



COLLEGIATE

INDEPENDENT CO-EDUCATION

PRE-SCHOOL TO SIXTH FORM

Policy Title: **Procedures for Safer Recruitment**
This policy also applies to Early Years Foundation Stage (EYFS)

Date of Issue: September 2023

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References: Children Act, 2004
Education (Independent School Standards) (England) (Amendment) Regulations, 2014 (ISSRs)
Independent Schools Inspectorate Commentary on the Regulatory Requirements, March 2023
Keeping Children Safe in Education (KCSIE), September 2023
Safeguarding Vulnerable Groups Act 2006 Regulations, 2012
Working together to Safeguard Children, July 2018
Childcare Disqualification Regulations 2018
Disqualification under the Childcare Act 2006
Data Protection Act (2018)
General Data Protection Regulation (GDPR) (EU) 2016/679
Home Office Guidance on Criminal Record checks for overseas applicants (2022)
Child Protection and Safeguarding Policy
Visiting Speaker Policy
Privacy notice for Staff Volunteers Contractors
Staff Professional Code of Conduct

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Version	Date	Amendments
1.5	01/11/2021	Minor changes following Governor review
1.6	01/09/2022	Annual policy review
1.7	01/09/2023	Annual policy review

This policy is made available to parents of all pupils, on the school website and on request from the School Office. It is available to the staff at the School from the school network and on request from the School Office.

Introduction

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Collegiate School is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the school expects all staff and volunteers to share this commitment.

Aims and objectives

The aims of the Safer Recruitment Policy is to help deter, reject or prevent people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The school has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualifications, experience and merit, as measured against the job description and person specification.

This policy aims to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation.

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

These policy objectives are to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Collegiate School.

Roles and responsibilities

It is the responsibility of the Governing Body to:

- Ensure the school has effective policies and procedures in place for recruitment of all staff (including supply agency staff) and volunteers in accordance with DfE guidance and legal requirements. For the purpose of safer recruitment 'staff' includes teachers, support staff, peripatetic teachers and coaches, gap students, ancillary and casual staff and students working at the school.
- Ensure that staff recruitment is done in line with the ISI Regulatory Requirements
- Monitor the school's compliance with them.

It is the responsibility of the Head, Head of the Prep School, HR and other managers involved in recruitment to:

- Ensure that the school operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school.
- Ensure that at least one of the persons who conducts an interview has completed safer recruitment training. The training should cover, as a minimum, the content of the guidance in Keeping Children Safe in Education (KCSIE 2023).
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

In accordance with the School Staffing Regulations, the Governing Body has delegated responsibility to the Head, Deputy Head, Head of the Prep School and Facilities Director and Finance Director to lead in all appointments. School Governors may be involved in staff appointments, but the final decision will rest with the Head, Deputy Head, Head of the Prep School, Facilities Director or Finance Director.

In the case of appointment of the Head, the Governing Body has final responsibility on the appointment.

Recruitment and Selection Procedure

This section of the procedures is to ensure potential applicants are given the right messages about Collegiate School's commitment to recruit suitable people.

Job Description and Person Specification

A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties, responsibilities and safeguarding requirements of the job role. The job description includes a statement stating the school's commitment to safeguarding and promoting the welfare of children and young people and that it expects all staff and volunteers to share this commitment. The person specification is of importance and informs the selection decision. It details the skills, abilities, experience, expertise, attitude, behaviours and safeguarding obligations that are required to do the job.

Advertising

To ensure equality of opportunity, the school will normally advertise all vacant posts to encourage as wide a field of applicants as possible. This may entail an external advertisement.

Any advertisement will make clear the school's commitment to safeguarding and promoting the welfare of children, the safeguarding checks that will be undertaken and the safeguarding responsibilities of the post.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA) and GDPR.

Application Forms

Collegiate School uses an application form. All applicants will be required to complete an application form containing questions about their academic and full employment history, and their suitability for the role. In addition, all applicants are required to account for any inconsistencies, gaps or discrepancies in employment history.

The application form will include a statement that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children. It will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CV's, on their own, will not be accepted.

All applicants will be made aware that providing false or misleading information could result in the application being rejected or after appointment could lead to disciplinary action or dismissal. 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. This could lead to a possible referral to the police and other professional regulatory bodies (e.g. Teaching Regulation Agency (TRA)).

Shortlisting

Shortlisting of applications will be carried out by at least two suitable members of staff and for consistency these same staff will be included in the interview process.

Shortlisted applicants will be asked to complete and sign a self-declaration form prior to interview in which they will be asked to provide information about their criminal records history and other factors that would make them unsuitable to work with children including disqualification from childcare. (See Appendix 7). Where there is an electronic signature, the shortlisted candidate will be asked to physically sign a hard copy of the application at point of interview

In addition, the School will carry out an online search on shortlisted candidates for anything publicly available. Candidates will be informed about this online search when invited to interview. This may help identify any incidents or issues that have happened, which might want exploring with the applicant at interview. This will not prejudice decisions or discriminate.

Employment History and References

Prior to appointment or interview, checks of previous employment history are done to ascertain satisfactory reasons for any gaps in employment. The information provided by the candidate will be checked against references received and any discrepancies will be raised with the candidate.

