WOLVERHAMPTON GRAMMAR SCHOOL

RECRUITMENT, SELECTION AND DISCLOSURE POLICY AND PROCEDURE

Wolverhampton Grammar 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:

- 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**), *Safeguarding children and safer recruitment in education* (**Guidance**), Keeping Children Safe in Education – September 2016 (**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**); 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.

Data protection

The School is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (**NCTL**)). Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations. The School will process personal information in accordance with its Staff Privacy Notice.

Recruitment and Selection Procedure

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. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. 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, person specifications, the school's Safeguarding Policy and Equal Opportunity Policy for Staff are available to download from the school's website and can be printed and forwarded to applicants on request.

The applicant may then be invited to attend a **formal interview** at which his/her relevant skills and experience will be discussed in more detail. All shortlisted applicants will be tested at interview about their suitability to work with children.

If it is decided to make an offer of employment following the **formal interview**, 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);
- Verification of qualifications, whether professional or otherwise, which the School takes into account in making the appointment decision, or which are referred to in the application form, whether a requirement for the role or not;
- Verification of the applicant's employment history;
- the receipt of two references (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory;
- 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 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 on Criminal Record Checks 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 on Criminal Record Checks 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 of 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 acting as a trustee/governor or senior manager of a charity under the Charities Act 2011 (if applicable, see section on Disqualification form acting as a charity trustee or senior manager below);
- confirmation that the applicant is not disqualified from working in connection with early or later years provision (if applicable - see Childcare Disqualification Requirements section below);
- verification of the applicant's medical fitness for the role (see section below);
- verification of the applicant's right to work in the UK and

- any further checks which the school decides are necessary as a result of the applicant having lived or worked outside of the UK which may include an overseas criminal records check, certificate of good conduct or professional references.

***The school is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The school is required to carry out an enhanced DBS check for all staff, supply staff and governors 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 they do not carry out their duties frequently enough ie: roles which would amount to regulated activity if carried out more frequently.**

Whether a position amounts to "regulated activity" must 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 Children's Barred List check.

Pre-employment Checks

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the Education (Independent School Standards) Regulations 2014 the school carries out a number of pre-employment checks in respect of all prospective employees.

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 may include internet and social media searches (such Twitter and Facebook).

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.

1. Verification of identity, address and qualifications

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 as set out below and in the list of valid identity documents in Appendix 1 (these requirements comply with DBS identity checking guidelines):

- one document from Group 1; and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and
- original documents confirming any educational and professional qualifications referred to in their application form.

Where an applicant claims to have changed his/her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

The school asks for the date of birth of all applicants to assist with the vetting of applicants. 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.

2. References

References will normally be taken up on short listed applicants prior to interview. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

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 the references must be from the applicant's current or most recent employer. 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. Neither referee should be a relative or someone known to the applicant solely as a friend.

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 be radicalised so that they do not support terrorism or any form of "extremism" (see the definition of "extremism" in the Visiting Speakers and Prevent Duty section below). All referees will be sent a copy of the job description and 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;
- 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" in the Visiting Speakers and Prevent Duty section below).

(* questions about health or sickness records will only be included in reference request sent out after the offer of employment has been 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 verbally confirm with referees that they have completed the reference themselves, and may ask them to verify the details of the written reference provided.

The school will 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.

Where a reference is not received prior to interview, it will be reviewed upon receipt. Any discrepancies identified between the reference and the application form and/or the interview assessment form, will be considered by the School. The applicant may be asked to provide further information or clarification before an appointment can be confirmed. If factual references are received, ie. those which contain limited information such as job title and dates of employment, this would not necessarily disadvantage an applicant, although additional references may be sought before an appointment can be confirmed.

3. Criminal records checks

Prior to 29 May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records which a chief police officer considered relevant to the role applied for at the School.

DBS Filtering Rules

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

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 removed from a DBS disclosure if:

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

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

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

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

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

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

Regulated Activity

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 the Safeguarding Vulnerable Groups Act 2006 (as amended). 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; and
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in additional 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 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 Disclosure Certificate

The DBS issues the DBS disclosure certificate to the subject of the check only, rather than to the School. It is a condition of employment with the school that the **original** disclosure certificate is provided to the school within two weeks of it being received by the applicant. Original certificates should not be sent by post. A convenient time and date for bringing the certificate into School should be arranged with Sue Gough, Bursar's PA, as soon as the certificate has been received. Applicants who are unable to attend at the school to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to Sue Gough. Where a certified copy is sent, the original disclosure certificate must still be provided prior to the first day of work. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the school.

