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**Safer Recruitment Policy**

New College 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 Registrar. An entry will be made on the Single Central Register for all current members of staff at the school, the proprietorial body and all individuals who work in regular contact with children, supply staff and those employed as third parties. The Headmaster, together with the Senior Leadership Team, is responsible for day to day management of the School, overseen by the NCS Governing Committee (a subcommittee of New College’s governing body). All checks will be made in advance of appointment.

In addition to outlining the job description and duties required for each post, and specific responsibilities and general expectations so candidates and selectors know whether they have the relevant qualities and experience, NCS job adverts/descriptions clearly state that:

*New College School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. In accordance with our Safeguarding Policy we are unable to process applications without a fully completed application form. The post is exempt from the Rehabilitation of Offenders Act 1974. All convictions, cautions and bind-overs, including those regarded as ‘spent’ must be declared when applying. The applicant may post such a declaration in an envelope marked ‘Private & Confidential for the Headmaster’. The successful applicant must obtain Barred List clearance and DBS clearance at enhanced level. This job description must be read alongside the New College School recruitment policy.*

***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 volunteers, a number of checks are also required for those working with children and regard should be given to this policy. Due regard should also be given to KCSIE, the school’s safeguarding policies and its Code of Conduct. 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, 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 a copy of the disclosure (whether or not it discloses any information). Certain individuals are automatically disqualified from acting in senior leadership/management positions within a charity. Whether an individual falls into the category of a senior leadership/management position is judged using the following criteria:

• A person who is accountable only to the governors, and who carries overall responsibility for the day-to-day management and control of the charity. At New College School this would be the Headmaster.  
• A person who is accountable only to the Head or the governors, and who is responsible for the overall management and control of the charity’s finances.

Being disqualified means that a person can’t take on, or stay in, a senior leader/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.

Specific checks are requirements for visiting speakers – a risk assessment is completed before the speaker’s visit, taking into account the school’s responsibilities under Prevent.

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.

***Application Form***

The school will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed application forms. The school will make candidates 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. Candidates for employed posts will receive a job description for the role applied for, which includes the required characteristics in the applicants. When shortlisting, two SLT members will consider applications based on candidates’ qualifications and their relevance to the role, any gaps in employment (and whether they are explained), the overall standard of the application, employment history and any concerns about repeated/regular/frequent changes, any anomalies/discrepancies in the information, and whether considering all of the above a candidate should be shortlisted. Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. 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. The statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)” applies to those providing early years childcare or later years childcare 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 school immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive. There is a form at the end of this policy for this purpose, which must be brought to interview in a sealed envelope. 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 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, and this will be taken into account during the interview process.

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

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, and a possible referral to the police and/or DBS.

***Invitation to Interview***

The school will shortlist applicants 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 two people chaired by the Head or another designated senior member of staff. At least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Head'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 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 explore the candidate’s suitability to work with children**. It will include questions relating to the candidate’s motivation to work with children, their attitude towards children and working with them, their ability to form healthy relationships in schools, managing challenging behaviours/discipline, their understanding and approach towards safeguarding and promoting the welfare of children, gaps in employment history and/or repeated changes (where relevant), and any concerns or discrepancies arising from the application and/or references and/or anything that has been identified in the online search. While interviewers will have a set list of questions, it is acceptable and desirable to follow up or ‘unpick’ certain answers to explore their validity. Standardised numerical scoring is used by the interviewers making notes. Only comments/quotations relating to the interview answers must be included and no comments must be made relating to protected characteristics or anything else that might undermine the school’s commitment to equal opportunities. The school will also exercise its obligations to prevent pupils from being drawn into extremism or terrorism, under the Counter Terrorism and Security Act 2015. 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.

The candidates’ suitability to work with children will also be explored in a lesson observation, when relevant to the role being advertised.

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. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where applicable, proof of entitlement to work and reside in the UK.
5. Documentation confirming their National Insurance Number (P45, P60 or National Insurance Card)

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

***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 that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. 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;

1. Verification of professional qualifications, including Qualified Teacher Status, where appropriate;
2. Verification of successful completion of statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999);
3. Where the successful candidate has worked or been resident overseas (including EEA teaching candidates): such checks and confirmations as the school may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the candidate providing the school with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked;
4. Evidence of satisfactory medical fitness;
5. Receipt of a signed 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)”;
6. For a candidate to be employed into a senior leadership/management position as set out above under “Scope of this Policy”, receipt of a signed “senior charity manager positions: automatic disqualification declaration” confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities.
7. Where the successful candidate will be taking part in the leadership/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 and teaching heads of department.

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 and processed in accordance with the Privacy Notice and Data Protection Policy. This information will be reviewed against the job description 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.

***References***

The school will seek the references referred to above for shortlisted candidates (including internal applicants) and may approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant’s current or most recent employer, and from the person who most recently employed the applicant to work with children. References must be received by a senior person with appropriate authority. 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 ask all referees if the candidate is suitable to work with children. 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 verify all references. Where references are received electronically, the school will ensure they originate from a legitimate source, usually via a phone call from the Head’s PA to the referee. 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.

***Online Searches***

An administrator in the school office will carry out an online search for all candidates shortlisted for interview. Any relevant incidents or issues involving candidates that are publicly available online (including information contained in public social media accounts) and identified during the search should be passed to the Headmaster to be explored at interview. The purpose of carrying out online checks is to comply with the KCSIE recommendation that schools review information to assist any decision as to the candidate’s suitability to work with children and young people. NCS is an Equal Opportunities Employer and seeks at all times to ensure that its processes do not unlawfully discriminate against any prospective employee.