References for short listed applicants for teaching positions and support positions, where possible, will be requested immediately after shortlisting. This allows any concerns, including low level concerns, raised to be explored further with the referee and taken up with the candidate at interview. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at this stage. In such cases, this reference will be taken up immediately after interview.

All formal offers of employment are made subject to the receipt of satisfactory results from necessary pre-employment checks including references and an enhanced DBS clearance. At least two references must be provided. One reference will always be sought from the current or most recent employer and be completed by a senior person with appropriate authority. If the referee is

school or college based, their references should be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations. If the applicant is not currently work with children, a reference will be sought from the relevant employer from the last time the applicant worked with children.

References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. Referees will be asked about whether they are satisfied about the applicant's suitability to work with children and provide the facts of any substantiated safeguarding concerns. The School will compare all references with any information given on the application form. Any discrepancies or anomalies, including the source of electronic references, will be followed up. One of the references must be from the candidate's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Neither should be a relative or someone known to the candidate solely as a friend. All references received from a school must be countersigned by the Head of that school.

References are checked on receipt to check that all specific questions have been answered satisfactorily and originate from a legitimate source with appropriate follow-up where required. The school does not accept open references, testimonials or references from relatives.

If a reference is taken over the telephone, detailed notes are taken, dated and signed and it is made clear who was spoken to.

When references are not received in good time before appointment, then HR chases these and alternative referees are approached, if needed.

Qualifications

Applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification (original certificate(s)) required for the position and claimed in their application form. The Teaching Regulation Agency's (TRA) Employer Access Service will be used to verify any aware of qualified teacher status (QTS), and the completion of teacher induction or probation. This is done prior to appointment.

Identity

All applicants who are invited to an interview will be required to bring their original identification documents. Photographic identity should be included, together with evidence of address (for example, a utility bill, bank statement or similar) and right to work in the UK (e.g. passport). Identity checks are made against an official document such as a passport, a driving licence, or a birth certificate.

Original documents will only be accepted and photocopies will be taken by administration staff who will sign and date the photocopy to indicate they have seen the original. This will be handed to HR. Unsuccessful applicant identity documents will be destroyed after the interview has taken place.

Interviews and Selection

For all prospective employees there will be a face-to-face interview wherever possible, and the same panel will usually see all the applicants for the vacant position.

To support fairness in the interview process and facilitate greater diversity in the group assessing candidates, the interview panel, wherever possible, will include men and women, and as diverse a mix of levels of seniority and background as possible.

The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps, that have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with the Safer Recruitment Training). Interviews will be used to explore potential areas of concern and to determine the applicant's suitability to work with children.

Any information in regard to past disciplinary action or allegation, cautions or convictions or areas of concern raised from the online search will be discussed and considered in the circumstance of the individual case during the interview process. At least one member of any interviewing panel will have undertaken safer recruitment training, will ask safer recruitment questions and record these.

Offer of appointment and new starter process

The appointment of all new staff is subject to all necessary suitability and vetting checks as appropriate to the role including, the receipt of a satisfactory enhanced DBS certificate, children's barred list check, references, prohibition from teaching order check, prohibition from management of independent school schools check, qualifications, childcare disqualification check, medical fitness, proof of identity and verification of the person's right to work in the UK, including EU national. This might also include further checks should the individual have lived outside the UK.

A personal file checklist will be used to track and audit paperwork obtained in accordance with the safer recruitment procedures. The checklist (Appendix 1) will be retained on personal files and the schools maintains 'the single central record' (SCR) of pre-appointment checks. HR will contact the appointing manager to confirm that all paperwork has been received and a start date can be agreed.

Additionally, successful applicants should be aware that they are required to notify the School immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

Induction Programme

All new staff will be given an induction programme which will clearly identifies the school policies and procedures, including the child protection and safeguarding procedures, and make clear the expectation and codes of conduct which will govern how staff carry out their roles and responsibilities. Further details regarding the safeguarding aspect of induction can be found in the Child Protection and Safeguarding Policy.

Pre-appointment Vetting Checks and Recording Information

This section covers the importance of ensuring the correct pre-appointment checks are carried out. These checks help identify whether a person may be unsuitable work with children and in some cases is legally prohibited from work with children and/or working as a teacher.

Enhanced DBS check with children's barred list information

All staff at Collegiate School require an enhanced Disclosure and following the closure of TP Online, where engaging in regulated activity, a separate DBS Children's Bared List check using Teachers Services, the Secure Access Portal. A DBS Certificate must be obtained before the commencement of employment of any new employee. If a disclosure is delayed, a short period of work is allowed under controlled conditions (ISI regs para 221.) at the Head's discretion (See Appendix 4). The level of DBS certificate required, and whether a check for any prohibition, direction, sanction, or restriction is required, will depend on the role that is being offered and duties involved. As the majority of staff will be engaging in regulated activity (See Appendix 6), an enhanced DBS certificate and separate DBS Children's Barred List check, will be required for most appointments. In summary, a person will be considered to be engaging in regulated activity 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; or
- will carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

Staff that take leave for more than three months and do not maintain continuity of employment must be re-checked before they return to work, however individuals returning from maternity leave, long term sickness, sabbaticals or similar, including furlough, where continuity of employment is maintained do not need be re-checked as new employees. The school may choose to renew checks if they wish and will take a risk-based approach to this.

