SAFER RECRUITMENT POLICY AND PROCEDURE

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1. Introduction

The Hall School (the School) is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is also 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 staff of the highest calibre who share this commitment.

The aims of the School's recruitment policy are to:

- ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position which includes their attitudes towards safeguarding and their ability to work with children in a way that promotes the safety and welfare of children;
- ensure that all job applicants are considered equally and consistently;
- 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;
- ensure compliance with all relevant legislation, recommendations and guidance including the Education (Independent School Standards) Regulations 2014 (**ISSRs**), the statutory guidance published by the Department for Education (**DfE**), Keeping Children Safe in Education (**KCSIE**), the Prevent Duty Guidance for England and Wales 2015 and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
- ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks and by conducting the recruitment process in a way which prevents as far as possible the recruitment of individuals who are unsuitable to work with children.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

2. Recruitment and selection procedure

2.1 All applicants for employment will be required to complete an application form containing questions about their personal details, details of their present (or last) employment, reason for leaving, academic and full employment history, details of referees/references and their suitability for the role. Where a role involves engaging in regulated activity relevant to children, the application form (or elsewhere in the information provided to applications) 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. The School will only consider candidates who have completed the application form in full. Incomplete application forms will be returned to the applicant if received before the published deadline for completed application forms. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form but may be submitted in addition to the completed application form.

2.2 An advertisement for a role will include the School's commitment to safeguarding and promoting the welfare of children and will make it clear that safeguarding checks will be undertaken in respect of any applicant. Applicants will receive a job description and person specification for the role applied for. Application forms, job descriptions, person specifications and the School's Safeguarding and Child Protection Policy are available to download from the School's website and can be printed and/or forwarded to applicants on request.

2.3 The School will conduct a shortlisting exercise by reviewing all application forms received in order to determine which applicants will be invited for interview. The shortlisting exercise will be conducted by a minimum of two members of staff. In addition, as part of the shortlisting

process, the School will inform candidates that an online search will be carried out as part of their due diligence on the shortlisted candidate in order to identify any incidents issues that are publicly available online and the School may wish to explore with the applicant at interview. Any unexplained gaps in employment will also be discussed at interview stage.

2.4 All shortlisted applicants will be required to complete a self-declaration form prior to interview in which they will be asked to provide information about their criminal records history and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview. (Relevant staff normally undergo refresher safer recruitment training every 3 years). Pupils should be involved in the recruitment process in a meaningful way. All information considered in decision-making should be clearly recorded along with decisions made.

2.5 The applicant may then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. Candidates will also be asked questions relating to child protection at interview to ascertain the level of their knowledge and the suitability of their answers. It is recognised that not all interviewees will have Child Protection experience or experience within schools. In such cases, questions will be adapted to test applicants' responses to hypothetical safeguarding scenarios. At least one member of every appointment panel will have received safer recruitment training. In addition, any member of staff responsible for assessing pre-employment checks will have received the relevant training.

2.6 If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
- the right to work in the UK, including if appropriate a pre-employment immigration check
- verification of the applicant's identity (where that has not previously been verified);
- the receipt and verification of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory;
- for positions which involved "teaching work":
  a. information about whether the applicant is, or has ever been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (TRA) or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents them from working at the School or which, in the School's opinion, renders them unsuitable to work at the School; [2]
  b. for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which, in the School's opinion, renders them unable or unsuitable to work at the School;
- where the position amounts to "regulated activity" (see section 3.3 below) the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
- where the position amounts to "regulated activity" (see section 3.3 below) confirmation that the applicant is not named on the Children's Barred List[1].
- In the unlikely event that the position does not amount to "regulated activity" (for example where volunteers are regularly supervised) the School will carry out the relevant DBS check which will ordinarily be an enhanced check without barred list;

