



# Alleyne's School

## Policies & Procedures

### Recruitment Policy

This policy has been rewritten to ensure that it is fully compliant with the latest ISI regulations and draft statutory guidance for [Keeping children safe in education 2024 \(publishing.service.gov.uk\)](https://publishing.service.gov.uk) and will be reviewed again when this draft guidance is final. Given the extent of the changes, the policy does not include yellow highlights which would indicate changes, because it is a full re-write. May I add my huge thanks to Dianne Barratt, Safeguarding Governor, for her excellent contributions to this revised policy.

Name of Policy	Recruitment Policy
ISSR	Part 4: Suitability of Staff, Supply Staff and Proprietors
Reviewed by	Alleyne's Governing Board
Author/SMT	Claire Morgan, CFO
Date of school review	June 2024
Date of next school review	June 2025

#### 1. INTRODUCTION

Alleyne's School ("The School") places great value on appointing individuals who will embrace the vision and values of the School in a manner which is fully consistent with its safeguarding responsibilities. Safeguarding sits at the heart of all recruitment decisions and procedures and offers of employment will not be made, or will be withdrawn, unless all requirements are met and are deemed satisfactory by the School. Alleyne's is committed to safeguarding and promoting the welfare of children and young people and expects all employees and volunteers to share this commitment.

This policy pays due regard to the Education (Independent School Standards) Regulations 2014 (ISSRs), the Department of Education statutory guidance Keeping Children Safe in Education (2024) (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). It should be read in conjunction with the School's Safeguarding & Child Protection Policy.

This policy is reviewed annually by the School's Designated Safeguarding Lead and Safeguarding Governor. Any changes in legislation or the requirements of KCSiE are implemented immediately.

## 2. AIMS

The aim of this policy is to state the process by which staff must be appointed and to support those involved in recruitment and selection by outlining the legal requirements and associated best practice.

The policy also aims to:

- a) ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- b) ensure that all job applicants are considered equally and consistently and that no job applicant is treated unfairly on any grounds including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation, in accordance with the Equality Act 2010;
- c) ensure compliance with the DfE statutory guidance Keeping Children Safe in Education (2024), the Education (Independent Schools Standards) (England) Regulations 2014, the Prevent Duty Guidance for England and Wales (2023) and any guidance or code of practice published by the Disclosure and Barring Service (DBS);
- d) to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all the necessary checks prior to any period of employment and any additional action required during an individual's period of employment with the School.

## 3. SCOPE

This policy is applicable to the recruitment and selection of all staff (teaching and operational) and others engaged to provide services for the School, irrespective of whether such a contract is for a temporary or fixed term or is of a permanent duration. It applies to both internal and external recruitment.

This policy also includes the recruitment procedures relating to agency and third party staff, contactors, governors and volunteers whose appointments are also required to meet the safeguarding requirements in KCSiE and the ISSRs.

All personnel involved in the recruitment and selection of staff must comply with the procedures stated within this policy.

## 4. TRAINING

To ensure suitable people are recruited and safer recruitment practice is followed, the School will ensure that personnel involved in the recruitment and employment of staff receive appropriate safer recruitment training, which is updated every three years.

## 5. RECRUITMENT & SELECTION

### 5.1 Authorisation for recruitment

- a) The authorisation for recruiting a member of staff will normally be the responsibility of the Head, Junior School Head, the CFO or the COO. The circumstances which give rise to the need for a new staff member will vary e.g. resignation, new role.
- b) It is important to ensure that all aspects of the intended post e.g. duties, working-hours, salary etc. are appropriate, including when considering a like-for-like replacement.
- c) Following authorisation, an appropriate job description, person specification and advert will be produced. Final sign off from the CFO, for budgetary purposes, is usually required prior to advertising the role.

### 5.2 Advertising

- a) All posts (with the exception of roles advertised internally) are normally advertised on the School website. It is the responsibility of the Head, Junior School Head, the CFO or the COO to decide where additional advertisements will be placed, if appropriate.