Members of staff at Collegiate School are aware of their obligation to inform the Head/ Head of the Prep School or Finance Director or Facilities Director if they are charged or convicted of any offence or if they receive a police caution, conviction, reprimand or warning that arise or if they are subject to any formal child protection investigation during their employment or whilst they are working at the school. This is detailed in the Collegiate School Staff Professional Code of Conduct issued to all staff annually and in the employment contracts of employees.

DBS Update Service

Individuals may subscribe to the DBS Update Services at the point that an application for a new DBS check is made. Subscription to the service enables future status checks to be carried out by employers to confirm that no new information has been added to the check since its issue.

The school must have sight of and will examine the original certificate. This is to check it matches the individual's identity and then, with the individual's consent, check only-line that there have not been changes since the issue of the DBS certificate. A separate children's barred list check will also be completed. If the original certificate is not at the correct level, the school will apply for a new enhanced level disclosure.

Portability refers to the re-use of a DBS Certificate obtained for a position in one organisation and later used for another position in another organisation. The DBS code of Practice, the Independent Schools Inspectorate and OFSTED does not facilitate portability of DBS Certificate checks unless the applicant has registered to the DBS Update Service. Collegiate School is committed to

adhering to these Codes of Practice and does not accept DBS Certificates carried out by another organisation unless they are registered with the DBS Update Service.

The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. The School is therefore permitted to ask job applicants to declare all convictions and cautions on a self-declaration form in advance of attending an interview (including those which are 'spent, unless they are 'protected' under the DBS filtering rules) in order to assess their suitability to work with children."

Dealing with convictions

The school operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

A formal assessment will take place to establish the facts by HR and the Head. A decision will be made following this process.

Medical fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed.

Successful applicants will be required to sign a new starter health and capability declaration. Where appropriate this may be followed up with a request for medical advice, with the consent of the applicant, through an Occupational Health Service.

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.

Overseas checks, where appropriate, including checking for EEA professional sanctions

Where applicants are living or have lived outside of the UK for 12 months or more (whether continuously or in total) in the last 10 years, while aged 18 over, the school will carry out further checks as set out in KCSIE. This will include a criminal record check from the relevant country. The Home Office has published guides on criminal record checks for overseas applicants on GOV.UK. Where a member of staff has worked in a school in the UK since moving from overseas, without going back overseas, it is not necessary to repeat the overseas checks for subsequent appointment. Where it is not possible to gain a response from official sources for the country in question, the school will seek alternative methods of check suitability such as additional references and or undertake a risk assessment to inform the decision on whether to appoint.

Right to work in the UK

The school follows guidance issued by the Home Office on GOV.UK about right to work checks and will verify the candidate's right to work in the UK.

Prohibition from teaching orders

All new teachers and anyone employed or engaged to carry out teaching work in school must be checked to ensure they are not subject to a prohibition order issued by the Secretary of State. This check is completed using Teacher Services, the Secure Access Portal.

Prohibition from management of independent schools (also known as “section 128 directions”)

As of the 12th August 2015, Collegiate School checks whether staff appointed to management positions, including Governors, the Head, members of the senior leadership team and any teaching positions which carry a department headship, are subject to a section 128 direction. For staff in regulated activity, this check can be done via the DBS or using Teacher Services, the Secure Access Portal. The school will use either, or both methods to obtain this information. From September 2018 if a member of staff is promoted internally to a management position then the school will check that the member of staff is not subject to a Section 128 direction prior to the promotion.

Childcare Disqualification – early years and relevant later years provision

This check is required for roles working in the early years and those involved in wraparound care for children up to the age of eight. It concerns how people can be disqualified from providing childcare under the Childcare Act 2006. Shortlisted candidates are asked to sign a self-declaration form with a section of questions about information that can disqualify people under this act.

It is important that the school follows the safer recruitment procedures set out in Part Three of KCSIE. The school's policies, including the Staff Professional Code of Conduct, are clear about the expectations they place on staff, including where their relationships and associations both within and outside of the workplace (including online) may have implications for the safeguarding of children in school.

Under the 2018 Regulations, schools are no longer required to establish whether a member of staff providing, or employed to work in, childcare is disqualified by association. Regulation 9 does not apply to staff in a relevant school setting; disqualification by association is only relevant where childcare is provided in domestic settings (e.g. where child minding is provided in the home) or under registration on domestic premises. Accordingly, schools should not ask their staff questions about cautions or convictions of someone living or working in their household. Relevant staff will be informed of their duty to disclose information under the childcare disqualification arrangements. The school can request any other information they deem relevant. For example, whether individuals employed to work in reception classes, or in wraparound care for children up to the age of 8, are not disqualified from working in these settings. See Appendix 2 for further information.

Single Central Record (SCR)

In addition to the various staff records kept in school and on individual personnel files, a Single Central Record (SCR) of recruitment and vetting checks is kept in accordance with the DfE and ISI regulatory requirements. This is kept up-to-date and retained by HR, and checked at frequent intervals by the Safeguarding Governor and Head. Checks are recorded on the SCR.

