



LEWES OLD GRAMMAR SCHOOL

Recruitment Policy

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RECRUITMENT CHECKLIST

Advertisement placed
Send to Applicant: <ul style="list-style-type: none">• Application form• Equal Opportunities Monitoring form• Job Description• Person Specification• Child Protection Policy Statement• Application and Recruitment Process Explanatory note• [Staff Suitability Declaration Form]• Recruitment Privacy Notice
Received from Applicant: <ul style="list-style-type: none">• Completed Application form
Letter Invitation to Interview
At least two reference requests sent (ensure references for internal candidate are requested and followed up)
References verified as coming from legitimate source
Interview with written outcome Record kept of reasons for any gaps in employment

Identification documents received (including name, address, and D.O.B.) (please copy and place on file)
Evidence of right to work in UK
Qualifications
Rejection letter sent
<p>Conditional offer made. Sent to Applicant:</p> <ul style="list-style-type: none"> • DBS Disclosure form • Contract of Employment • Health Declaration & Questionnaire • [Staff Suitability Declaration Form]
Health Declaration signed
Health Questionnaire
Health enquiries made of referees
DBS check received and satisfactory
Barred list check received and satisfactory (where appropriate)
If the candidate is undertaking a senior management role as set out in the Recruitment, Selection and Disclosures Policy and Procedure, a signed "senior charity manager positions: automatic disqualification declaration"
If the candidate is undertaking a leadership role, evidence that the candidate is not prohibited from participating in the management of independent schools.
EEA Check for individuals who have lived or worked overseas
Prohibition Order check (for a candidate to be employed as a teacher)

Evidence of overseas criminal records checks for applicants who have worked/lived abroad
Confirmation received that applicant is not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2018. OR Receipt of a signed Staff Suitability Declaration form showing that you are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2018.
Check single central register completed

RECRUITMENT PRIVACY NOTICE

Lewes Old Grammar School

Data protection privacy notice (recruitment)

This notice explains what personal data (information) we will hold about you, how we collect it, and how we will use and may share information about you during the application process. It applies to all individuals applying for a position at the School, including positions as a member of staff (full time or part time), contractors, workers, governors, volunteers and peripatetic staff. We are required to notify you of this information, under data protection legislation. Please ensure that you read this notice (sometimes referred to as a 'privacy notice') and any other similar notice we may provide to you from time to time when we collect or process personal information about you.

Who collects the information

Lewes Old Grammar School ('School') is a 'data controller' and gathers and uses certain information about you.

Data protection principles

We will comply with the data protection principles when gathering and using personal information, as set out in our *Privacy Notice*.

About the information we collect and hold (Option 2)

The table set out in Part 1 of schedule 1 below summarises the information we collect and hold up to and including the shortlisting stage of the recruitment process, how and why we do so, how we use it and with whom it may be shared.

The table in Part 2 of schedule 1 below summarises the additional information we collect before making a final decision to recruit, i.e. before making an offer of employment unconditional, how and why we do so, how we use it and with whom it may be shared.

We seek to ensure that our information collection and processing is always proportionate. We will notify you of any changes to information we collect or to the purposes for which we collect and process it.

Where information may be held

Information may be held at our offices and third party agencies, service providers, representatives and agents as described above.

How long we keep your information

We keep the personal information that we obtain about you during the recruitment process for no longer than is necessary for the purposes for which it is processed. How long we keep your information will depend on whether your application is successful and you become employed by us, the nature of the information concerned and the purposes for which it is processed.

We will keep recruitment information (including interview notes) for no longer than is reasonable, taking into account the limitation periods for potential claims such as race or sex discrimination (as extended to take account of early conciliation), after which they will be destroyed. If there is a clear business reason for keeping recruitment records for longer than the recruitment period, we may do so but will first consider whether the records can be pseudonymised, and the longer period for which they will be kept.

If your application is successful, we will keep only the recruitment information that is necessary in relation to your employment. For further information, see the privacy notice.

Further details on our approach to information retention and destruction are available in our Privacy Notice.

