Queen's College, London
Queen's College Preparatory School
(including Early Years Foundation Stage)

Safer Recruitment policy

Reviewed June 2021

Next review June 2022

1. General

Queen's College and Queen's College Preparatory School (hereafter 'the School') are committed to ensuring the best possible environment for the pupils in their care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010. Further information about our commitment to equal opportunities can be found in the Equal Opportunities Policy.

This policy is intended to ensure compliance with all relevant legislation, recommendations and guidance including the Education (Independent School Standards) Regulations 2014, the most recent version of the statutory guidance published by the Department for Education (DfE) 'Keeping Children Safe In Education' ('the Guidance'), Disqualification Under the Childcare Act 2006 (DUCA) and the Code of Practice published by the Disclosure & Barring Service (DBS).

2. Policy

In the Education (Independent Schools Standards) Regulations 2014, the definition of 'staff' is:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract but does not include supply staff or a volunteer.

In the case of agency or contract workers, the School will obtain written confirmation from the agency or company that it has carried out the appropriate checks. The School conducts identity checks on agency and contract workers on arrival in school and, in the case of agency workers, the School must be provided with the certificate of the DBS check for such staff.

Any member of staff who TUPE transfers into the School staff will be required to undertake the statutory requirements with regard to safer recruitment checks.

3. Application Form

When required, the School will accept CVs from prospective candidates for the purposes of sifting and shortlisting for interview. However, successful candidates will be required to complete the School's application form upon appointment.

The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children. Candidates for employed posts will receive a Job Description for the role applied for.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with true and correct information. Initial disclosure of a criminal record may not debar a candidate from appointment as the School will consider the nature of the offence, how long ago and at what age it was committed, and any other relevant factors. If candidates would like to discuss this beforehand, they can contact the Bursar in confidence.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However, amendments to the Exceptions Order 1975 (2015) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found on the DBS website. The successful applicant will be required to complete a DBS application for the position. Additionally, successful applicants should be aware that they are required to notify the School immediately if there are any reasons why they should not be working with children.

The Childcare (Disqualification) Regulations 2009 apply both to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8, and to those who are directly concerned in the management of that childcare.

The School takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the Bursar immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may have received (which are not 'protected').

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. The Bursar can provide further details.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate from appointment or result in summary dismissal if the School becomes aware of the discrepancy subsequently.

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary proceedings, including disciplinary proceedings relating to the safety and welfare of children or young people (whether the disciplinary sanction is current or time expired). Where proceedings have arisen, the School will seek further details of the outcome, where permissible.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, as well as possible referral to the police and/or DBS.

4. Invitation to Interview

The School will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Shortlisted applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least two people, often chaired by the Principal/Head of QCPS, depending on the advertised position. It is recommended best practice that at least one person on the appointment panel will have undertaken Safer Recruitment training. The Chair of Council should chair the panel for the appointment of the Principal, the Head of QCPS and the Bursar.

In all cases, the interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the chair of the interview panel as to whether or not an interviewer should withdraw from the panel.

Should the Chair have a conflict of interest in interviews for members of the Executive, the Vice Chair of Council shall decide whether the Chair should withdraw from the panel. In other interviews, if the Principal/Head of QCPS has a conflict of interest, they should not be a member of the panel.

The interview will be conducted in person, except in exceptional circumstances e.g. the candidate may be based overseas or the School may be closed following Government guidance, in which case it will be conducted by video conferencing or, as a last resort, by telephone. In all cases, the areas which the interview will explore will include suitability to work with children.

Those who chair recruitment panels acknowledge their responsibility for the decisions of those panels (under the Safeguarding Vulnerable Groups Act 2006). To support this role and responsibility, relevant staff undertake Safer Recruitment training at least every three years.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The School requests that all candidates invited to interview also bring with them:

1. A current driving licence including a photograph or a passport or a full birth certificate;
2. Permissible documents for a DBS check, showing the candidate's current name and address;
3. Where appropriate, any documentation evidencing a change of name;
4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

Originals or certified copies of the above are necessary. In exceptional circumstances, candidates can send scans or photographs of their documents and, if appointed, can provide the originals in person at the next available opportunity. Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview. See the Equal Opportunities Policy for further details.

5. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;

3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
4. For a teaching position, a check that the candidate is not subject to a prohibition order issued by the Secretary of State. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
   - Planning and preparing lessons and courses for pupils
   - Delivering and preparing lessons to pupils
   - Assessing the development, progress and attainment of pupils
   - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications including QTS, where appropriate;
6. Where the successful candidate has worked or been resident overseas, such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered; this will include a check for information about any teacher sanction or restriction that a EEA professional regulating authority has imposed, using the Teaching Regulation Agency (TRA) online system. Where the TRA online system is no longer maintained (from 1 January 2021) for teachers who have been sanctioned in the EEA, confirmation will be sought (where available), from the professional regulating authority in the relevant country e.g. a letter of professional standing.
7. Satisfactory medical fitness.
8. Receipt of a signed Staff Suitability Declaration form from the candidate showing that they are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009, where required.
9. Where the successful candidate will be taking part in the management of the School, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Leadership Team members and Heads of Department, whether the successful candidate is internal or external.

When offering a post verbally, the Principal/Head of QCPS/Chair should always make it clear that these conditions apply.

Successful candidates must complete a pre-employment health questionnaire, which is administered by AXA. The outcome of the questionnaire will be reviewed against the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, layout of the School etc.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn on the grounds of any disability or impairment without first consulting with the applicant, considering medical evidence and reasonable adjustments.

6. References

The School will seek the references referred to in the section above for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will seek a reference from the candidate's current employer. Where there is no current employer, verification of the most recent period of employment and reasons for leaving will be obtained.

The School will ask all referees if the candidate is suitable to work with children. The School will compare any information provided by the referee with that provided by the candidate on the application form. Any inconsistencies will be discussed with the candidate.

Referees of successful candidates will be telephoned or emailed directly for verification that they have provided a reference for the candidate.

7. DBS Checks

The School will refer to the most recent version of the Department for Education ('DfE') document, 'Keeping Children Safe in Education' in carrying out the necessary DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request or accessed here: https://www.gov.uk/government/publications/dbs-code-of-practice

There are limited circumstances where the School will accept a check from another educational institution which are as follows:
During a period which ended not more than three months before their appointment, the new member of staff has worked in:
(a) A school in England in a position which brought them regularly into contact with children or young persons;
(b) A school in England in a position to which they were appointed on or after 12 May 2006 and which did not bring them regularly into contact with children or young persons; or
(c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education which brought them regularly into contact with children or young persons.

In these circumstances, the School ordinarily applies for a DBS check but is not required to do so. A new, separate Barred List check will be obtained.

DBS Update Service
Where an applicant subscribes to the DBS Update Service, the applicant must give consent to the School to check there have not been changes since the issue of the relevant DBS certificate.

If disclosure is delayed
A short period of work is allowed under controlled conditions, at the Principal's/Head of QCPS's discretion. In these cases, a safeguarding risk assessment will be completed. This short period may be carried out:

- Without confirming the appointment;
- After a satisfactory check of the Barred List if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision) as outlined in a safeguarding risk assessment;
- With safeguards reviewed at least every two weeks and the person in question is informed what these safeguards are;

It is recommended, but not a requirement, that a note is added to the Single Central Register and evidence kept of the measures implemented.

8. Retention and Security of Records

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under the Data Protection Act 2018. Copies of DBS certificates will not ordinarily be retained but, where copies are retained, this will be for no longer than six months.

Appendix

Policy on the Recruitment of Ex-Offenders

The School will not unfairly discriminate against any candidate 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 individual 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 candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the police and/or the DBS if:

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

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 DBS 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;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the applicant.

If the post involves regular contact with children, the School would 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, serious class A drug-related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budgetary responsibilities, the School would 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 driving responsibilities, the School would consider it a high risk to employ anyone who has been convicted of drink-driving.