The Single Central Record will contain details of the following:

- all employees who are employed to work at the school;
- all supply staff working at the School whether self-employed or through an employment agency;
- all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, peripatetic staff and people brought into the School to provide additional teaching or instruction for pupils but who are not staff members e.g. sports coaches;
- all Governors.

The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The Single Central Record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- an identity check (identification checking guidelines can be found on the GOV.UK website);
- children's barred list check;
- enhanced DBS check/certificate;
- prohibition from teaching check for staff engaged to carry out teaching work;
- prohibition from management of independent schools check (section 128 direction);
- overseas checks on people who have lived or worked outside the UK;
- qualifications check, where required and relevant to the role;
- a check to establish the person's right to work in the United Kingdom.;
- reference checks (at least two);
- employment history check, with application form;
- medical fitness check;
- childcare disqualification check for individuals employed to work in reception classes, or in wraparound care for children up to the age of 8.
- online search

Record Retention / Data Protection

Collegiate School will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be destroyed. The 6-month retention period is in accordance with the Data Protection Act 2018 (DPA) and will also allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints made to an employment tribunal. All information retained on employees is kept centrally in the Finance Office in a locked and secure cabinet. More information on this is including in the Privacy notice for Staff Volunteers Contractors

Ongoing Employment

Collegiate School recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. The school will therefore provide on-going training and support for all staff.

Leaving Employment at Collegiate School

Despite the best efforts to recruit safely there will be occasions when allegations of abuse against children and young people are raised. In cases relating to the behaviour of an employee (these behaviours are within the context of four categories of abuse (i.e. physical, sexual and emotional and neglect) the school's disciplinary policy will apply.

In cases of dismissal (or resignation) due to the above behaviour, Collegiate School will inform the DfE, the DBS, the local Children's Safeguarding Board and the Teaching Regulation Authority (TRA) of the circumstances as to why the employee is leaving Collegiate School employment.

Governors

The Clerk to the Governors and/or HR at the School will obtain the following from the new potential governor before their appointment is confirmed:

- an enhanced DBS certificate;
- if the Governor will be undertaking a regulated activity, a barred list check;
- evidence of their entitlement to work in the UK, where relevant;
- evidence that the Governor has not been prohibited from participating in the management of independent schools;
- if they volunteer to work in relevant childcare on a regular basis or are directly concerned with the day to day management of such provision a declaration that they are not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006"
- if the new Governor is also to be appointed as a Company Director, a completed Form AP01 will be sent to Companies House to register the appointment.
- confirmation that they are not disqualified from acting as a Charity Trustee or Company Director, for example by virtue of an undischarged bankruptcy;

All the paperwork is handled by the Clerk to the Governors and HR.

Checks regarding the Chair of Governors

If the 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.

Contractors and Supply Staff

Contractors engaged by the school must complete the same checks for their employees that the school is required to complete for its staff. The school requires confirmation (in writing) that these checks have been completed for individual employees before these employees of the contractor can commence work at the school. Where external contractors do not have access to the necessary database to do the relevant checks, the school will do the missing check(s) themselves, where it applies (e.g. prohibition from teaching). A risk-based approach is taken to determine what checks are required, and the level of supervision.

"Supply staff" are staff supplied by an "employment business" (agency) to work under the control of the school. Agencies who supply staff to the school must also complete the pre-employment checks which the school would otherwise complete for its staff. Again, the school requires confirmation in writing that these checks have been completed for each individual before they can commence work at the school. Where an "employment business" provides supply staff (to work under the control of the school) then a copy of the DBS certificate must be seen by the school (whether or not it discloses any information) and the school will also independently verify the identity of contractors and staff supplied by an "employment business".

Volunteers

There is no set formula for the vetting of volunteers, unless they are in regulated activity. The arrangements for volunteers will vary by individual and activity. The school will therefore assess whether the individual will be in regulated activity (see Appendices 5 and 6) and then undertake the necessary vetting checks accordingly required.

Visiting Speakers

The school will undertake checks, ensure suitability of relevant visiting speakers and arrange appropriate supervision as detailed in the Visiting Speakers Policy.

Monitoring and Evaluation

The Designated Safeguarding Lead and HR Advisors will be responsible for ensuring that this policy is monitored and evaluated throughout the school. This will be undertaken in conjunction with the annual safeguarding audit.

Appendix 1: CHECKLIST FOR STAFF APPOINTMENTS

NAME: POST: START DATE:
 TYPE OF EMPLOYMENT (f/t; perm; ftc etc): NAME OF SAFER RECRUITMENT TRAINED INTERVIEWER:

Category	Notes	Documents	Date	Checker
Identity check	e.g. Date of birth/Passport/Address			
Children's Barred List	Employer Access on DfE			
Enhanced DBS	Application sent to Atlantic Data			
	ID documents listed: 1 2..... 3.....			
Enhanced DBS (or Enhanced update service)	Number & Date of Clearance			
DBS certificate seen & checked				
Prohibition from teaching check	Required for those carrying out teaching work			
Prohibition from management check	only if Headteacher/ SLT (including non-ac) / Head of Dept			
Overseas Check	Required if lived abroad 3+ months in last 10 yrs.			
Qualifications required	Date seen (copies in file) – QTS Cert from DofE + registration			
Right to Work	e.g. - If passport used as ID / birth cert & NI no.			
References x2	Most recent/current employer. School: confirmed accurate by Head for disciplinary. Non-school: appropriate senior person. Last time worked with children. Dates match application form. Safeguarding answered.			
Application Form	Full work history with employment gaps explained			
Self-Declaration Form	Shortlisting (criminal records, prohibitions, childcare disqualification)			
Medical Fitness	Held on file/2 nd Stage			
Online Search	Publicly available areas of concern to explore at interview			
Employee details	Details entered on 'Payroll Change' / saved on secure file			
Central Register				
SIMS				
Contract issued & Expressions of Wish for SS	JD and Offer Letter (& EofW form)			
Staff Training Tracker/Educare	Staff and Profile			
IT/Lanyard/Marketing/Staffroom Committee	Approved Visitors List (for freelance, casual & volunteer staff)			

Appendix 2

Childcare Disqualification

Collegiate School aims to create the right culture and environment so that staff feel comfortable, where it is appropriate, to discuss matters outside of work, which may have implications for the safeguarding of children in the workplace. These discussions can help safeguard staff welfare and contribute to a duty of care towards staff. Where appropriate, the school will identify whether arrangements are needed to support these staff. These discussions can also help staff manage children's safety, providing them with information that will help them consider whether there are measures that need to be put in place to safeguard children (e.g. by putting arrangements in place to stop or restrict a person coming into school where a potential risk to children has been identified).

The advice applies to staff in schools who work in early years' provision and to those who work in later years provision for children who have not attained the age of 8. It also applies to employees who are directly concerned in the management of such provision even though they may not work in the early years or relevant later years provision themselves.

Early years' provision includes education and any supervised activity for a child from birth until the 1st September following their fifth birthday. It applies to all provision for children in that age range during and outside school hours, including in school nursery and reception classes. Later years' (pupils under the age of 8) provision covers childcare that is provided outside of school hours including breakfast clubs and after school care.

The school must ensure that they are not knowingly employing a person who is disqualified under the 2018 Regulations in connection with relevant childcare provision. In gathering information to make these decisions schools must ensure that they act proportionately and minimise wherever possible the intrusion into the private lives of their staff. Accordingly, schools must ensure that they handle information fairly and lawfully and take care not to breach:

- Data Protection Act 2018 (DPA);
- General Data Protection Regulation (GDPR) (EU) 2016/679;
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) ('the Exceptions Order');
- Rehabilitation of Offenders Act 1974 (ROA); and
- Human Rights Act 1998.

Disqualification under the Childcare Act

The 2018 Regulations are made under section 75 of the Childcare Act 2006 ("the 2006 Act"). They set out the circumstances in which an individual will be disqualified for the purposes of section 75 of the Act. Section 76(2) of the 2006 Act, provides that a person who is disqualified under the 2018 Regulations may not:

- provide relevant childcare provision; or
- be directly concerned in the management of such provision

Under section 76, schools are prohibited from employing a disqualified person in connection with relevant childcare provision in the setting. An employer commits an offence if they contravene section 76(3) except if they prove that they did not know, and had no reasonable grounds for believing, that the person they employed was disqualified. For further advice on how to comply with the legislation visit

[:https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006](https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006)

Appendix 3 Process of Recruitment.

Teaching Staff

Decision to recruit taken by the Head or Head of the Prep School in consultation with the Finance Director

Support staff

Decision to recruit is taken by either the Facilities Director, Finance Director, Head or Head of the Prep School all in consultation with the Finance Director

JD/Person Spec review (carried out by line manager/HR advisor)

Position Advertised
Internal, Websites, Local/National Press

Shortlisting by panel

References requested for teaching posts prior to interview, online search, —HR

References requested for support posts where possible prior to interview, online search—HR

Interview by Panel
Questions including safeguarding and child protection, gaps in employment, any anomalies in application form and self-declaration form

Documentation Checks
Identity, Qualifications

Documentation Checks
Identity, Qualifications

Candidate Selected

Confirmation of Appointment
Details Completed and Signed

Confirmation of Appointment
Details Completed and Signed

Conditional Offer of Employment
Conditional offer made with: Contract of Employment—Terms and Conditions—Medical declaration/Questionnaire—KCSIE—Code of Conduct etc.
Offer subject to: satisfactory References, Medical Clearance—Enhanced DBS—Prohibition List/Barred list Check

Conditional Offer of Employment
Conditional offer made with: Contract of Employment—Terms and Conditions—Medical declaration/Questionnaire—KCSIE —Code of Conduct—staff handbook etc.
Offer subject to: satisfactory References, Medical Clearance—Enhanced DBS—Prohibition List/Barred list Check

Enhanced DBS Received/Commencement of Work

Induction
Departmental Safeguarding & Child Protection. In first week—Health and Safety briefing

Enhanced DBS Not Received
Risk Assessment (Appendix 4) completed and supervision implemented. Risk assessment signed by line manager, Head and employee and reviewed bi-weekly

Enhanced DBS Not Received
Risk Assessment (Appendix 4) completed and supervision implemented. Risk assessment signed by line manager, Head and employee and reviewed bi-weekly

Procedures for Safe Recruitment—Whole School

Confirmation of Employment
Requires satisfactory completion of probation and all employment checks completed