- b) All advertisements for both teaching and operational roles will include:
- A statement relating to Alleyn’s commitment to safeguarding and promoting the welfare of children
  - The requirement for safeguarding checks including an enhanced Disclosure and Barring Service (DBS) check with Barred List information for posts in regulated activity
  - The safeguarding requirements and responsibilities of the role, as per the job description and personal specification
  - The skills, abilities, experience, attitude and behaviours required for the post
  - Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are ‘protected’, so they do not need to be disclosed, and if they are disclosed, the School cannot take them into account. The Ministry of Justice’s guidance on the [Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975](#), provides information about which convictions must be declared during job applications and related exceptions and further information about filtering offences can be found in the DBS [filtering](#) guide.

### 5.3 Application Forms

- a) The School has application forms for teaching and operational staff.
- b) All applications must be made using the School’s application form. CVs sent without the School’s application form will not normally be considered.
- c) Application forms include a statement stating that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children (where the role involves this type of regulated activity) and that providing false information is a criminal offence and could result in an application being rejected, or if appointed, in dismissal and referral to the police and/or DBS.
- d) The School’s application forms require the following details:
- Current name and any former names
  - Current address
  - NI number
  - Full details of any qualifications, including awarding body and date of award
  - Details of current (or last employment) and the reason for leaving full time education and employment history in chronological order by month and year showing all periods of employment, study, voluntary work, with explanations for any periods not covered, and reasons for leaving
  - Declaration that the individual has the right to work in the UK
  - DfE number for qualified teachers
  - Information and dates regarding any periods of overseas residence.
  - Details of at least two referees (see paragraph below on references)
  - A statement from the applicant relating to their personal qualities and experience, which they believe meets the person specification.
  - Signature of the applicant confirming all information provided in the application form is true.
- e) Via the School website, or in hard copy, all candidates will be provided with the School’s Safeguarding & Child Protection Policy and its policy on the employment of ex-offenders.

### 5.4 Shortlisting

- a) The shortlisting process must always involve at least 2 people who will:
- Identify evidence of the skills, qualifications, knowledge, characteristics and experience required for the role.
  - Check the application form for any inconsistencies and/or gaps in employment and reasons given for them, in order that all potential concerns can be explored with the candidate at interview.

- b) The Senior Deputy Head, Designated Safeguarding Lead, Junior School Head, Junior School Deputy Head, the CFO, COO or a member of HR (as appropriate) have responsibility for checking the interviewee's career history ensuring any gaps are accounted for and explained.
- c) The shortlisting panel will also identify any other potential concerns. This may include an erratic career history, a failure to provide expected/appropriate referees, a failure to complete the safeguarding declaration etc. Any concerns identified would then be followed up in a safer recruitment interview as part of the interview process.
- d) Once candidates are shortlisted, they will be required to complete a self-declaration of their criminal record and provide any other information relevant to their suitability to work with children.
- e) The School will consider carrying out an online search as part of their due diligence on potential shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the School might want to explore with the applicant at interview stage. The School will always conduct an online search for appointed candidates, as detailed in section 5.6 (d).

The information required includes:

- any criminal record history
- if they are included on the children's barred list
- whether they have ever been the subject of any proceedings or been subject to a sanction, restriction or prohibition issued by the Teaching Regulation Agency, or any predecessor body; this includes similar professional agencies overseas.
- If they are prohibited from taking part in the management of an independent school
- If they are Disqualified from Childcare
- Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
- Any other relevant overseas information

Any information declared will be considered and discussed with applicants at interview.

- f) Applicants must sign a declaration confirming the information they have provided is true. Where an electronic signature has been provided, the candidate will be required to physically sign a hard copy of the application form at interview.

## 5.5 Interviews

- a) Interviews will be conducted in person, but occasionally if a candidate is overseas for example, interviews may be conducted online.
- b) Whenever possible, interview panels will reflect the diversity of the School community.
- c) Candidates with a disability who are invited to interview should inform the School in advance of any necessary reasonable adjustments or arrangements which may be needed to assist them.
- d) All candidates invited to interview will be required to bring *original* documents confirming their:
  - Identity
  - right to work in the UK
  - current address
  - the original certificates of any qualifications relevant for the post
- e) Applicants invited to interview must be supervised at all times during the interview process.
- f) Interviews are designed according to the role advertised.
- g) Teaching staff will usually have an interview with the Head and at least two of the Deputy Heads and a separate meeting with the CFO. They will also meet with the Head of Department and departmental colleagues and will normally be required to teach a lesson. In the case of senior appointments, the interview

process may also include written and presentation tasks. A similar process applies for teachers in the Junior School.