Your rights to correct and access your information and to ask for it to be erased

Please contact our Privacy Officer, Georgina Seligmann, who can be contacted via email; seligmannng@logs.uk.com if (in accordance with applicable law) you would like to correct or request access to information that we hold relating to you or if you have any questions about this notice. You also have the right to ask our Privacy Officer for some but not all of the information we hold and process to be erased (the 'right to be forgotten') in certain circumstances. Our Privacy Officer will provide you with further information about the right to be forgotten, if you ask for it.

Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost, or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

How to complain

We hope that our [Data Protection Officer OR *[insert name]*] can resolve any query or concern you raise about our use of your information. If not, contact the Information Commissioner at <https://ico.org.uk/concerns/> or telephone 0303 123 1113 for further information about your rights and how to make a formal complaint.

SCHEDULE 1 ABOUT THE INFORMATION WE COLLECT AND HOLD

Part 1 Up to and including the shortlisting stage

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
Your name and contact details (ie address, home and mobile phone numbers, email address)	From you	<p>Legitimate interest: to carry out a fair recruitment process</p> <p>Legitimate interest: to progress your application, arrange interviews and inform you of the outcome at all stages</p>	<p>To enable HR personnel or the manager of the relevant department to contact you to progress your application, arrange interviews and inform you of the outcome</p> <p>To inform the relevant manager or department of your application</p>
Details of your qualifications, experience, employment history (including job titles, salary and working hours) and interests	From you, in the completed application form and interview notes (if relevant)	<p>Legitimate interest: to carry out a fair recruitment process</p> <p>Legitimate interest: to make an informed decision to shortlist for interview and (if relevant) to recruit</p>	<p>To make an informed recruitment decision</p> <p>The person making the shortlisting decision will receive pseudonymised or anonymised details only; if you are invited for interview, the interviewer will receive non-anonymised details</p>
Your name, contact details and details of your qualifications, experience, employment history and interests	From you, in the completed application form and interview notes (if relevant)	<p>Legitimate interest: to carry out a fair recruitment process</p> <p>Legitimate interest: if you are unsuccessful in your application, your details may be passed on to an associated School to see if they have any suitable vacancies</p>	To see whether an associated School has any suitable vacancies
Your racial or ethnic origin, sex and sexual orientation, religious or similar beliefs	From you, in a completed anonymised equal	To comply with our legal obligations and for reasons of substantial public interest (equality of	To comply with our equal opportunities monitoring obligations and to follow our equality and other policies

	opportunities monitoring form	opportunity or treatment)	For further information, see * below
Information regarding your criminal record	From you, in your completed application form	To comply with our legal obligations For reasons of substantial public interest (preventing or detecting unlawful acts, and protecting the public against dishonesty)	To make an informed recruitment decision To carry out statutory checks Information shared with DBS and other regulatory authorities as required For further information, see * below
Details of your referees	From your completed application form	Legitimate interest: to carry out a fair recruitment process In the regulated sector, to comply with our legal obligations to request references	To carry out a fair recruitment process To comply with legal/regulatory obligations Information shared with relevant managers, HR personnel and the referee

Part 2 Before making a final decision to recruit

The information we collect	How we collect the information	Why we collect the information	How we use and may share the information
Information about your previous academic and/or employment history, including details of any conduct, grievance or performance issues, appraisals, time and attendance, from references obtained about you from previous employers and/or education providers <input type="checkbox"/>	From your referees (details of whom you will have provided)	Legitimate interest: to make an informed decision to recruit To comply with our legal obligations Legitimate interests: to maintain employment records and to comply with legal, regulatory and governance obligations and good employment practice	To obtain the relevant reference about you To comply with legal/regulatory obligations Information shared with relevant managers and HR personnel