Appendix 4

COLLEGIATE SCHOOL

RISK ASSESSMENT: Appointment of staff prior to a DBS Disclosure being obtained by Collegiate School

Due to time constraints and logistical needs, it is proposed that **[name]** be appointed prior to a DBS Disclosure being obtained by Collegiate School. If this risk assessment is completed in full, it is proposed that **[name]** will be contracted to work as a **[job title]** on a **[insert detail of contract i.e. casual, fixed term, contracting]** It should be noted that Risk Assessments are for a short-term temporary period until DBS clearance is gained and will be reviewed on a 2-weekly basis. This risk assessment records the following factors considered by the School in making this appointment:

1. Barred Lis' (previously known as 'List 99')
2. Sight of previous Enhanced CRB/DBS Disclosure – if available
3. Gaps in Service checked
4. Written References gained x 2
5. Consideration of role
6. Consideration of supervision to be applied by the School

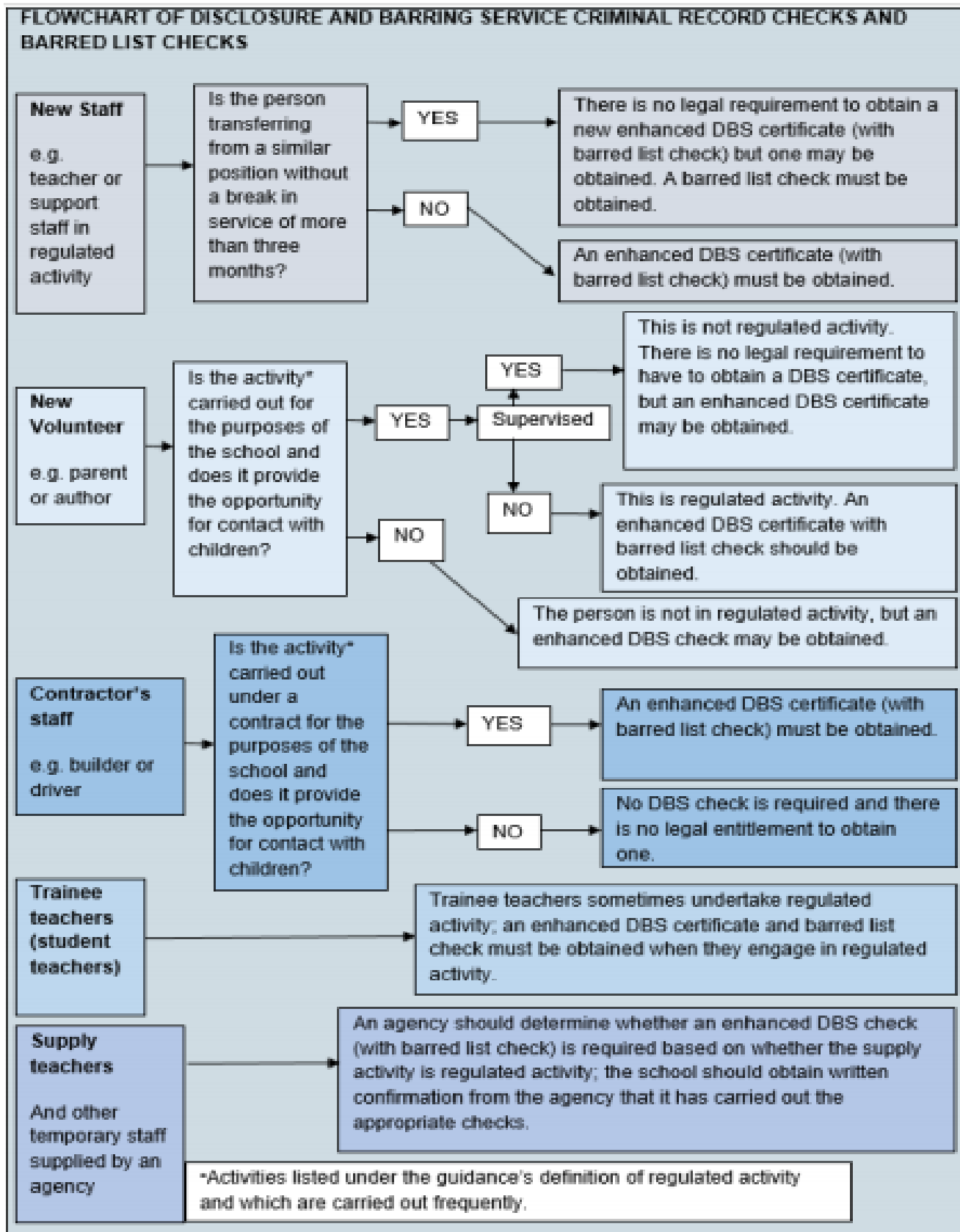
	Name of Check	Date Obtained	Outcome	Carried out by
1	Barred List Check			
2	Previous Enhanced DBS Disclosure copied and held on file for duration of employment			
3	Gaps in Service checked			
4	References obtained x 2 (Attach brief details)			
5	Consideration of role			
6	Consideration of supervision to be applied by the School. Staff will not have unsupervised access to children prior to a DBS disclosure being obtained.			