- information about whether the applicant is, or has ever been, subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children or which otherwise, in the School's opinion, renders them unsuitable to work at the School;

  a information about whether the applicant is, or has ever been, the subject of a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school or which otherwise, in the School's opinion, renders them unsuitable to work at the School[2]

  b information about whether the applicant is, or has ever been, the subject of a referral to, or proceedings before, the Department for Education or other appropriate authority where consideration was given to imposing a direction under section 128 of the Education and Skills Act 2008 which, in the School's opinion, renders them unsuitable to work at the School;

  c confirmation that the applicant is not disqualified from acting as a charity trustee or charity senior manager (currently only applicable to the roles of Headmaster, Director of Finance and members of the Governing Body).
- confirmation that the applicant is not disqualified from working in connection with early or later years provision (see 3.6 below);
- verification of the applicant's medical fitness for the role (see paragraph 3 below);
- any further checks that the School deems appropriate as a result of the applicant having lived or worked outside of the UK, which may include an overseas criminal records check, certificate of good conduct or professional references (see below); and
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified);
- verification of any award of qualified teacher status and the completion of teacher induction or probation through the Teaching Regulations Agencies Employer Access Service.

[1] *A check of the Children's Barred List is not permitted if an individual will not be undertaking "regulated activity". Whether a position amounts to "regulated activity" must therefore be considered by the School in order to decide which DBS checks are appropriate. It is however likely that in nearly all cases a Children's Barred List check will be carried out.*

[2] *The School carries out these via the Teacher Services' system (formally known as Employer Access Online). This service allows the School to identify existing prohibitions and sanctions made under section 142 of the 2002 Act; teacher prohibitions made under section 141 of the 2002 Act; any direction made under 128 of the 2008 Act; sanctions or restrictions imposed by the General Teaching Council for England before its abolition in March 2012.*

3. Medical fitness

3.1 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.

3.2 It is the School's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire and sign to confirm that they know of no reasons, on grounds of mental or physical health, why they should not be able to discharge with due care and skill the responsibilities required by the post in question.

3.3 The School will arrange for the information contained in the Health Questionnaire to be reviewed by the School's medical advisor. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra-curricular activities, layout of the School etc.

3.4 If the School's medical advisor has any doubts about an applicant's fitness the School will consider reasonable adjustments in consultation with the applicant. The School may also seek further medical advice from a specialist or request that the applicant undertakes a full medical assessment.

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

4. Pre-employment checks

4.1 In accordance with the recommendations set out in KCSIE, DUCA and the requirements of The Education (Independent School Standards) (England) Regulations 2014 the School carries out a number of pre-employment checks in respect of all prospective employees.

4.2 In addition to the checks set out below, the School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the School. This includes internet and social media searches.

4.3 In fulfilling its obligation the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

5. Verification of identity and address

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications as set out below and in the List of Valid Identity Documents found on the GOV website. :

- one document from Group 1 (to include the birth certificate where this is available); and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and
- original documents confirming any educational and professional qualifications referred to in their application form.

5.1 Where an applicant claims to have changed their name by deed poll or any other means (e.g., marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

5.2 The School asks for the date of birth of all applicants (and proof of this) in accordance with the Guidance. Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

5.3 Should an applicant attend interview without the above documentary evidence, without good cause, the interview may be cancelled and the School may choose not to progress their application further even upon subsequent submission of the documentation.

6. References and Employment History

6.1 References will be taken up on short listed candidates prior to interview where possible. References may however be taken up after interview by exception or agreement.

6.2 All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment is with a School or College, the reference must be completed by a senior person with appropriate authority. 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 referee should be a relative or someone known to the applicant solely as a friend. All references should, ideally, be from a senior person with appropriate authority in a position to be aware of relevant issues and not usually just a colleague.

6.3 All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that, to the best of their knowledge, the applicant has not been radicalised so that they do not support terrorism or any form of "extremism" (see the definition of "extremism" in Section 9 below).

6.4 All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, sickness* and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious; and
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated, unfounded or malicious.

* *questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made.*

6.5 The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

6.6 The HR Department will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information (e.g. delays in receipt of the reference, specific questions not answered satisfactorily, expression of concern about the suitability of the candidate, doubt about the validity of the reference) will be followed up appropriately by the School's HR department. The HR Department verifies all references by making contact with the referees via the referee's work telephone number where possible and not private mobile numbers. The process of verbally verifying the reference will also ensure that electronic references originate from a legitimate source.

6.7 Any information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post.

It is a criminal offence to falsify references. Any applicants or referees who are found to have submitted false references to the School will be referred to the Local Area Designated Officer (LADO).