Information regarding your academic and professional qualifications <input type="checkbox"/>	From you, from your education provider, from the relevant professional body	Legitimate interest: to verify the qualifications information provided by you	To make an informed recruitment decision
Information regarding your criminal record, in criminal records certificates (CRCs) and enhanced criminal records certificates (ECRCs) <input type="checkbox"/>	From you and from the Disclosure and Barring Service (DBS)	<p>To perform the employment contract</p> <p>To comply with our legal obligations</p> <p>Legitimate interest: to verify the criminal records information provided by you</p> <p>For reasons of substantial public interest (preventing or detecting unlawful acts, and protecting the public against dishonesty)</p>	<p>To make an informed recruitment decision</p> <p>To carry out statutory checks</p> <p>Information shared with DBS and other regulatory authorities as required</p> <p>For further information, see * below</p>
Your nationality and immigration status and information from related documents, such as your passport or other identification and immigration information <input type="checkbox"/>	From you and, where necessary, the Home Office	<p>To enter into/perform the employment contract</p> <p>To comply with our legal obligations</p> <p>Legitimate interest: to maintain employment records</p>	<p>To carry out right to work checks</p> <p>Information may be shared with the Home Office</p>

You are required (by law or in order to enter into your contract of employment) to provide the categories of information marked '☐' above to us to enable us to verify your right to work and suitability for the position.

Application and Recruitment Process Explanatory Note

1. General

Lewes Old Grammar School is committed to ensuring the best possible environment for the children and young people in its 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.

All queries on the School's Application Form and recruitment process must be directed to the Deputy Head HR and Compliance.

All applications will be considered on merit and should be fair open and transparent

The school will advertise all posts externally in the Times Educational Supplement or the local press depending on the post available and on the website.

The responsibility for appointing staff is delegated by the Trustees to the Head, save for the Head, Head of the Junior Department and the Bursar who will be appointed by the Trustees.

The Trustees will approve the staffing structure and salary bands of all staff and any proposed amendments are approved by the Trustees.

Applications meet the School's Equal Opportunities policy

For each post there will be a job description and a person specification

If an application is received from a Trustee or former Trustee, the Bursar is required to inform the Secretary of the Trustees. The Trustees will refer the application to the Charity Commission for approval if an appointment is recommended by the interview panel. The Charity Commission will need to be satisfied that such a proposed appointment is open and fair, and has been subject to a competitive recruitment process.

Exceptions to this policy must be approved by the Bursar in consultation with the Headmaster and the Chairman of Trustees.

Selection should be valid and justifiable and based on job related objective criteria.

The Trustees approve the salary bands and structure in the school.

2. Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

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 shall 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 which includes supply staff, the School must be provided with a copy of the DBS check for such staff.

The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every 3 years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus in line with KCSIE two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and the School carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the trustees and who carries overall responsibility for the day-to-day management and control of the charity. At Lewes Old Grammar School this would be the Head.
- A person who is accountable only to the Head or the trustees, and who is responsible for the overall management and control of the charity's finances. At Lewes Old Grammar School this would be the Bursar.

Being disqualified means that a person can't take on, or stay in, a senior manager position – even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. The School will determine the appropriate level of supervision depending on the circumstances.

Any staff who TUPE transfer into the School's staff will be required to undertake the statutory requirements with regard to safer recruitment checks.

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

3. Application Form

Applications will only be accepted from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

Candidates should be aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Applicants will receive a Job Description and Person Specification for the role applied for.

As the job for which you are applying involves substantial opportunity for access to children, it is important that you provide us with legally accurate answers. Upfront disclosure of a criminal record may not debar you from appointment as we shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Please submit information in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Headmaster or the Deputy Head HR and Compliance. If you would like to discuss this beforehand, please telephone in confidence to the Headmaster or the Deputy Head HR and Compliance for advice.

Please disclose any unspent convictions, cautions, reprimands or warnings. Please note that the amendments to the Exceptions Order 1975 (2013) 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 at the Disclosure and Barring Service website.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the post. Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify you for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made the offer will be subject to a Prevent duty risk assessment [more guidance for schools from the DfE on this can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf].

If you are currently working with children, on either a paid or voluntary basis, your current employer will be asked about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether you have been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If you are not currently working with children but have done so in the past, that previous employer will be asked about those issues. Where neither your current nor

previous employment has involved working with children, your current employer will still be asked about your suitability to work with children. Where you have no previous employment history, we may request character references which may include references from your school or university.

You should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if you have been appointed, and a possible referral to the police and/or DBS.

3. Invitation to Interview

Applicants will be short-listed according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed 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 three people chaired by the Headmaster or another designated senior member of staff. The Chair of Trustees should chair the panel for the Headmaster's appointment. 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 as to whether or not an interviewer should therefore withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children. Candidates will be measured against the job description and the person specification.