Risk Assessment Completed by Dated

Risk Assessment Authorised by Dated
Head

Member of staff on Risk Assessment Dated

I acknowledge that I am working under supervision and under the terms of this Risk Assessment



Appendix 6

Regulated activity

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. HM Government has produced Factual note on regulated activity in relation to children: scope.

Regulated activity includes:

- teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;
- work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly. ¹ Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- relevant personal care, or health care provided by or provided under the supervision of a health care professional:
 - personal care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness or disability;
 - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Regulated activity will not be:

- paid work in specified places which is occasional and temporary and does not involve teaching, training; and
- supervised activity which is paid in non-specified settings such as youth clubs, sports clubs etc.

¹ The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if "it is carried out frequently by the same person" or if "the period condition is satisfied". Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, for the purposes of the work referred to at (a), apart from driving vehicle only for children, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children.



COLLEGIATE

INDEPENDENT CO-EDUCATION

PRE-SCHOOL TO SIXTH FORM

Shortlisted Candidates

Suitability to work with children: Self-Declaration form

The School is legally required to carry out a number of pre-appointment checks which are detailed in the School's 'Procedures for Safer Recruitment'. This includes a requirement under paragraph 216 of Keeping Children Safe in Education (September 2023) to ask shortlisted applicants to provide certain information that is relevant to their suitability to work with children. As a shortlisted applicant you are required to complete this self-declaration form and to return it to the School prior to interview. Your interview will not take place if you have not completed, signed and returned this form.

It is a condition of your application that you answer all of the questions below. Any information you provide will be considered and discussed with you at interview.

Position applied for:

Section 1: Personal details

Title: Dr/Mr/Mrs/Miss/Ms	Forenames:	Surname:
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Section 2: Criminal records

Please be aware that the School applies for an Enhanced Disclosure from the Disclosure and Barring Service (**DBS**) for all positions at the School which amount to regulated activity with children. The role you have applied for meets the legal definition of regulated activity with children. If you are successful in your application you will be required to complete a DBS Disclosure Application Form. Employment with the School is conditional upon the School being satisfied with the result of the Enhanced DBS Disclosure. Any criminal records information that is disclosed to the School will be handled in accordance with any guidance and / or code of practice published by the DBS.

The School will also carry out a check of the Children's Barred List. Please be aware that it is unlawful for the School to employ anyone to work with children if they are barred from doing so, and it is a criminal offence for a person to apply to work with children if they are barred from doing so.

The role you have applied for is also exempt from the Rehabilitation of Offenders Act 1974 and the School is therefore permitted to ask you to declare all convictions and cautions (including those which would normally be considered "spent") in order to assess your suitability to work with children. **However, you do not have to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.**

Having a criminal record will not necessarily prevent you from taking up employment with the School. Instead, the School will assess each case on its merits and with reference to the School's objective assessment procedure set out in the School's 'Procedures for Safer Recruitment'.

Have you been prosecuted for, received a caution for, or been convicted of, any criminal offence whether in the United Kingdom or in another country? You must disclose all spent and unspent convictions. However, you are not required to disclose a spent caution or conviction for an offence committed in the United Kingdom which is protected under the DBS filtering rules (please see Appendix 1 to this form).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Is there any relevant court action pending against you?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you have answered "Yes" to any of the questions in Section 2 please provide further details at Appendix 3.

Section 3: Sanctions, restrictions and prohibitions

Are you barred from working with children?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you ever been the subject of a direction under section 142 of the Education Act 2002 (formerly known as list 99) which bars you from working with children?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
For roles involving 'teaching work' (see appendix 2): Have you ever been referred to, or are you the subject of a sanction, restriction or prohibition issued by, the Teaching Regulation Agency, any predecessor or equivalent body in the UK or a regulator of the teaching profession in any other country?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
For roles involving 'management' (see appendix 2): Have you ever been referred to the Department for Education, or are you the subject of a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts you from being involved in the management of an independent school (section 128 direction)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you have answered "Yes" to any of the questions in Section 3 please provide further details at Appendix 3.

Section 4: Disqualification from Childcare

For posts working in the early years and those involved in childcare for children under the age of eight in before- and after-school settings. It concerns how people can be disqualified under the Childcare Act 2006.

Has an order ever been made relating to a child in your care?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have your own children been taken into care as a result of the care provided by you?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have your children ever been the subject of a child protection order?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have you had your registration refused or cancelled in relation to childcare or children's homes or have you ever been prohibited, restricted or disqualified from private fostering?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Are you or have you ever been disqualified from providing childcare?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

If you have answered "Yes" to any of the questions in Section 4 please provide further details at Appendix 3.

Please note: Staff who are disqualified from childcare or registration, may apply to Ofsted for a waiver of disqualification. A factsheet explaining the process can be found on this link: <https://www.gov.uk/government/publications/applying-to-waive-disqualification-early-years-and-childcare-providers>. Such staff 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. Please speak to us for more details.

Section 5: Declaration

- **I understand my responsibility to safeguard children, and I am aware that I must notify the School immediately of anything that may affect my suitability to work with children.**
- **I will ensure that I notify the School immediately of any convictions, cautions, court orders, reprimands or warnings I may receive.**
- **I understand that you may contact any previous employer, local authority staff, the police, the DBS, or any medical professionals to share information about my suitability to care for children.**
- **I confirm that the information I have given on this form is true and correct to the best of my knowledge.**
- **I understand that providing false information could result in my application being rejected or (if the false information comes to light after my appointment) summary dismissal and may amount to a criminal offence.**

Signed:

.....