- h) The process for operational staff is more flexible depending on the role but will usually consist of an interview with the Head of Department and the CFO/COO/Member of HR as a minimum. Deputy or Assistant Heads may be invited to assist in the appointment of academic support staff, such as Technicians. Work-related tests will be used where appropriate.
- i) Candidates may also have appropriately supervised interaction with pupils or have questions from a pupil panel.
- j) All formal interviews will have a panel of at least two people chaired by the Head, or another designated senior member of staff. At least one person on the appointment panel, or as a separate interview, will have undertaken safer recruitment training. It will be their responsibility to assess the candidates' understanding of safeguarding and the commitment shown to working within the School's Safeguarding & Child Protection Policy. The details of the person responsible for safer recruitment during the interview process will be recorded on the HR system.
- k) Questions will include an exploration of the candidate's suitability to work with children. It is recognised that not all candidates will have had experience within a school, and in such cases questions will be adapted.
- l) Answers provided during the safeguarding interview are recorded and will be considered alongside the application form, qualifications and references to ensure there are no discrepancies.
- m) Notes will be kept of each interview and a debrief (usually involving all staff involved in the process) will normally take place as soon as possible after the departure of the final candidate.
- n) All information considered in decision making must be clearly recorded along with the decisions made. This information must be retained on file in line with Alleyn's Privacy Notice.

## 5.6 Offer of Employment

- a) Appointments will normally be confirmed by the Head, the Junior School Head or the CFO/COO (or the Head of HR Operations and the HR team under the instruction of the CFO/COO). This will involve an initial telephone conversation but will be followed up by a formal offer letter. In both instances the successful candidate is reminded that the offer is subject to all outstanding pre-recruitment checks.
- b) Unsuccessful interviewed candidates are normally informed by telephone or email in the first instance.
- c) In accordance with the current statutory guidance in KCSiE and the requirements of The Education (Independent School Standards) Regulations (2014) the School is required to carry out a number of pre-employment checks in respect of all prospective employees.
- d) If it is decided to make an offer of employment following the formal interview, any such offer will be subject to the following conditions:
  - the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment
  - verification of the applicant's identity
  - verification of the candidate's employment history
  - verification of the applicant's right to work in the UK
  - the receipt of a minimum of two references (one of which must be from the applicant's most recent employer) which meet the criteria in the paragraph on references below and which the School considers to be satisfactory
  - verification of the applicant's medical fitness for the role (section 6.5);
  - the receipt of an enhanced DBS disclosure and where the position is deemed to be 'regulated activity' the receipt of an enhanced DBS disclosure including a Children's Barred List Check, which the School considers to be satisfactory.
  - for positions which involve teaching work of any kind, confirmation from the Teaching Regulation Agency (TRA) that the applicant is not, nor ever has been, subject to any prohibition, sanction or restriction order, which, in the School's opinion, renders them unable or unsuitable to work at the School.
  - for applicants who have carried out teaching work outside the UK, the school will seek to obtain 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
  - for any management positions, confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits them from being involved in the management of an independent school;
  - confirmation that the applicant is not Disqualified from Childcare, which applies to those working with EYFS pupils or later years provision (see section 6.15 below);
  - any further checks which the School deems as necessary due to the applicant having lived or worked outside of the UK for three months or more in the past ten years
  - verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application
  - An online search will be conducted for any successful candidates to identify any incidents or issues that are publicly available online, and which the School may wish to explore with the applicant before confirming appointment. This would be done at a follow up safeguarding interview, prior to confirming appointment.
- e) Newly appointed staff **may not start work** at the School until all of the above have been completed and found to be satisfactory. The *only* exception to this is a delayed DBS disclosure; if this occurs the School must follow the procedures outlined in section 6.7 below before an individual may begin work.

## 6. PRE-EMPLOYMENT CHECKS

It is the responsibility of the Director of People, Head of HR Operations, Recruitment Manager and the wider HR team to ensure all relevant pre-recruitment checks are obtained. Once these are all available, the file must be passed to the Head of HR Operations who will provide a sign off check that these are in order.

