

Safer Recruitment Policy

Applies to:

- The whole school including all other activities provided by the school, inclusive of those outside of the normal school hours;
- All staff (teaching and support staff), pupils on placement, the Proprietor, the Directors, third-party contractors, self-employed contractors, visiting speakers, and volunteers working in the school.

Availability

This policy is made available to parents, staff and pupils in the following ways: via the School website, and on request a copy may be obtained from the School Office.

Monitoring and Review:

This policy will be subject to monitoring, refinement and audit by the Head.

The Board of Directors undertakes a formal annual review of this policy.

Signed:



Fraser Halliwell
Head



Dr Colin Diggory
Chairman of the Board of Directors

August 2022

1. Introduction

- 1.1 Radnor House Sevenoaks is committed to providing a supportive and flexible working environment to all its members of staff. The school recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain members of staff of the highest calibre and integrity who share this commitment.
- 1.2 Employees involved in the recruitment and selection of staff are responsible for familiarizing themselves with, and complying with, the provisions of this policy.
- 1.3 The school fully recognises its responsibilities with regard to safer recruitment. We therefore seek to comply with the guidance provided by the Department for Education (DfE) and the Independent Schools Inspectorate (ISI) concerning the safeguarding of children and safer recruitment in education.
- 1.4 The school aims to:
 - ensure that thorough recruitment procedures and pre-employment vetting for appointing all staff including volunteers and contractors enables the school to deter, identify and reject any person deemed unsuitable to work or come into contact with our pupils; and,
 - operate such procedures consistently and thoroughly whilst obtaining, collating, analyzing and evaluating information from and about applicants, and those potentially going to work with children.

2. Employment and Safer Recruitment

- 2.1 All members of the teaching and support staff at the school, including part-time staff, temporary and supply staff, contractors, volunteers and visiting staff, such as peripatetic musicians and sports coaches, are checked in accordance with the full requirements of the *Disclosure and Barring Service (DBS)* and the *centralised record (Single Central Register)* before starting work.
- 2.2 Current required checks include: identity, right to work in the UK, qualifications, medical fitness, employment history, enhanced DBS (including barred check), separate barred list check as appropriate, disqualification from childcare, prohibition from teaching and management as appropriate overseas police as appropriate, and references.
- 2.3 The chairperson of the interview panel must have completed, and remain up to date with the requirements of, safer recruitment training and assessment.
- 2.4 Our safer recruitment practice includes those persons who may not have direct contact with young people but because of their presence will still be seen as safe and trustworthy, e.g. volunteers, support staff and contractors.
- 2.5 We understand that it is an offence under the Disclosure and Barring Service legislation to knowingly employ (or take on as a volunteer), in a DBS regulated activity, someone who is barred from such activity. See Appendix B for the definitions of Regulated Activity and deciding whether a person is engaging in regulated activity.
- 2.6 We will do all we can to ensure that all those working with children in the school are suitable people. This involves scrutinising applicants, verifying their identity, checking their employment history and qualifications and obtaining independent professional and character references that answer specific questions to help assess their suitability for working with children.
- 2.7 It is our policy, in employing staff, third-party contractors or volunteers who will work with children, to adopt a consistent and thorough process of safe recruitment, in order to ensure that those recruited are suitable. We comply with the criteria set by the Local Safeguarding Children Partnership (LSCP), which includes complying with relevant government guidance, examples of good practice guidance, and model policies and procedures where needed.
- 2.8 Staff recruitment checks will also include self-employed contractors arranged by the school e.g. peripatetic staff and coaches and will apply to those paid directly by parents e.g. therapists. As such if a person is in regulated activity in the school they are treated as staff for the purposes of vetting.

- 2.9 The principles of safer recruitment are included in the terms of any agreement drawn up between ourselves and the contractors or agencies which provide services for us. Compliance is monitored.

3. Retention and Security of Disclosure Information

- 3.1 Disclosure information and other confidential documents issued by the DBS are securely stored, with access only permitted to persons designated by the proprietor for this purpose. These are securely destroyed after a period of six months.
- 3.2 The school will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken with access only permitted to persons designated by the proprietor for this purpose.