Suitable references will be sought for internal candidates applying for new positions within the School.

The School will ensure that any concerns are resolved satisfactorily before an appointment is confirmed.

7. Disclosure and Barring Service Check

7.1 Due to the nature of the work, the School applies for an enhanced disclosure from the Disclosure and Barring Service (DBS) in respect of all prospective staff members, governors and volunteers deemed to be working in a regulated activity. The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

7.2 The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List maintained by the DBS.

7.3 Any position undertaken at, or on behalf of, the School (whether paid or unpaid), will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2am and 6am; or
- satisfies the "period condition", meaning four times or more in a 30 day period; and
- provides the opportunity for contact with children.

7.4 Roles which are carried out on an unpaid/voluntary basis will normally amount to regulated activity unless the volunteer is regularly supervised by someone who is themselves in regulated activity.

7.5 An enhanced DBS check with children's barred list information 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 the police as interviews and allegations. Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed. The position being applied for, or activities being undertaken must be eligible for an enhanced DBS check 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.

7.6 The DBS issues a DBS disclosure certificate to the subject of the check only, rather than to the School. It is a condition of employment with the School that the original disclosure certificate is provided to the School within two weeks of it being received by the applicant. Original certificates should not be sent by post. Applicants must instead bring the original certificate into the School within two weeks of it being received. A convenient time and date for doing so should be arranged with the Human Resources Department as soon as the certificate has been received. Applicants who are unable to attend at the School to provide the certificate are

required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to the Human Resources Department. Where a certified copy is sent, the original disclosure certificate must still be provided on the first working day prior to starting work. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

7.7 If there is a delay in receiving a DBS disclosure the Headmaster has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place (full details of the procedure to be followed are covered in the School's Procedure for Staff Commencing Employment Pending a DBS Disclosure).

7.8 DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including a criminal record check from the relevant jurisdiction(s) (see section 11).

7.9 The Human Resources Department will notify the Headmaster immediately if a DBS check identifies a criminal record. The Headmaster will make a judgement about the candidate's suitability, taking into account only those offences which may be relevant to the particular job or situation in question, the nature of the office, the nature of the appointment, the age of the offence and the frequency of the offence. The Headmaster will confirm in writing whether the person can be employed and, if so, any mitigating actions and controls to be put in place. Further details on the School's policy on recruitment of ex-offenders is detailed in paragraph 8.

7.10 DBS certificates do not expire and there is no requirement for the School to re-check current employees. However, staff may be required to complete a new DBS or asked to register with the DBS update service.

8. Prohibition from Teaching

8.1 The School is required to check whether staff who carry out "teaching work" are prohibited from doing so. The School uses the TRA Secure Access Portal (formerly NCTL) to check whether successful applicants are the subject of a prohibition or an interim prohibition order.

8.2 The School carries out this check, and requires associated information, for roles which involve "teaching work". In doing so the School applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012 which states that the following activities amount to "teaching work":

- 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.

In addition, we ask all applicants for roles which involved "teaching work" to declare in the application form whether they:

- have ever been the subject of a sanction, restriction or prohibition issued by the NCTL, or any predecessor or successor body; and

- have ever been the subject of any proceedings before a professional conduct panel of the NCTL, or equivalent body in the UK.

Where an applicant has carried out teaching outside of the UK, the School may ask the applicant to provide proof of their past conduct as a teacher by obtaining a letter of professional standing from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher. The School will also ask the applicant (and their referees) to disclose whether they have been referred to, or are the subject of a sanction issued by, the regulator of the teaching profession in the countries in which they have carried out working.

If in any doubt or if the applicant has taught previously, or may teach in future the check will be undertaken including for sports coaches/assistants and technicians.

8.3 The School recognises that a prohibition from teaching order may not last indefinitely. The School also notes that professional conduct panels do not always impose sanctions on the subject of the hearing. However, in order to fully assess the suitability of an applicant the School considers it important that all such information is made available during the recruitment process. Where an applicant is not currently prohibited from teaching, but has been the subject of a professional conduct hearing whether that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

The existence of any relevant information is not a bar to employment with the School.