### 6.1 Verification of identity

- a) All applicants who are invited to an interview will be required to bring with them **original documents** as evidence of their identity. Photocopies or certified copies cannot be accepted neither can documentation printed from the internet e.g. internet bank statements.
- b) Valid identity documents **must** comply with the [DBS identity checking guidelines](#). and **must include**:
  - 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
- c) Where an applicant states they have changed their name (e.g. marriage, adoption, deed poll) they will be required to provide the original of any documents evidencing any change(s).
- d) Copies of the identity documents provided will be made and retained by the School, with the original documents then being returned to the applicant immediately

### 6.2 Verification of employment history

- a) The Senior Deputy Head, Designated Safeguarding Lead, Junior School Head, Junior School Deputy Head, the CFO, COO or a member of HR (as appropriate) have responsibility for checking the interviewee's career history ensuring any gaps are accounted for and explained.
- b) The Head of HR Operations or the HR team will compare all references with any information given on the application form. Any discrepancies or inconsistencies will be followed up appropriately and explored with the referee and/or candidate.
- c) The School will ensure that any concerns are resolved satisfactorily before an appointment is confirmed.

### 6.3 Evidence of 'Right to Work' in the UK

- a) The School has a legal duty to ensure that all staff have the right to work in the UK.

- b) **UK citizens** must provide their passport **or** for those without a passport, a UK birth certificate along with an official letter or document from a government agency e.g. HM Revenue and Customs, Department for Work and Pensions, or a previous employer, showing their name and National Insurance number.
- c) **Non-UK nationals will require** documentation according to their individual circumstances and as such will be subject to the requirements of the [Home Office Right to Work Checking Service](#)
- d) For both UK and non-UK nationals, copies of all original documentation will be taken and kept in the individual's personnel file and the originals returned to the applicant.

#### 6.4 References

- a) All offers of employment are subject to the receipt of a minimum of two references which are considered satisfactory by the School.
- b) The School will normally seek to obtain references before interview for teaching staff, and it is usually after interview for operational staff. If a candidate does not wish the School to take up references in advance of the interview, the School should be notified at the time of the application to seek its agreement to this.
- c) Only references obtained directly from a referee are acceptable and the School will not accept references or testimonials provided by the applicant or open references or testimonials.
- d) All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied.
- e) Neither referee should be a relative or someone known to the applicant solely as a friend.
- f) References will only be accepted if they are completed by a senior person with the appropriate authority. Where the referee is school based, the reference must be confirmed by the headteacher as accurate in respect to disciplinary investigations.
- g) One of the references must be from the applicant's current or most recent employer if they are not currently employed.
- h) If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. If the applicant has never worked with children, then a reference from the current employer is always required.
- i) 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, and disciplinary record;
  - whether or not the candidate 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.
  - 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)
  - 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 or malicious;
  - 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 section 13 on Visiting Speakers below for definition).
- j) When seeking references the School will:
  - Liaise directly with referees and verify any information contained within references with the referees, including verifying the source
  - Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate. Information in references should align with that provided in the application form.
  - Resolve any concerns before any appointment is confirmed, this may include a follow up phone call to verify information.

- k) A telephone reference may be taken in an emergency, but must be recorded in writing and signed and dated. The referee will be asked to provide a written reference as soon as possible.
- l) Any concerns raised will be explored further with referees and taken up with the candidate at interview. When references are obtained after interview then they *must* be obtained and deemed satisfactory before the candidate begins work in the school.

#### 6.5 Declaration of Medical Fitness

- a) The School has a statutory responsibility 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.
- b) All applicants to whom an offer of employment has been made will be required to sign a declaration of medical fitness confirming 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 role.
- c) Any information provided 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.
- d) If the School has any concerns then this will result in a supportive conversation between the applicant and one of the HR team. This will take into account the nature of the concern, the role for which the person has applied, the School's duties and responsibilities (including those under the Equality Act) and any support mechanisms that may be available, including referral to an Occupational Health Practitioner.
- e) The School may also decide to seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.
- f) 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 advice, considering reasonable adjustments and suitable alternative employment.