4. Advertising and Applications

- 4.1 Our advertisements feature a safeguarding statement. All advertising regarding employment at Radnor House Sevenoaks, will carry the following wording
- The school is totally committed to safeguarding the welfare of children and young people, and expects the same from its employees*
- 4.2 When reviewing applications we know it is important to record objective evidence about the extent to which each candidate meets the criteria. The school has at least two people involved in the process of scrutinising applications and shortlisting candidates.
- 4.3 Shortlisted candidates will complete a self-disclosure form to determine whether the candidate is eligible or not for the role based on barring or childcare disqualification requirements and to inform discussions at interview stage in relation to information disclosed. The school will compare the information on this form to the DBS records, and the Head will conduct a risk assessment, before deciding on whether or not the candidate should be appointed.

5. Key Responsibilities

- 5.1 The Head will ensure that:
- appropriate policies and procedures are adopted to safeguard children in the school;
 - these policies are implemented and followed by all staff, third-party contractors, self-employed contractors and volunteers;
 - sufficient resources and time are allocated for staff to carry out their responsibilities effectively;
 - all those working or volunteering in the school are suitable people;
 - all staff and adult helpers in the school are able to voice their concern if they feel that a child is vulnerable, or that there are any particular practices that are unsafe; and
 - staff undergo relevant and regular training to ensure they are kept up to date in issues of safeguarding.
- 5.2 The Directors will ensure that the Head and at least one other member of the Senior Leadership Team (SLT) have appropriate Safer Recruitment in Education training.

6. Equal Opportunities

- 6.1 The school does not discriminate between candidates on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation.

- 6.2 The school is mindful of the requirements relating to the recruitment of ex-offenders whilst taking into account its safeguarding responsibilities.
- 6.3 For further information, please refer to the school's Equality & Diversity Policy.

7. Modern Slavery

- 7.1 Modern slavery is a crime, and a violation of fundamental human rights. It takes various forms, such as slavery, servitude and compulsory labour and human trafficking, all of which have in common the deprivation of a person's liberty by another in order to exploit them for personal or commercial gain. Radnor House Sevenoaks is committed to preventing slavery and human trafficking in its own activities, and to ensuring that its supply chains are free from slavery and human trafficking. Radnor House understands the potential modern slavery risks within its business and works to ensure that there is no slavery or human trafficking taking place in its business and its supply chains.
- 7.2 As part of the school Whistleblowing Policy, any allegations of impropriety would be thoroughly investigated.
- 7.3 Human Resources – in accordance with our aim of providing an excellent education for our pupils, Radnor House Sevenoaks wishes at all times to act and be seen to act with the utmost integrity, and expects all staff to act in the same manner. Radnor House Sevenoaks is committed to the provision of a working environment for all staff, prospective staff, and others working in or visiting the school, which promotes an open, honest and transparent working environment. We are committed to ensuring all colleagues are treated with dignity and respect and are able to carry out their job role free from conflict, risk, harassment or any other behaviour perceived to be compromising, demeaning or demoralizing. The Group has a number of HR policies in place which ensure that this ethos is put into effect. New staff receive appropriate communication regarding Radnor House Sevenoaks' policies and procedures.
- 7.4 It is a statutory requirement for all schools to undertake certain recruitment and vetting checks on individuals working within their establishment and to maintain a live Single Central Record of these checks. Therefore, we are able to demonstrate that those vetting checks, including proof of right to work in the UK, have been carried out for all staff.
- 7.5 Supply Chains - Radnor House Sevenoaks has considered which of its supply chains could be at a high risk of slavery or human trafficking. Guidance from ISBA (The Independent Schools' Bursars Association) identifies high risk supply chains for schools as catering, cleaning, stationery and uniform.
- 7.6 As part of Radnor House Sevenoaks' initiative to identify and mitigate the risk of slavery and human trafficking in supply chains, the school carries out due diligence on new suppliers, ensuring that they are able to provide adequate assurances of their own commitment to preventing modern slavery and human trafficking, and that they undertake all the required vetting checks and right to work checks on all their workers.