9. Prohibition from Management of Independent Schools (Section 128).

9.1 The School will check whether applicants appointed to management positions are subject to Section 128 Direction. (This direction made by the Secretary of State under s.128 of the Education Skills Act 2008 barring individuals from taking part in the management of an independent school).

9.2 There is no exhaustive list of roles that might be regarded as 'management'. Roles involving, or very likely to involve, management of a school include (but are not limited to) headteachers, principals, deputy/assistant headteachers, governors and trustees. It is important to note that the individual's job title is not the determining factor and whether other individuals such as teachers with additional responsibilities could be considered to be 'taking part in management' depends on the facts of the case.

9.3 The relevant information is contained in the enhanced DBS disclosure certificate (which the School obtains for all posts at the School that amount to regulated activity). It can also be obtained through the TRA Teachers' Services System. The School will use both, methods to obtain this information.

9.4 In addition we ask all applicants for management roles to declare in the application form whether they:

- have ever been the subject of a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school; and
- have ever been the subject of a referral to, or proceedings before, the Department for Education or other appropriate authority where consideration was given to imposing a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

9.5 It is the School's position that in order to fully assess the suitability of an applicant for a management role it must be provided with the above information. Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body whether that resulted in the imposition of a section 128 direction or other sanction, or where a section 128 direction or other sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

9.6 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.

10. Disqualification from acting as a charity trustee or charity senior manager

Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

A person is considered to be a charity trustee if they are one of the people who have general control and management of the administration of the charity. At SPS the trustees are the governors of the school. Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the School the disqualification rules will be applicable to all governors, the Headmaster and the Finance Director.

Relevant staff are required to read and complete a declaration confirming that they are not, the best of their knowledge, subject to any of the disqualification criteria.

11. Overseas Police Checks & Teaching Sanctions

11.1 In addition to DBS checks, applicants with periods of overseas residence and those with little or no previous UK residence will also be asked to provide further information, including a criminal records check from the relevant jurisdiction(s). A DBS check will still be required even if the individual has never been to the UK. There is no mandatory period of time spent overseas which requires additional checks to be completed with guidance stating that "such further checks are made as the School considers appropriate having regard to any guidance issued by the Secretary of State". The HR department will assess each applicant individually, although the School will undertake an overseas criminal record check if a candidate has resided overseas for a period of 3 months or longer in the five years prior to applying for a position at the School. In some cases it will be deemed necessary to request a criminal record check for each country in which an applicant has lived or worked for a minimum of three months since the age of 18. In addition a criminal record check from the country of nationality may be requested.

11.2 Where a member of staff has worked in a school in the UK since moving from overseas and obtained a police check without going back overseas for a period of 3 months or more; it is not necessary to repeat the overseas checks for subsequent appointments. However, the School assess the overseas checks the previous school carried out prior to deciding whether to carry out further/repeat checks.

11.3 The School refers to Home Office guidance on what checks are available from different countries. The School recognises that formal checks are not always available from some

countries, that they can be significantly delayed or that a response may not be provided. In such circumstances the School will seek to obtain further information from the country in question, such as reference from any employment undertaken in that country.

11.4 If an applicant has taught abroad, the School will additionally request an Overseas Teaching Sanction, sometimes called a Certificate of Good Conduct for each country. The applicant must apply for this through a teaching body, therefore the School accepts this cannot always be obtained in cases where they were a private tutor, self-employed music teacher etc., In the cases where the School does not obtain the teaching check, they may request an additional reference from a School from each country.

11.5 In addition, the School may allow an applicant to commence work pending receipt of a formal check from a particular country if it has received a reference and/or letter of professional standing from that country and considers the applicant suitable to start work. Decisions on suitability will be based on all the information that has been obtained during the recruitment process. Unless expressly waived by the School, continued employment will remain conditional upon the School being provided with the outcome of the formal check and it being considered satisfactory.

11.6 If the formal check is delayed and the School is not satisfied about the applicant's suitability in the absence of that information, the applicant's proposed start date may be delayed until the formal check is received.

11.7 If no information is available from a particular country the School will carry out as assessment of whether the applicant is suitable to work at the School on the basis of all suitability information that has been obtained. The School will take proportionate risk-based decisions on a person's suitability in such circumstances. All suitability assessments must be documented and retained on file.