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 you from the awarding body.

All candidates invited to interview must also bring with them:

- A current driving licence including a photograph and paper counterpart or a passport or a full birth certificate;
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
- Where appropriate any documentation evidencing a change of name;
- 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.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.

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.

4. 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 candidate to be employed as a teacher, a check that the candidate is not subject to a prohibition order issued by the Secretary of State;
5. Verification of professional qualifications;
6. Verification of successful completion of a statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999) where relevant;
7. 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 Management Team and teaching heads of department;
8. 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; and
9. Satisfactory medical fitness.
10. Confirmation that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" **OR** Receipt of a signed Staff Suitability Declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence. 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 workload, extra-curricular activities, layout of the School.

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

5. References

We will seek the references referred to in section 4 above for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. If you do not wish us to take up references in advance of the interview, please notify us at the time of submitting your application.

All referees will be asked 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.

6. Criminal Records Policy

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required 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>.

7. 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 its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

8. 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 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 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 convicted person.

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 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 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 drunk driving.

STATEMENT TO BE USED IN ALL ADVERTISEMENTS

The following wording is suggested by way of example. The obligation is to use a form of words which demonstrates the School's commitment to safeguarding children, so these words may be adapted if you wish.

The School is committed to safeguarding and promoting the welfare of children and young people. Applicants must be willing to undergo child protection screening, including checks with past employers and the Disclosure and Barring Service.

LETTER OR EMAIL IN RESPONSE TO EXPRESSION OF INTEREST

Dear {}

Thank you for expressing an interest in the position of {} at Lewes Old Grammar School.

Please find enclosed:

- The Application Form and explanatory notes about completing the form and the recruitment process.
- A Job Description and Person Specification.

- Equal opportunities monitoring form.
- The School's Child Protection Policy Statement.

To be considered for the post please return the completed Application Form, no later than {date}. We expect to be calling candidates to interview from/on {date}.

If you have a disability and need any assistance with the application process, or require the Application Form in large font please contact the Operations Department who will be happy to help with this.

If you have any questions or would like any further information about the position please feel free to contact me.

Recruitment of Ex-Offenders Policy

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 as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".

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 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;
- 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 convicted person.

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 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 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.

Data Protection Obligations

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.

POLICY ON THE RECRUITMENT OF PROPRIETORS, GOVERNORS, TRUSTEES AND VOLUNTEERS – GUIDANCE FOR SCHOOLS

References

ISI Commentary on the Regulatory Requirements September 2017:

[insert link]

DfE Statutory Guidance 'Keeping Children Safe in Education', September 2018:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/707761/Keeping_Children_Safe_in_Education_-_September_2018.pdf

Regulated activity

The requirement for an enhanced DBS check, barred list check and prohibition from management depends on whether the volunteer is undertaking a regulated activity. In a school or college a **supervised** volunteer who regularly teaches or looks after children is not in regulated activity. The Department for Education (DfE) has published separate statutory guidance on supervision and regulated activity which schools and colleges should have regard to when considering which checks should be undertaken on volunteers. This is set out at Annex F of Keeping Children Safe in Education (issued September 2018).

DfE have provided guidance on when volunteers would be supervised:

- there must be supervision by a person who is in regulated activity (e.g. a teacher or classroom assistant);
- the supervision must be regular and day to day; and
- the supervision must be 'reasonable in all the circumstances to ensure the protection of children' (taking into account the age of the children, the number of children, whether or not other workers are helping to look after the children; the nature of the work, how vulnerable the children are, and the levels of supervision).

There is also a useful flowchart at Appendix 3 of the ISI Handbook.

Single Central Register

The Education (Independent Schools Standards) Regulations 2014 Part 4 requires all schools to maintain a centralised register of appointments, including those of Governors. Guidance on checking the Single Central Register is set out at Appendix 2 to the ISI Handbook (see references).