Starting work pending receipt of the DBS disclosure

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.

Applicants with periods of overseas residence

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. The School will take into account the 'DBS unusual addresses guide' in such circumstances. The School takes into account the guidance issued by the NSPCC when deciding whether to request overseas information from applicants, which recommends that such information should be sought on those who have lived overseas for periods of three months or more in the last five years. However, the School recognises that Education (Independent School Standards) Regulations 2014 do not specify that a minimum period of overseas residence is required.

The School therefore assesses each applicant's situation on its individual facts. Where applicants are asked to provide further information, this could include a criminal records check from the relevant jurisdiction(s), or a certificate of good conduct (as appropriate) and/or references from any employment held.

Work can only commence once sufficient overseas information has been received and only if the school has considered that information and confirmed that the applicant is suitable to commence work at the school.

4. Prohibition from teaching check

The school is required to check whether staff who carry out "teaching work" are prohibited from doing so. The school uses the Teaching Regulation Agency 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 NCTL.

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 Teaching Regulation Agency or other equivalent body in the UK.

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 Teaching Regulation Agency (or other equivalent body) whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, 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. This will include checking for the existence of any sanctions issued by regulators of the teaching profession in other EEA countries using the Teaching Regulation Agency Services system.

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).

This check applies to appointments to the following positions made on or after 12 August 2015:

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

It also applies to appointments to the governing body.

The relevant information is contained in the enhanced DBS disclosure certificate (which the school obtains for all posts at the school that amount to regulated activity). It can also be obtained through the Teaching Regulation Agency Teacher Services system. The School will use either, or both, methods to obtain this information.

In addition the school asks all 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.

6. Disqualification from acting as a charity trustee or senior manager

Background

Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

Who is covered

A person is considered to be a charity trustee if they are one of the people who have general control and management of the administration of the charity. In an independent school the trustees will typically be the governors of the school.

Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the School the disqualification rules will be applicable to all governors, the Head, the Bursar and potentially other senior staff who report directly to the governors.

Self-declaration

All those who are covered by the disqualification rules are required to complete a self-declaration form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria.

A failure to disclose relevant information, or the provision of false information, which subsequently comes to the School's attention may result in the termination of an appointment as a governor or senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence.

All those who are required to complete a self-declaration form are also under an ongoing duty to inform the School if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

Waiver

A person who discloses that one or more of the disqualification criteria is applicable to them may apply to the Charity Commission for a waiver of the disqualification.

The School may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appointment to the governing body if a waiver application becomes necessary or is rejected by the Charity Commission. The School is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

7. Childcare disqualification

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

Definitions

- Later years' provision includes provision for children 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.

DUCA sates that only those individuals who are employed directly to provide childcare are covered by the Regulations. "Childcare" in later years provision does not include education during school hours but does cover before and after school clubs.

Relevant Role

Roles which will be covered by the Regulations are those which involve the supervision of under 8s in later years provision. Those who are directly involved in the management of early/later years provision 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 early years provision and later years provision at the School.

DUCA contains an express statement that cleaners, drivers, transport escorts, catering and office staff are not covered by the Regulations.

Some roles at the school may involve the provision of childcare in later years provision on an occasional basis. They will not automatically be within the scope of the Regulations and the school will therefore consider whether they do on a case-by-case basis. The Regulations only apply to a

limited number of roles within the school but do extend beyond employees to governors and volunteers who carry out relevant work in later years provision.

Grounds for disqualification

The grounds on which a person will be disqualified from working in connection with early or later years provision 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;
- having been prohibited, restricted or disqualified from private fostering; or
- living in the same household as another person who is disqualified from early or later years provision, or living in a household where a disqualified person is employed (disqualification by association). A household is deemed to cover anyone sharing "living space", including the use of a shared kitchen.