#### 6.6 Disclosure & Barring Checks

- a) The School complies with the provisions of the DBS Code of Practice, a copy of which may be accessed [here](#).
- b) The School applies for an enhanced disclosure from the DBS including Children's Barred List information in respect of all positions at the School which amount to 'regulated activity' as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended).
- c) An enhanced DBS provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), plus additional information held by the police such as interviews and allegations. The check of the Children's Barred List ensures an individual is not barred from working with children.
- d) DBS checks are mandatory for all applicants including those with recent periods of overseas residence and those with little or no previous UK residence. Applicants who have lived overseas may also be asked to provide criminal records checks from the relevant jurisdiction(s). (See section 6.12 below on applicants who have lived overseas)
- e) Any position undertaken at, or on behalf of the School, will amount to "regulated activity" if the person:
  - will be responsible on a regular\* basis for teaching, training, instructing, caring for 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.
  - will be working on a regular\* basis where the work gives opportunity for contact with children or
  - is engaged in intimate or personal care or healthcare or any overnight\*\* activity, even if this happens only once.

(\*regular, meaning once a week or more on an ongoing basis, or on 4 days or more in a 30 day period.

\*\*overnight, meaning between 2.00 am and 6.00 am)



- f) Almost all posts at the School will amount to 'regulated activity' with very limited exceptions e.g. an administrative post undertaken on a temporary basis in the School office outside of term time. Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis. (see section 12 on the appointment of volunteers)
- g) A check of the Children's Barred List is not permitted if an individual will not be undertaking 'regulated activity'. On the rare occasions an individual may be deemed not to be working in 'regulated activity' the School will determine the level of DBS required on a case by case basis but this will usually be an Enhanced DBS without Children's Barred List information.
- h) The DBS check must be carried out as a matter of priority for all new employees as soon as the individual accepts the post. If the post is accepted more than three months before the person will start work, the School adopts best practice and will wait until three months before the individual's start date before applying for the DBS check or to use the Update Service if the person is already registered with the DBS Update Service.
- i) The DBS issues the DBS disclosure certificate to the subject of the check only, and not to the School. It is a condition of employment that the **original** disclosure certificate is provided to the School within one week of it being received by the applicant.
- j) Applicants who are unable to attend the School prior to starting work must email a scan of the certificate to the HR Team. Original certificates must not be sent by post. If a scan is sent, the original disclosure certificate **must** still be presented on or before the first working day.
- k) Employment will remain conditional upon the original DBS certificate being presented and it being considered satisfactory by the School.
- l) If a DBS check identifies a criminal record then the relevant member of SLT will be notified immediately, this could be the Senior School Head, Junior School Head, COO or CFO. The Designated Safeguarding Lead will also be informed. The School will ensure it refers to its Policy on the Recruitment of Ex-offenders. A risk assessment will be completed as part of the consideration process. All risk assessments must be countersigned by the Designated Safeguarding Lead.

#### 6.7 Procedure if a DBS disclosure is delayed

- a) If a DBS is delayed, the individual may start work at the School, but only under controlled conditions and at the discretion of the School.
- b) Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.
- c) The School will only grant permission under the following conditions:
  - the person is not working in a one-to-one situation with pupils, or undertaking personal care for pupils or involved in residential visits
  - a satisfactory separate check of the Barred List has been obtained (if the person will be working in regulated activity)
  - that **all** other relevant checks (including references) have all been completed satisfactorily
  - that the DBS application has been made and supporting documentation has been provided by the candidate
  - that the person in question is informed of the safeguards in place and other staff are aware that there should be no unsupervised contact
  - that the person will be supervised, meaning that in the presence of children he/she will be within sight and hearing of a colleague for whom the School holds an enhanced DBS disclosure
  - The Head of HR Operations in partnership with the staff member's line manager/HoD will prepare a risk assessment. This will include a suitable level of supervision and may place restrictions on the individual's movement or activities.
  - This risk assessment will be signed off and counter signed by two of the following: the Head (Senior School teaching staff), the Junior School Head (Junior School staff) or the CFO/COO (Senior School operational staff) or the school Designated Safeguarding Lead.
  - The risk assessment will be reviewed and signed off every 2 weeks until the DBS is returned.

- A note of this arrangement is recorded on the Single Central Register and evidence of the risk assessments retained on the individual's HR record.