Appendix A: Recruitment Procedures

The importance of safeguarding

At each stage of our recruitment process **we are mindful of the need to protect and safeguard children and to ensure that their welfare is promoted at all times.** There is a thorough and consistent process of obtaining, collating, analysing and evaluating information about applicants and in order to ensure safe recruitment, the school will ensure that through safer recruitment advertising and pre-interview information, it will be made clear the school's commitment to safeguarding and promoting the welfare of children.

Comprehensive details

We require all adults employed in school to complete the application form which requests comprehensive details regarding dates of an applicant's training and employment history to enable the school to identify any gaps in training and employment to alert the interview panel. Any gaps will be recorded by the panel giving a satisfactory explanation for those gaps. The application form will ask candidates if they wish to declare anything in light of the requirement for a DBS disclosure. The application form will also ask for details regarding length of service in previous employment.

If a candidate's application is considered to be fraudulent or contains false information, The school will report the matter without delay to the Secretary of State via the DfE and also the police as appropriate.

Application procedures

With reference to the application process, the school has the following procedures in place:

- We ask all applicants to complete an application form specific to the role. A curriculum vitae alone will not provide sufficient information, although it can be presented alongside the application form.
- We ensure that the job description makes reference to the responsibility for safeguarding and promoting the welfare of children and young people.
- We obtain and scrutinize comprehensive information from applicants taking up and satisfactorily resolving any discrepancies or anomalies that are identified.
- We obtain two independent professional and character written references, including 'Safer Recruitment' questions that ask specific questions to help assess an applicant's suitability to work with children. Information from references is compared with information on the application form to ensure that the information provided is consistent and any concerns identified will be followed up. Verification will be sought that the referee has actually completed the reference.

The school shortlists applicants checking for the following and exploring further at interview:

- Gaps in employment.
- Information disclosed on the self-disclosure form regarding barring or childcare disqualification requirements to inform discussions at interview
- Any period of three months or more spent overseas during the previous ten years. A Police Check will need to be obtained for the country where the applicant spent time if the appointment is made.
- Reasons for repeated and regular changes in employment.
- Anomalies or discrepancies in information contained within the application.
- where appropriate the school will check shortlisted applicants' online activity, including social media

All candidates are assessed equally against the criteria in the job description, without exception.

The Interview process

Candidates will be invited to interview using an 'invite to interview' letter outlining arrangements for the day, asking them whether they require any reasonable adjustments in order to attend the interview, and asking them to provide the following original documents at interview:

- proof of identity, e.g. driving licence or birth/marriage/divorce certificate, plus a valid passport;
- certificates or diplomas confirming education qualifications;
- qualified teacher status or qualifications appropriate for the position;
- named utility bills with the candidate's address (not more than three months old);
- where appropriate, any documentation giving evidence of a change of name.

Verification will be sought of a candidate's right to work in the UK and copies of the successful candidate's passport and documentation as outlined above will be taken and retained on the person's file.

The Interview -

- We conduct a face-to-face panel interview to explore the candidate's suitability to work with children as well as their suitability for the position being recruited.
- The panel will consist of at least two, and preferably three, members of staff including one who has been trained in safer recruitment and a second who has the authority to make the decision on the appointment.
- A consensus about the required standards for the post will be reached and issues considered and explored in interview in line with the agreed assessment criteria.
- The panel will assess the candidate's attitude towards children and young people and their ability to support the safeguarding policies as well as the aims of the school.
- Questions relating to child protection and safeguarding children will be asked in every interview for staff and volunteers prior to an offer of appointment.
- We will not ask questions regarding health at the interview. A successful candidate is then required to complete a self-declaration medical health questionnaire.
- Interview notes will be made and copies retained on the relevant personnel files.

Lesson Observation -

- For teaching positions, where possible, the candidate will be observed teaching a lesson and notes kept of the outcome of the observation.

Identity Verification -

Verification of the successful candidate's identity from all scrutiny previously undertaken will occur and details entered on the Single Central Register and our staff employment checklist related to:

- character/professional references;
- original copies of qualifications seen and photocopied to confirm that the successful candidate has all the academic or vocational qualifications claimed;
- the place of residence and identity of the successful candidate including name, address and date of birth by checking passport together with utility bills less than three months old (Refer to www.gov.uk/guidance/documents-the-applicant-must-provide).
- the successful candidate having the right to work in the UK along with a clearly traceable employment history and experience.