Prohibition on participation in management of independent schools

The Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014 came into force on 1 September 2014 (also known as 'section 128 checks'). These regulations set out the grounds on which a person's suitability to take part in the management of an independent school can be restricted or prohibited. There is an obligation on independent schools to check whether those involved in the management of schools (including governors) and those who undertake roles of a leadership nature have been prohibited from management in independent schools. The section 128 power applies to all those who are taking part in the management of an independent school. This has been defined as Governors, Senior Management Team and all teaching heads of department.

Charity Trustee Automatic Disqualification Rules

Certain individuals are automatically disqualified from acting as trustees for a charity. A person is disqualified from acting as a charity trustee, if certain legal disqualification reasons apply to them. The guidance for charities produced by the Charity Commission also includes a disqualifying reasons table that can be downloaded [here](#).

Trustees and potential trustees should be asked to confirm that they are not disqualified. The Charity Commission has produced sample declarations for trustees to state that they are not disqualified from acting in these positions. These can be downloaded from the [guidance for charities](#).

If it is discovered that a trustee or potential trustee is disqualified, they can apply to have their disqualification waived. The process for this is set out in the Charity Commission [guidance for individuals](#).

POLICY ON THE RECRUITMENT OF PROPRIETORS, GOVERNORS, TRUSTEES AND VOLUNTEERS

1. General

(Name of School) ("the School") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit volunteers and governors that share and understand our commitment to the aims of the School.

All queries on the School's recruitment process must be directed to [name].

2. Recruitment of Governors and Trustees

As Trustees of a registered charity, the Governors of the School are responsible for the selection and appointment of new Governors. This is a legal responsibility that cannot be delegated, although we encourage the Head Master/Mistress, Bursar, and other senior staff and organisations, such as a former pupil's association, or those who are close to the School, such as parents, to suggest the names of potential candidates. As Charity Trustees we are aware of the importance of identifying the appropriate mixture of skills and experience that we and our successors need to manage the multi-faceted affairs of a modern school which is also a [Company Limited by Guarantee (CLBG),] a medium sized business and an important local employer, with some [number] employees. Schools should avoid appointing or retaining trustees who are disqualified from being a trustee, unless the Charity Commission has given a waiver. All potential trustees should complete a charity trustee positions: automatic disqualification declaration before beginning the selection process.

Following return of the completed disqualification declaration, all Governors complete a selection process, which requires the submission of a CV, completion of an interview with [the Nominations Committee]/ [two or three senior Governors] [and a meeting with the Head]. Every Governor has an enhanced DBS check unless they will be undertaking a regulated activity, in which case they will undertake an enhanced DBS check with a barred list check. Each appointment is [made/ratified] by the full Board for a period of [5] years. The School arranges for all new Governors to receive a thorough induction in child protection and in the compliance and fiduciary duties of governance. New Governors spend a day at the School in order to meet the key personalities and to gain an insight into the curriculum and to meet groups of pupils.

2.1 Governor's Selection process

2.1.1 The Initial Stage

When a potential Governor has been identified, who has expressed an interest; he or she will be invited to visit the School and to meet the Head Master/Mistress informally, and to have a tour of the school with the Bursar. If the Chairman of Governors is not present at that stage, s/he will probably arrange a separate informal meeting, perhaps in the company of another, experienced Governor. At that meeting, we will briefly describe our strategic vision for the next [3-5] years and the direction in which the Governors see the school moving. Our aim at the informal meeting is to ensure that every prospective Governor has a clear understanding of the commitment expected of him or her, in terms of time and attendance and is given sufficient material about the School that is in the public domain (prospectus, latest ISI Inspection Report, Statutory Accounts and Annual Return for the previous year) to allow a well-informed judgement to be made before committing themselves to the appointment process. At the informal meeting, we also brief all potential candidates about the range of statutory checks that are required as part of the appointment process.

2.1.2 The appointment process

The second step is to invite the prospective Governor to submit a copy of his/her CV under a covering letter to the Chairman of Governors [and to the Nomination Committee]. Prospective Governors are interviewed by [the Nomination Committee]/ [two or three senior Governors], [which]/ [who] recommend[s] all appointments to the full Governing Body. Care is taken to select Governors who are prepared to serve for a minimum of three, [and preferably, [five] years] (which is the normal length of a term of appointment), and to be prepared to commit the time necessary to get to know the school.