#### 6.8 'Porting' a DBS from another School (The 'three months' rule)

- a) There is no requirement for the School to obtain an enhanced DBS certificate if, during a period which ended not more than three months before the person's appointment, the applicant has worked in:
  - a School in England in a position which brought him/her regularly into contact with children aged under 18 or
  - another institution within the further education sector in England, or in a 16 to 19 academy, in a position which involved the provision of education and caring for, training, supervising or being solely in charge of persons aged under 18
- b) If a DBS is accepted under these conditions, the School must:
  - complete all other relevant pre-appointment checks and references
  - carry out a separate Barred List check
  - see the original DBS certificate and check it is of the correct level and contains no information
- c) It is the School's usual practice to apply for a new DBS for all new appointments; however, the 'three months rule' may occasionally be used for appointments where a member of staff is required to start work at short notice. The School will still apply for a new DBS disclosure even if the conditions to port a DBS are met.

#### 6.9 DBS Update Service

- a) Individuals may join the DBS Update Service when they obtain a DBS check by paying an annual subscription fee.
- b) Subscription to the service enables status checks to be carried out in the by future to confirm that no new information has been added to the check since its issue.
- c) If a candidate who is a member of the DBS Update Service joins the school, before using the DBS Update Service for an individual the School will:-
  - obtain consent from the individual to carry out an online check to view the status of an existing DBS check
  - confirm the DBS certificate presented to the School matches the individual's identity
  - examine the original certificate to ensure that it is valid for a child workforce
- d) Using the Update Service for an individual is equivalent to obtaining a new DBS although a new DBS certificate is not issued to the individual.

#### 6.10 Prohibition from Teaching (TRA check)

- a) The School is required to check whether staff who carry out "teaching work", as defined in the Teachers' Disciplinary (England) Regulations 2012, are prohibited from doing so.
- b) The School uses the Teaching Regulation Agency Employer Access service to check whether successful applicants are the subject of a prohibition, or interim prohibition, order issued by the Teaching Regulation Agency.
- c) Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
  - Planning and preparing lessons and courses for pupils
  - Delivering and preparing lessons to pupils
  - Assessing the development, progress and attainment of pupils
  - Reporting on the development, progress and attainment of pupils
- d) The check is undertaken for all individuals involved in teaching work of any kind, whether they are qualified teachers or not. E.g. sports coaches, teaching assistants, peripatetic staff.
- e) In addition, the School asks all applicants for roles which involve "teaching work" to declare in the application form whether they:

- have ever been the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency, or any predecessor or successor body; and
  - have ever been the subject of any proceedings before a professional conduct panel of the Teaching Regulation Agency, or equivalent body in the UK.
- f) The School recognises that a Prohibition from Teaching order may not last indefinitely and that professional conduct panels do not always impose sanctions.
- g) 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 and requires all candidates to declare such information.
- h) 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 individual case render the applicant unsuitable.

#### 6.11 Prohibition from Management (Section 128 Direction)

- a) The School is required to check whether applicants appointed to management positions are subject to a Section 128 Direction; a direction made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring individuals from taking part in the management of an independent School.

The School considers all members of the Senior Leadership Team including Operational Staff to be involved in the management of the School. Heads of Academic Departments may also be subject to this check.

- b) Proprietors are also subject to a Prohibition from Management check.
- c) In addition all applicants for management roles are required to declare on 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.
- d) 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.

#### 6.12 Overseas criminal record Checks

- a) This check will be carried out as part of the additional checks for individuals who have lived or worked outside of the UK. In line with KCSiE, the School will always make any further checks that they think are appropriate.
- b) There is no statutory period of time spent overseas which demands that additional checks be made.
- c) However, the School will usually undertake overseas criminal record checks for each country where the candidate has lived for 3 months or more in the five years prior to applying to the School.
- d) If an individual has worked in a School in the UK since moving from overseas, without going back overseas, it is not necessary to repeat overseas checks for subsequent appointments. However, the School will assess each case individually and will consider what overseas checks the previous School obtained prior to deciding what further action it deems necessary.
- e) The School recognises that overseas criminal record checks can be significantly delayed or may not be possible to obtain from some countries. In such circumstances the School will seek to obtain further

information from the country in question, such as an additional reference from any employment undertaken in that country.