Our application form also requests more detailed information regarding teaching experience, special areas of teaching interest, and any relevant training undertaken recently (e.g. First Aid course).

Should the application form be sent electronically, the candidate must sign their application form in person when attending the interview.

Applicants must provide details of two referees where deemed appropriate regarding job relevance a reference may be sought from an alternative (one of whom must be the applicant's current employer, if they are in employment at the time of the job application), a declaration of any prior criminal record, a declaration of any family link with (or close relationship to) all existing staff (including employees, senior leadership team members,

third-party contractors, Proprietor and Directors) and a declaration that all information is true and accurate within the applicant's knowledge.

For unsuccessful candidates, copies should be retained along with their interview notes for no longer than six months.

Policy on recruitment of ex-offenders

The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability.

If an applicant has a criminal record this will not automatically bar them from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must declare all previous criminal convictions and/or cautions or bind-overs, including those prior to 18 years of age, or which would normally be considered "spent" except for those to which the DBS filtering rules apply. The candidate is not required to disclose convictions or cautions that are 'protected', as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020). A failure to disclose a previous conviction (which should be declared, including those spent, or in childhood) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the School. The School will make a report to the Police and/or the DBS and/or National College for Teaching and Leadership (NCTL) if:

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

Assessment criteria

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

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

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

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

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

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

Assessment procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will carry out a risk assessment by reference to the assessment criteria set out above.

If an applicant wishes to dispute any information contained in a disclosure, they can do so by contacting the DBS directly.

In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School will, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Reasonable Adjustments

The School recognises the contribution all staff can make and values diversity and inclusion across the school community. As an equal opportunities employer the School is committed to equality of opportunity and to providing a workplace culture and practices which are free from unfair and unlawful discrimination. Applicants and staff must not be subjected to workplace disadvantages due to their disability, in comparison to a non-disabled individual, where an available reasonable adjustment can be put in place. As such, applicants are encouraged to inform the school of any reasonable adjustments that they may need when called to interview allowing for pragmatic discussions to take place at an early stage in the employment process.

The Equality Act 2010 prohibits prospective employers from asking about a job applicant's health except in certain specified circumstances which include to:

- i) establish whether the applicant can take part in an assessment to determine their suitability for the job;
- ii) determine whether any reasonable adjustments need to be made to enable a disabled person to participate in an assessment during the recruitment process;
- iii) find out whether a job applicant would be able to undertake a function that is intrinsic to the job;
- iv) monitor diversity among job applicants.

Applicants are advised to read the job description in detail to ensure they are clearly aware of the exact nature of the role and encouraged to share any information with the School regarding any reasonable adjustments they foresee to be able to fulfill the duties of the position. and in particular they will be able to manage (with the relevant risk assessments and control measures in place), the hazards associated with the role.

Requirements for candidates include:

Teaching Staff

To be able to undertake teaching duties safely and effectively, it is essential that individual teachers:

- have the health and wellbeing necessary to deal with the specific types of teaching and associated duties (adjusted, as appropriate) in which they are engaged;
- are able to communicate effectively with children, parents and colleagues;
- possess sound judgment and insight;
- remain alert and focused at all times;
- can respond to pupils' needs rapidly and effectively;
- are able to manage classes;
- do not constitute any risk to health, safety or wellbeing of children;

- can, where disabilities exist, be enabled by reasonable adjustments to meet these criteria.

Support Staff

To be able to undertake support duties safely and effectively, it is essential that individual support employees:

- have the ability to deal with the specific job role for which they are engaged;
- are able to communicate effectively and well;
- possess sound judgment and insight to a level required by the post;
- remain alert and focused at all times;
- can, if appropriate, respond to pupils' needs rapidly and effectively;
- are able, if appropriate, to cover a class;
- do not constitute any risk to the health, safety or wellbeing of children;
- can, where disabilities exist, be enabled by reasonable adjustment to meet these criteria.

Conditional offer of employment

Should it be decided to make an offer of employment following the formal interview, any such offer will be conditional on the school receiving two satisfactory references (including, for teaching staff, one from the applicant's current school). Furthermore the offer will include the agreement of a mutually acceptable start date and the signing of a contract incorporating the school's standard terms and conditions of employment together with any additional stipulations regarding the specific role and responsibilities of the post offered.