Date:

.....

Where this form is submitted electronically and without signature, electronic receipt of this form by the School will be deemed equivalent to submission of a signed version and will constitute confirmation of the declaration at Section 5. You will also be asked to physically sign a hard copy of this declaration at the point of interview.

Appendix 1 Spent convictions and the DBS filtering rules

Spent convictions

Sentence	Rehabilitation period (in all cases the period commences from the date of the conviction)	
	Aged over 18 at the time of the conviction	Aged under 18 at the time of the conviction
<ul style="list-style-type: none"> • Prison sentence of more than 4 years • Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over four years • Sentence of preventive detention • Sentence of detention at Her Majesty's Pleasure • Sentence of custody for life • Public protection sentences* (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders) • A public protection sentence (the provisions for which are set out in Part 12 of the Criminal Justice Act 2003 and Part 8 of the Armed Forces Act 2006 means a sentence of imprisonment or detention, as detailed above, imposed for specified sexual and violent offences. 	Never	Never
Prison sentence of more than 30 months but less than or equal to 4 years	Length of sentence + 7 years	Length of sentence + 3.5 years
Prison sentence, or sentence of detention, of more than 6 months but less than or equal to 30 months	Length of sentence + 4 years	Length of sentence + 2 years
Prison sentence, or sentence of detention, of less than or equal to 6 months	Length of sentence + 2 years	Length of sentence + 18 months
Removal from HM Service	1 year	6 months
Service detention	1 year	6 months
Community order or youth rehabilitation order	1 year	6 months
Fine	1 year	6 months
Compensation order	Once paid in full	Once paid in full

Absolute discharge	Spent immediately	Spent immediately
Driving disqualification	End of the disqualification	End of the disqualification
Driving endorsement	5 years from the date of conviction	30 months from the date of conviction
Relevant order (include conditional discharge orders, restraining orders, hospital orders, bind overs, referral orders, care orders and any order imposing a disqualification, disability, prohibition or other penalty not mentioned in this table)	End of the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent	End of the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent
Simple caution, youth caution	Spent immediately	Spent immediately
Conditional cautions youth conditional caution	3 months or when caution ceases to have effect if earlier	3 months or when caution ceases to have effect if earlier

Filtering rules

Certain spent convictions and cautions are considered 'protected' and the DBS filtering rules mean that they are not included in a DBS certificate. Job applicants are not required to disclose protected convictions or cautions. If a protected conviction or caution is inadvertently disclosed the School will disregard that information when making a recruitment decision.

You are therefore not required to disclose information about a spent criminal conviction imposed for an offence committed in the United Kingdom if you were over 18 years of age at the time of the offence and:

- 11 years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

You are not required to disclose information about a spent caution issued for an offence committed in the United Kingdom if you were over 18 years of age at the time of the offence and:

- six years have elapsed since the date it was issued; and
- it was not issued for a "specified offence".

You are not required to disclose information about a spent criminal conviction imposed for an offence in the United Kingdom if you were under 18 years of age at the time of the offence and:

- five and a half years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

You are not required to disclose information about a caution issued for an offence committed in the United Kingdom if you were under 18 years of age at the time of the offence.

The list of "specified offences" can be found at:

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

Appendix 2 Prohibition from teaching, prohibition from management and disqualification from providing childcare

The School is not permitted to employ anyone to carry out 'teaching work' if they are prohibited from doing so. For these purposes 'teaching work' includes:

- planning and preparing lessons and courses for pupils;
- delivering lessons to pupils;
- assessing the development, progress and attainment of pupils; and
- reporting on the development, progress and attainment of pupils.

The above activities do not amount to 'teaching work' if they are supervised by a qualified teacher or other person nominated by the Head.

The School is also not permitted to employ anyone to work in a management position if they are prohibited from being involved in the management of an independent school. This applies to the following positions at the School:

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

The School is also not permitted to employ anyone to work in a position which involves the provision of 'childcare' if they are disqualified from providing 'childcare'. For these purposes 'childcare' includes:

- all supervised activities before, during and after the school day for children in our early years provision i.e. for a child up to 1 September following their 5th birthday; and
- provision for children who are not in our early years provision and who are under the age of 8, which takes place on the school premises before or after the school day.

Work as a cleaner, driver, transport escort, member of the catering staff or member of the office staff is not considered 'childcare' for these purposes.

The declaration at Section 3 of this Form therefore asks you to confirm whether you are prohibited from carrying out 'teaching work', prohibited from being involved in the management of an independent school and/or disqualified from providing 'childcare'. You do not have to complete these aspects of the declaration if you are not applying for a relevant role. If you are unsure whether the role for which you are applying involves teaching work, is a relevant management role or involves the provision of 'childcare' please contact us.

The School will also carry out a check to determine whether successful applicants for relevant roles are prohibited from teaching and / or prohibited from involvement in the management of an independent school.

Appendix 3 Further information

[If you answered yes to any of the questions in Sections 2 and / or 3 and / or 4 please provide further information below]