12 Contractors, supply and agency staff

12.1 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 before 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 check, the School will do the missing check(s) themselves, where it applies (e.g. prohibition from teaching).

12.2 "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 that these checks have been completed before an individual can commence work at the School. Where an "employment business" provides supply staff (to work under the control of the school) then the DBS certificate must be seen by the School (whether or not it discloses any information) and the DBS must be less than three months old when the person starts work at the School (unless he/she has been working in a school in the last three months).

The School will independently verify the identity of contractors and staff supplied by an "employment business".

The School will always check the identity of contractors on arrival at the School.

13 Volunteers

Under no circumstances will a volunteer, in respect of whom no safeguarding checks have been undertaken, be left unsupervised with children or allowed to engage in regulated

activity. Volunteers are prohibited from participating in overnight trips unless they have been onboarded as an employee, as these trips constitute regulated activity.

Prior to engaging a volunteer to carry out any activities for or on behalf of the School, the Head of Department with responsibility for the volunteer appointment will discuss the proposed activities to be undertaken by the volunteer with the HR Department so that a decision can be made as to what vetting checks are required, or whether it is appropriate to carry out a risk assessment. See the School's Volunteers Risk Assessment Procedure found in the HR department for further details).

14 Governors

Governors are subject to an enhanced DBS check (either including or not including barred list information as appropriate), confirmation of identity, right to work, prohibition from management and overseas police background checks as appropriate. The Chair of Governors is required to undergo these checks via the DfE.

The School's policy is also to carry out prohibition from teaching checks (and EEA check) for members of the Governing Body. Members of the Governing Body are required to complete a disqualification from acting as a charity trustee or charity senior manager declaration (see para 4.6.1).

15 Visiting Speakers

15.1 Visiting Speakers usually come under the School's Visitors' Policy. However, in addition to the procedures required by the Visitors' Policy the Prevent statutory guidance requires the School to ensure that any visiting speakers who might fall within the scope of the Prevent duty, whether invited by staff or pupils, are suitable and appropriately supervised.

15.2 Staff arranging a visiting speaker must submit the visitor's details via an online form (Visiting Speakers Register) on the intranet to the Designated Safeguarding Lead for the relevant part of the School. This must be done irrespective of the topic the visitor will be speaking on. A list will be maintained of all visiting speakers by the DSL.

15.3 If a visitor is invited to speak in the area of religion, philosophy or politics then the member of staff arranging the visit must complete a risk assessment (see Visiting Speakers Policy). Staff should have regard to the Prevent duty when making assessments of risk any situation where the profile of the speaker or the topic he/she has been invited to speak on indicates he/she may (intentionally or unwittingly) poste a risk of endorsing, condoning or inciting extremist political or religious views when interacting with pupils. If such a risk is identified then the speaker's visit will not be permitted.

15.4 In carrying out risk assessments the School will always have regard to the Visiting Speakers Policy, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

"*"Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of lwa, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations.*"

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

Further details can be found in the Visiting Speakers' Policy.

16 Visitors

An ID check will normally be carried out for all visitors to the School and they will be supervised appropriately

Details regarding visiting speakers may be found in the Visiting Speaker's Policy.

17 Policy on recruitment of ex-offenders

17.1 Background

17.1.1 As an organisation using the DBS Disclosure service to assess applicants' suitability for all positions at the School, the School complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.

17.1.2 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. The School welcomes applications from a wide range of candidates and actively promotes equality of opportunity for all with the right mix of talent, skills and potential. If an applicant has a criminal record this will not automatically bar them from employment with the School. Each case will be decided on its merit's accordance with the objective assessment criteria. As a School providing education to children we request an enhanced DBS Disclosure on all candidates who have been offered employment. All application forms and job descriptions contain a statement that a DBS Disclosure will be requested in the event of the individual being offered the position.

17.1.3 All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent", when applying for a position at the School. A failure to disclose a previous conviction (which should be declared) 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 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.

17.1.4 We ensure that all those in the School who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders e.g. the Rehabilitation of Offenders Act 1974.