Additionally, any offer of appointment to the successful candidate is conditional upon satisfactory completion of a full pre-employment checks relevant to the specific post, as follows:

- identity verification (e.g. passport or driving licence or birth certificate or marriage/divorce certificate) and two documents demonstrating proof of current address (e.g. utility bills);
- verification of right to work in the UK;
- barred list check;
- successful DBS clearance - sight of an original certificate for an enhanced disclosure;
- check that a candidate to be employed as a teacher (including peripatetic music, SEN, EAL and private tutors and sports coaches) is not subject to a prohibition from teaching order;
- check that any person to be employed or internally promoted as a manager is not subject to a prohibition from management order, managers include Head, Leadership Team (including Senior and Prep) Head of Faculty/Department, Proprietor;
- check the candidate's mental and physical fitness to carry out their responsibilities: the candidate is asked to make a self-declaration;
- minimum of two suitable employment references;
- verification of overseas criminal records checks for anyone who has lived and worked outside the UK for a period of three months or more during the previous ten years: details listed on the DBS website for each country (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>). (in the absence of a response from official overseas sources or if the country in question does not have suitable systems in place the school will carry out further checks such as additional references before the person starts work.)
- disqualification from early years and childcare must be checked – the candidate working with children aged eight and under must complete a self declaration and the school will carry out a new declaration request annually for all relevant staff.
- verification of appropriate qualifications for the post applied for, with sight of original certification.

We will always carry out all relevant checks, as if the person was a new member of staff, if an existing staff member moves to work in regulated activity where their previous work was not checked. We undertake to do the same, if we are concerned about the suitability of any existing member of staff. We always see the original certificate, including the DBS check from the candidate. We use the DBS Update Service, where the applicant or individual joins this service. Together with the individual's prior permission, this provides us with an opportunity to carry out an online check to see if they need a new certificate because new information is available (www.gov.uk/dbupdate-service).

Commencing Employment Prior to Obtaining Enhanced DBS Clearance

Our procedures are followed in a professional and timely manner, therefore the vast majority of new employees will be in possession of the DBS Certificate before their contract start date. There will, however, be rare occasions when contracts start before the Enhanced DBS Certificate has been received.

In this instance, the Head will use his/her discretion as to whether an employee can start work pending the receipt of the certificate.

The Head will carry out a risk assessment to determine the safeguards to put in place such as supervision. Depending on the circumstances, loose supervision may be sufficient e.g. a teacher starting with a live DBS from their previous school. Where close supervision is deemed to be appropriate a 'Close Supervision Agreement' form will be completed, and the employee informed that they are under scrutiny and the reasons for it. Any supervision and safeguarding arrangements will be reviewed at least every two weeks. In all cases an extra Barred List Check must be carried out together with the satisfactory completion of all other relevant checks prior to the new employee commencing in post. Notes on such arrangements will be added to the Single Central Register.

Contractors

The school will have arrangements in place with contractors (including agency/supply and third-party staff) to make sure that any contracted staff that work regularly in our school, with an opportunity for contact with children, are deemed suitable. Contractors may include but are not limited to, catering staff, cleaners, bus drivers, supply teachers, agency workers and visiting professionals where there is regulated activity.

Although we do not carry out the required checks for any contractor, for any third party or agency staff we require written confirmation that the contractor has obtained a barred list check, an enhanced DBS check and any other required checks, before they work on a regular basis or in regulated activity in our school. (See appendix B for definition). Where a contractor is self-employed, we can obtain the DBS check and run the necessary checks on their behalf. Upon arrival to the School, contractors will have their photo ID verified and their original DBS certificate will be checked. They must always sign in before entering the school, both when children are present and otherwise for fire, and health and safety considerations.

Occasional Visitors

The school has processes in place for occasional visitors (including visiting speakers, occasional contractors and ad-hoc visiting professionals) to make sure that those who visit our school and have an opportunity for contact with children, are deemed suitable.

