside of the normal school day;
- LYP includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example, breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.

Disqualification Under the Childcare Act (DUCA) states that only those individuals who are employed directly to provide childcare are covered by the Regulations. "Childcare" means any form of care for a child, which includes education and any other supervised activity for a child who is aged 5 or under. "Childcare" in LYP does not include education during school hours but does cover before and after school clubs. Roles which will be covered by the Regulations are teaching and teaching assistant positions in EYP, and those which involve the supervision of under 8s in LYP. Those who are directly involved in the management of EYP and LYP include the Head, and may also include other members of the leadership team as well as those involved in the day to day management of EYP or LYP at the School. At The Pointer School, we require all staff to complete a self-declaration that they are not disqualified from working in EYP or LYP under the Childcare (Disqualification) Regulations, as all staff may be required to assist in clubs or work in the Holiday Club which falls under the scope of childcare LYP. These Self-declarations will be recorded by the HR Officer.

The criteria for which a person will be disqualified from working in connection with EYP or LYP are set out in the Regulations. They are not only that a person is barred from working with children (by inclusion on the Children's Barred List) but also include:

- having been cautioned (after 6 April 2007) for, or convicted of, certain criminal offences including violent and sexual criminal offences against children and adults whether committed in the United Kingdom or overseas;
- various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
- having been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), having been disqualified from any such registration or having had that registration cancelled;
- having been refused an application for registration of a children's home or having had any such registration cancelled; or
- having been prohibited, restricted or disqualified from private fostering.



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

Employment with the School in any relevant role will be conditional upon completion of the Self-Declaration prior to interview, and upon the applicant not being disqualified. The School cannot permit any person who is currently disqualified to start work in a relevant role.

Applicants who have any criminal records information to disclose about themselves must also provide the following information:

- details of the order, restriction, conviction or caution and the date that this was made;
- the relevant court or body and the sentence, if any, which was imposed; and
- a copy of the relevant order or conviction.

Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules (see section 4.3 above). For the avoidance of doubt the School does not require applicants to request any criminal records information directly from the DBS. The School only requires applicants to provide relevant information about themselves "to the best of their knowledge".

A person who discloses information which appears to disqualify them from working in a relevant role may apply to Ofsted for a waiver of the disqualification. The School may withdraw an offer of employment at its absolute discretion and is under no obligation to await the outcome of an Ofsted waiver application. If a waiver application is rejected the School will withdraw the conditional offer of employment.

The School will securely destroy any information which is provided by an applicant which is not relevant to the childcare disqualification requirements as soon as it is established that it is not relevant. Where a person appointed to a role at the School is found to be disqualified the School will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the School, after which it will be securely destroyed.

After making this declaration staff in a relevant role are under an on-going duty to inform the School if their circumstances change in a way which would mean they subsequently meet any of the criteria for disqualification. Any failure to disclose relevant information now, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.

## **6 Starting work**

All of the above checks (with the possible exception of the DBS) must be undertaken before a member of staff can start work. Once the checks have all been completed, the Head will review and sign the Staff Vetting Sheet to indicate that the member of staff has been deemed ready to start work. This will also include a check of the candidate's right to work in the UK.



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

### **7 Contractors and agency staff**

Contractors engaged by the School must complete the same checks for their employees that the School is required to complete for its staff. The School requires written confirmation that these checks have been completed before employees of the Contractor can commence work at the School.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires written confirmation that these checks have been completed before an individual can commence work at the School. The School will independently verify the identity of staff supplied by contractors or an agency in accordance with section 4.1 above and will require the provision of the original DBS disclosure certificate before contractor or agency staff can commence work at the School.

In cases of safeguarding allegations or concerns against supply staff, the school would work with the supply agency to ensure allegations are dealt with properly. The school's governing board should discuss with the agency whether it is appropriate to suspend the supply teacher or move them to another department while the investigation is carried out. While the supply agency should be fully involved and co-operate, the school will take the lead in the investigation. Our school's HR department will inform any supply agencies of our process for managing allegations.

### **8 Trainee/student teachers**

Where applicants for initial teacher training are salaried by the school, we will ensure that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) will also be obtained.

Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. The School will obtain written confirmation from the provider that it has carried out all pre-appointment checks that the school would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children.

### **9 Volunteers**

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the School (the definition of regulated activity set out in section 4.3 above will be applied to all volunteers), such as regular clubs volunteers. It is the School's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the School for three consecutive months or more. Those volunteers who are likely to be involved in activities with the School on a regular basis may be required to sign up to the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates. In addition the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.

For volunteers who are not in regulated activity, the school may undertake a Risk Assessment to determine if it will be necessary to request a DBS disclosure and Children's Barred List information.

However, as per the Commentary on the Regulatory Requirements (para 376), the school does not undertake a DBS check on 'one off' volunteers for trips and outings. Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils, and they must not undertake any personal care for pupils.

### **10 Visiting speakers and the Prevent Duty**

In line with The Prevent Duty, the school will ensure that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised. The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School. All visiting speakers will be subject to the School's Visitors' Procedure. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted at all times by a fully vetted member of staff.

The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and / or permit a speaker to attend the School, such as undertaking an internet search on an individual. In doing so the School will always have regard to the Visitors' Procedure, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which 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. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."*

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

The School reserves the right to obtain such information on any other person appointed to work for or at the School.

### **11 Retention of records**

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to



# SAFER RECRUITMENT, SELECTION & DISCLOSURE POLICY

## APPLIES TO THE WHOLE SCHOOL

discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the School for the duration of the successful applicant's employment with the School. It will be retained in accordance with the School's retention of records policy after employment terminates. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months. The same policy applies to any suitability information obtained about volunteers involved with School activities.

### **12 Whistleblowing**

All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the School's policies (including the whistleblowing policy, the safeguarding policy and the Staff code of conduct). Safeguarding children is at the centre of the School's culture and is accordingly considered formally during staff performance development reviews and appraisal.

### **13 Referrals to the DBS and Teaching and Regulation Agency (TRA)**

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the School also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children; or
- has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the TRA.