***Criminal Records Policy and DBS Update Service***

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.

An Enhanced DBS certificate from a previous school may be accepted where an individual is moving from a role in a school or college that brought them into regular contact with children or young persons, which ended not more than three months prior to that person’s appointment to their role at NCS. In circumstances where a 'portable' DBS certificate has been accepted, a check of the Barred List and DBS Update Service (if subscribed) will be made before the appointment date. 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 a disclosure certificate. A barred list check will still be required.

There are limited circumstances where NCS will need to carry out new checks on existing staff. These are when:

* an individual working for the school or college moves from a post that was not regulated activity with children into work which is considered to be regulated activity with children. In such circumstances, the relevant checks for that regulated activity must be carried out
* there has been a break in service of 12 weeks or more
* there are concerns about an individual’s suitability to work with children

Where it has been identified that new checks are required, before the individual will be permitted to work for the school again NCS will carry out any relevant checks, including a check of the Barred List, and DBS Update Service, or if the staff member is not subscribed to the Update Service, requesting a new DBS certificate.

Before checking the DBS Update service, the school will obtain consent from the individual to view the status of an existing enhanced DBS check; confirm that the DBS certificate matches the individual’s identity; and examine the original certificate to ensure that it is valid for employment with the child workforce.

***If disclosure is delayed***

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, a Head may allow the member of staff to commence work:

• 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);  
• Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;   
• 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 put in place.

***Retention, Security of Records and Data Protection Obligations***

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

***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 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 and/or the Teaching Regulation Agency 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 whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);

• 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.



Self-Declaration Form

Please complete the following self-declaration regarding any criminal record or information that would make you unsuitable to work with children.

As a school with early years provision and which provides out-of-hours school care for pupils under the age of 8, we have a duty to ensure that staff working in the School’s early years setting (or involved with the management of the School’s early years setting) are not disqualified from doing so. Under the Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009, the grounds for disqualification are:

1. That a person is barred from working with children.
2. That a person has been cautioned for, convicted or charged with certain relevant violent and sexual criminal offences against a child or adult at home or abroad. Relevant offences include murder, rape, manslaughter, kidnapping, false imprisonment, grievous bodily harm (GBH), actual bodily harm (ABH), indecent assault and a number of sexual and violent offences against children.
3. That a person has an order made against them relating to their care of children.
4. That person has had their registration cancelled or refused in relation to childcare or children’s homes or have been disqualified from private fostering.

Staff covered by the disqualification requirements are those employed and/or providing early years childcare during and outside school hours for children up to and including reception age **and** those staff employed and/or providing later years childcare outside of school hoursfor those children above reception age who have not attained 8 years old **and** those staff directly concerned with the management of early years and later years childcare.

You are required therefore to clearly answer the YES/NO questions below (by circling or underlining the relevant answer) and sign the declaration in person (i.e. no electronic signatures) confirming that you are not disqualified under those Regulations from working at New College School. A disqualified person is not permitted to continue to work in a setting providing care for children under age 8, unless they apply for and are granted a waiver from OFSTED.

1. Have any orders or other determinations related to childcare been made in respect of you? **YES/NO**
2. Have any orders or other determinations related to childcare been made in respect of a child in your care? **YES/NO**
3. Have any orders or other determinations been made which prevents you from being registered in relation to childcare, children’s homes or fostering? **YES/NO**
4. Are there any other relevant orders, restrictions or prohibitions in respect of you as set out in the Schedule 1 of the Regulations? **YES/NO** http://www.legislation.gov.uk/uksi/2009/1547/schedule/1/made
5. Are you barred from working with children (Disclosure and Barring (DBS))? **YES/NO**
6. Are you prohibited from teaching? **YES/NO**

Have you been cautioned (including a reprimand or warning) since 6 April 2007 or have you ever been convicted of:

1. Any offence against or involving a child? (A child is a person under the age of 18)? **YES/NO**
2. Any violent\* or sexual offence against an adult where there is an element of sexual motivation? **YES/NO**  
   *\*a violent offence in this context is murder, manslaughter, kidnapping, false imprisonment, assault with intent to rape*
3. Any offence under the Sexual Offences Act? **YES/NO**
4. Any other relevant offence? **YES/NO**  
   http://www.legislation.gov.uk/uksi/2009/1547/schedule/2/made http://www.legislation.gov.uk/uksi/2009/1547/schedule/3/made

By signing below you also confirm that you understand your responsibilities to safeguard children and, to the best your knowledge:

* You have no criminal history
* (Where relevant, you are not prohibited from taking part in the management of an independent school)
* You are not known to the police and children’s local authority social care
* You have not been disqualified from providing childcare
* There is no relevant overseas information regarding the above. (If applicable, you must provide the headmaster information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in any other country of origin or where there may have been a conviction/s.)

If you have answered ‘yes’ to any of the above, you must attach to this form details of the order, restriction, conviction, caution etc, the dates of these, and the relevant court(s) or body(ies). You should also provide a copy of the relevant order, caution, conviction etc. In relation to cautions/convictions a DBS certificate may be provided.

You must also notify the headmaster immediately of anything that affects your suitability including any pending court appearances, cautions, warnings, convictions, orders or other determinations made in respect of you that may render you disqualified from working with children.

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_