For occasional contractors who have regulated activity the checks described above for Contractors will be followed. For those who will not have regulated activity such as ad-hoc tradespeople or school photographer, we will not undertake barred list or DBS checks but these visitors will be supervised or escorted around the premises. Furthermore, they must always sign in before entering the school, both when children are present and otherwise for fire, and health and safety considerations. Those visitors who are supervised will wear a yellow lanyard to clearly identify themselves as having such status. In addition, a close supervision form will be completed by the visitor and the responsible staff member(s) to ensure all parties understand and follow the procedure.

For visiting speakers, there are additional protocols to follow to ensure that these visitors are suitable and appropriately supervised which falls within the scope of the *Prevent* duty. A visiting speaker's risk assessment will be completed and the organiser will ensure an internet search is conducted to help assess the speaker's suitability and conduct a prior meeting to check the content or the presentation. We expect all contractors, third-parties and visitors to have photographic ID on site so that their identity can be checked before they work in our school and so that we can make sure the checks carried out have been made on the person completing the work.

Volunteers

A voluntary member of staff is someone who volunteers his/her time, skills and abilities to the school free of charge. These volunteer helpers are usually parental helpers, members of the local community or individuals committed to a particular career path who wish to gain experience in a school environment in pursuit of their chosen professional goals.

The same safeguarding procedures as for paid staff are adopted for all volunteers with regular contact and in regulated activity with children.

The school will undertake fresh DBS checks on all volunteers who do not undertake any work at or for the school for a period of three consecutive months or more before they can return to volunteering duties.

The details of volunteers and the checks carried out on them will be entered on to the school's Single Central Register.

Volunteers working on an ad-hoc, one off basis (that is not more than once per term) will not be required to obtain DBS clearance, supply referees or attend an interview. The school will, in such cases, ensure the volunteer is never left alone or unsupervised in the presence of young people and does not undertake any kind of personal care. Examples of ad hoc occasions are day trips and sports days. As noted above with Occasional Visitors, a close supervision form and risk assessment must be completed for occasional volunteers.

Please refer to the school's Parent Volunteers Policy and Guidance Document 2019, for further information.

Retention of records

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

Medical information may be used to help the school to discharge its obligations as an employer, e.g. so that the school may consider reasonable adjustments if an employee have a disability or to assist with any other workplace issue.

This documentation will be retained by the school for the duration of the successful applicant's employment with the school. It will be retained for a period of seven years (minimum) after employment terminates, after which time it will be securely destroyed.

If the application is unsuccessful, all documentation relating to the application will be confidentially destroyed after six months.

Duty to refer

The School has a duty to refer to agencies as part of our safeguarding responsibility. Consequently, the School will refer to the Disclosure & Barring Service (DBS) when an individual is removed from regulated activity and to refer to the Teaching Regulation Agency (TRA) should the School dismiss or cease to use the services of a teacher due to serious misconduct. Please refer to the Safeguarding Policy for further information.

Appendix B: The Definition of Regulated Activity, and Associated Checks on Staff

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. This has been summed up in KCSIE Para 235 as:

“..... a person will be engaging in regulated activity with children if, as a result of their work, they:

- will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children;
- will be working on a regular basis in a specified establishment, such as a school, for or in connection with the purposes of the establishment, where the work gives opportunity for contact with children; or
- engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.”

Where people are working or seeking to work in regulated activity relating to children, this allows an additional check, to be made, about whether the person appears on the children’s barred list, along with a check of the Police National Computer records plus additional information held by police as above. This is an Enhanced DBS Check with Barred List Information. The position being applied for or activities being undertaken must be eligible for an enhanced DBS check as above (regulated activity), and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check. In addition, this check can also include information as to whether an individual is subject to a section 128 direction. However, they have to use specific wording in the position applied for field (see paragraph 259).

KCSIE 2022 Paras 237 to 239 states “most staff in a school and those in colleges working with children will be engaging in regulated activity relating to children, in which case an enhanced DBS check which includes children’s barred list information, will be required. For all other staff (e.g. contractors) who have an opportunity for regular contact with children who are not engaging in regulated activity, an enhanced DBS certificate, which does not include a barred list check, will be appropriate. Barred list information must not be requested on any person who is not engaging in or seeking to engage in regulated activity.”