Self declaration form

All applicants to whom an offer of employment is made to carry out a relevant role in early/later years provision will be required to complete a Self-Declaration Form confirming whether they, or anyone in their household, meet any of the criteria for disqualification under the Regulations. The school will decide whether a role is relevant and within the scope of early/later years provision by having regard to the guidance in DUCA. Employment with the School in any relevant role will be conditional upon completion of the Self-Declaration From and upon the applicant not being disqualified. The school cannot permit any person who is currently disqualified to start work in a relevant role. The Self-Declaration Form must be completed again every 3 years, once an applicant is employed. The school also reserves the right to its absolute discretion to withdraw an offer of employment if, in the opinion of the school, any information disclosed in the Self-Declaration Form renders that person unsuitable to work at the school.

Applicants who have any criminal records information to disclose about themselves, or anyone in their household, 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 on Criminal Records Check above).

Applicants must not ask for information about spent convictions from any member of their household.

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 and members of their household "to the best of their knowledge".

Waiver of a disqualification

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.

Retention of disqualification information

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.

Continuing duty to disclose change in circumstances

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.

7. 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.

Successful applicants will be required to complete a Health Questionnaire which includes them signing a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with the school instead, they should contact Sue Gough, Bursar's PA, so that appropriate arrangements can be made.

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.

Contractors and Agency Staff

The school must complete the same checks for contractors (and their employees) undertaking regulated activity at the School as it does for its own employees. The school requires written confirmation from the contractor that it has completed these checks on all of those individuals

whom it intends will work at the school before any such individual 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 confirmation in writing that these checks have been completed before an individual can commence work at the school.

The school will independently verify the identity of individuals supplied by contractors or an agency in accordance with above and requires the provision of the DBS disclose certificate before those individuals can commence work at the school.

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 the section Criminal Records Check above will be applied to all volunteers).

The school may request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because the volunteer's work would fit the definition of regulated activity if it was undertaken more frequently or the appropriate level of supervision required is not available.

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

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):

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

Visiting Speakers and Prevent Duty

The Prevent Duty Guidance requires the school to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by students, 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 usual visitors protocol. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff between appointments.

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. This may include, but will not be restricted to, a google and social media search and a

request for a background resume. In doing so the school will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in the 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 ad 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.

Recruitment of Ex-offenders

Background

Wolverhampton Grammar School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The school makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar him/her from employment within the school. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

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

A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the school to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the school. The school will make a report to the Police and/or the DBS if:

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

Assessment Criteria

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the school will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and

- the circumstances surrounding the offence and the explanation(s) offered by the applicant.

If the post involves regular contact with children, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences:

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or
- serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

Assessment Procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the school will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Bursar and the Head of Wolverhampton Grammar School before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the school may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Retention and Security of Disclosure Information

The school's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

Whistleblowing and exit interviews

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 polices (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 and finally at an exit interview which are held with all leavers.

Referrals to the DBS and Teaching Regulation Agency

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 Teaching Regulation Agency.

Queries

If an applicant has any queries on how to complete the application form or any other matter he/she should contact the Bursar's PA.

Please also refer to the following policies:

Safeguarding Policy – Staff network and website	Health & Safety Policy – Staff network and website
Staff Code of Conduct – Website and Employment Manual	Equal Opportunities Policy – Website and Employment Manual
Risk Assessment Policy – Staff network and website	Anti-Radicalisation Policy – Staff network
Data Protection Policy (Staff) – Employment Manual	Privacy Notice (Staff) – Employment Manual
Risk Management Policy – Staff network and website	

Monitoring and Evaluation of this policy

The school monitors and evaluates its Recruitment, Selection and Disclosure Policy through the following activities:

- Record keeping of all pre and post-employment checks
- Record of training of staff involved in safer recruitment
- Regulatory compliance review by Designated Child Protection Director
- Review of Child Protection issues and concerns at termly Board meetings
- Review of concerns and complaints registers by SMT and Board of Directors

PCR
May 2018

Next Review:
September 2018

Appendix 1

Group 1: primary trusted identity credentials

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

Group 2a: trusted government / state issued documents

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

All driving licences must be valid

Group 2b: Financial / social history documents

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

Note

If a document in the list of valid identity documents is:

denoted with * - it should be less than three months old

denoted with ** - it should be less than 12 months old