17.1.5 At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

Further information on the Disclosure and Barring Service can be found on www.gov.uk

17.2 Assessment criteria

17.2.1 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 age of the applicant when the offence was committed and the length of time since the offence or other matter occurred;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person

17.2.2 The Headmaster should also consider the incident in the context of the Teacher's Standards and Teacher Misconduct Guidance if the applicant is applying for a teaching post. The Headmaster will confirm in writing whether the person can be employed and, if so, any mitigating actions and controls to be put in place.

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

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; 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.

17.3 Assessment procedure

17.3.1 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 criteria set out above. The assessment form must be signed by Headmaster and the Human Resources Officer before a position is offered or confirmed.

17.3.2 If an applicant wishes to dispute any information contained in a disclosure, he / she can do so by contacting the DBS direct. 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.

18 Retention and security of disclosure information

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information:

- only retain a copy DBS certificate where it has a valid reason for doing so;
- where such information is retained, it will be stored in a locked, non-portable storage container, access which will be restricted to members of the School's senior management team and Human Resources Department;
- not retain disclosure information or any associated correspondence for longer than necessary, which is generally for a period of up to six months. If, in very exceptional circumstances it is considered necessary to keep certificate information for longer than six months, we will give consideration to the Data Protection and Human Rights of the individual before doing so. The School will keep a record of the date of 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.
- ensure that any disclosure information is destroyed by suitably secure mean such as shredding; and
- prohibit the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates.

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

19. Recording Information

19.1 The School maintains a Single Central Register of pre-appointment checks. The single central record covers all staff, including teacher trainees on salaried routes, agency and third-party supply staff, even if they work for one day and all members of the proprietor.

19.2 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 or certificate obtained in respect of staff members:

- An identity check;
- A standalone children's barred lists check;
- An enhanced DBS check (with the children's barred lit check) requested/certificate provided;
- A prohibition from teaching check;
- Further checks on people who have lived or worked outside the UK;
- A check of professional qualifications, where required;
- Details of two verified references
- Online/ social media checks
- Gaps in Employment
- A check established the person's right to work in the UK; and
- Details of section 128 check undertaken for those in management positions.

- Medical verification

19.3 For agency and third supply staff, the School must include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

The School also records checks made on volunteers and governors, dates on which safeguarding and safer recruitment training was undertaken and the name of the person who carried out each check.

20. Referral to the DBS and the Teaching Regulation Agency

20.1 This policy is primarily concerned with the promotion of safer recruitment and details the ore-employment checks that any offer of employment is subjected to. Whilst these checks are carried out pre-employment, the School also has a legal duty to refer to DBS where they remove an individual from regulated activity (or would have removed an individual had they not left) and they believe the individual has:

- engaged in relevant conduct in relation to children and/or adults; and/or
- satisfied the harm test in relation to children and/or vulnerable adults; and/or
- been cautioned or convicted of relevant (automatic barring either with or without the right to make representations) offence.

A person satisfies the harm test if they have behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child; or behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children.

20.2 The DBS will consider whether to bar the person. Detailed guidance on when to refer to the DBS (including what is the harm test and relevant conduct) and what information must be provided can be found on https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs)

20.3 Referrals should be made as soon as possible, where an individual is removed from regulated activity. This could include where an individual is suspended, redeployed to work that is not regulated activity, dismissed or when they have resigned. It is important that as much relevant information is provided to the DBS as possible, as it relies on the quality of information provided by the School when considering the referral.

20.4 Failure to refer in circumstances where the above criteria are met is an offence. Where there are serious concerns about a teacher's suitability to work with children, separate consideration will be given to whether a referral to the Teaching Regulation Agency should be made. This is the case irrespective of whether the DBS criteria have been met.

20.5 Further, where the School dismisses a teacher, including an agency teacher, due to serious misconduct, or might have dismissed them or ceased to use their services had they not left first, the School must consider whether to refer the case to the Teaching Regulation Agency as required by sanctions 141D and 141E of the Education Act 2022.

20.6 Where an allegation/concern does not meet the harm threshold, ie, is a low level concern, the School will follow the low level concerns procedures detailed within the Low Level Concerns Policy and the Staff Code of Conduct. A low level concern might arise from suspicion; complaint; a disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken; and any concern, no matter how small -

and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:
• is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
• does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour are given within the Staff Code of Conduct.

21. Queries

If an applicant has any queries on how to complete the application form or any other matter they should contact the Human Resources Department.