All new appointments are formally recorded in the minutes of the Board, and a formal letter of appointment is sent by the Chairman, which specifies the term of the appointment, the total tenure for a Governor, and, if appropriate, the sub-Committee(s) to which the new Governor has been appointed.

2.1.3 Safer recruitment checks

The [Bursar (in his/her role as Clerk to Governors) OR Clerk to the Governors] at the School will obtain the following from the new potential governor before their appointment is confirmed:

1. an enhanced DBS certificate;
2. if the Governor will be undertaking a regulated activity, a barred list check;
3. evidence of their entitlement to work in the UK, where relevant;
4. confirmation that they are not disqualified from acting as a Charity Trustee or Company Director, for example by virtue of an undischarged bankruptcy;
5. evidence that the Governor has not been prohibited from participating in the management of independent schools;

6. [a declaration that they are not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" ;]
7. If the new Governor is also to be appointed as a Company Director, a completed Form AP01 (downloadable from www.completeformations.co.uk) will be sent to Companies House to register the appointment.

All the paperwork is handled by the Bursar/Clerk to the Governors.

2.2 Checks regarding the Proprietor and Chair of Governors

If the Proprietor or Chairman of Governors, is to change, the school will ensure that the DfE obtains an enhanced criminal records check, and checks both the individual's identity and right to work in the UK before he or she takes up the appointment. Further overseas checks are required if the person lives or has lived outside the UK. The Chairman's disclosure application has to be made by the DfE; the school cannot handle it as they would for all other Governors. So, even if a Governor, whom the school has already checked, becomes Chairman, the DfE has to make yet another check.

2.3 Induction of Governors and Trustees

Governors would be provided with training on the following once in post:

- Child Protection Policy and safeguarding obligations
- Staff Behaviour Policy
- Health and Safety
- Confidentiality obligations
- Supervision
- Data Protection

2.4 Data Protection

The School will comply with its obligations under the relevant data protection legislation. Governors' attention should be drawn to the Staff Privacy Notice and Data Protection Policy which sets out details of how the School will process Governors' personal data.

3. The recruitment of other volunteers

3.1 General

Volunteers at our school bring with them a range of skills and experience that can enhance the learning opportunities of pupils. The Board of Governors therefore, welcomes and encourages volunteers from the local community to assist in its day to day running. The kinds of activities that volunteers may assist with are hearing pupils

read, working with small groups of pupils to assist them in their learning, working alongside individual pupils, as an additional tutor, or accompanying school visits.

Volunteers will be recruited and vetted via the process set out below. Volunteers who take part in a regulated activity will be subject to safer recruitment checks.

3.2 Recruitment

Volunteers will be subject to an informal recruitment process which will involve a meeting with [NAME] to discuss the requirements of the School and the skills of the volunteer. The purpose of this meeting will be to understand whether the prospective volunteer has any previous relevant experience and find out whether the expectations and requirements of each party meet and whether there is a volunteering opportunity at the School.

Any volunteering placement may be offered subject to the following checks, if relevant:

1. an enhanced DBS certificate;
2. if the volunteer will be undertaking a regulated activity, a barred list check;
3. evidence of their entitlement to work in the UK, where relevant;
4. [confirmation that the volunteer has not been disqualified from participating in the management of independent schools;]
5. [a declaration that they are not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)"];
6. depending on the nature of the role, the volunteer may also be asked to sign a confidentiality statement;
7. references may also be required;

3.3 Induction

Volunteers will be provided with training on the following matters once the volunteering placement commences:

- Child Protection Policy and safeguarding obligations
- Policy for induction of new staff, governors and volunteers in child protection
- Staff Behaviour Policy
- Health and Safety
- Confidentiality obligations
- Supervision
- Data Protection

3.4 Data Protection

The School will comply with its obligations under the relevant data protection legislation. Volunteers' attention should be drawn to the Staff Privacy Notice and Data

Protection Policy which sets out details of how the School will process volunteers' personal data.

Recommended review period: Annual
Review by: Deputy Head HR and Compliance
Date reviewed: August 2019
Date to be reviewed: August 2020