- f) The School may allow an applicant to commence work pending receipt of a criminal records check from overseas if it has received a reference and/or letter of professional standing from that country and considers the applicant suitable to start work. 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.
- g) If no information is available from a particular country, the School will carry out an assessment of whether the applicant is suitable to work at the School on the basis of all other information that has been obtained. The School will take a proportionate risk-based decision on a person's suitability in such circumstances. The School will undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.
- h) Further guidance on criminal records checks for applicants who have lived overseas can be found [here](#).
- i) The School uses a third party, CBS, to carry out overseas police checks.

#### 6.13 Overseas checks of professional conduct

- j) This check may be carried out as part of the additional checks for individuals who have lived or worked outside of the UK. In line with KCSiE, the School will always make any further checks that they think are appropriate.
- k) If an applicant has taught outside the UK, the School may ask for proof of their past conduct as a teacher.
- l) This may be provided by the applicant obtaining a letter which verifies their professional conduct, from the professional regulating authority for teachers in each country in which they have worked.
- m) The School may also ask the applicant (and their referees) to disclose whether they have ever 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 teaching work.
- n) This verification of professional conduct is separate from overseas checks of criminal records.
- o) Where this information is not available, the School will seek alternative methods of checking suitability e.g. additional references and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

#### 6.14 Verification of Qualifications

- a) Original documents confirming any educational and professional qualifications relied upon in the application must be provided by the candidate to the School at interview. The School will take photocopies and return the original documents to the individual.
- b) For qualified teachers, an online check will also be made of their QTS status and the completion of teacher probation or induction. (Induction applies to those who obtained QTS after 7 May 1999.)
- c) Qualifications provided will be checked to ensure they match what has been included on the application form.

#### 6.17 Disqualification under the Childcare Act 2006

- a) This applies to staff working in the EYFS and those involved in childcare for children under the age of eight in before and after school settings, and to those who are directly concerned in the management of that childcare. It concerns how people can be disqualified under the Childcare Act 2006.
- b) Criteria for Disqualification from Childcare  
The following offences are included in the criteria for Disqualification from Childcare:

- inclusion on the Disclosure and Barring Service (DBS) Children’s Barred List
  - being found to have committed certain violent and sexual criminal offences against children and adults
  - certain orders made in relation to the care of children
  - refusal or cancellation of registration relating to childcare
  - being found to have committed an offence overseas, which would constitute an offence regarding disqualification under the 2018 regulations if it had been committed in any part of the United Kingdom
- c) Further information on the criteria for disqualification may be found [here](#).
- d) The School must not knowingly employ people to work in childcare or allow them to be directly concerned in its management, if they are ‘disqualified’ from childcare.
- e) The School has taken the decision that it requires all members of staff in the scope of the regulations to sign a Disqualification Declaration Form, which is reviewed annually, confirming that they are not disqualified from working under the Childcare (Disqualification) Regulations 2006.
- f) Ofsted Waiver - A person who is disqualified from working in a relevant role may apply to Ofsted for a waiver of the disqualification. See [here](#) for further details.
- g) Roles not in scope of the Regulations

Disqualification Under the Childcare Act (2018) contains an express statement that:

- cleaners
- drivers
- transport escorts
- catering staff
- office staff

are specifically excluded from the statutory definition of childcare, and are therefore not covered by the legislation. As are any staff involved in any form of health care provision for a child. This includes:

- school nurses
- speech and language therapists
- educational psychologists

## 7. SUPPLY STAFF

- a) Supply staff are staff who are supplied to the School by an employment agency to work under the control of the School. This includes supply teachers, but also applies to any other staff supplied by an employment agency
- b) Before an individual begins work, the School must receive written confirmation from the agency that all the checks that would normally be carried out by the School, if it was employing the person directly, have been completed.
- c) The written confirmation must detail all the checks carried out and the date these were undertaken for the *specific named individual* who will begin work at the School.
- d) Where an external agency does not have access to the necessary database to do a relevant check, the School will do the missing check(s), where this applies.
- e) Before beginning work, the individual must present the original of their DBS certificate and an acceptable photographic identity document to the School e.g. current driving licence or passport.
- f) The DBS certificate must be less than three months old when the person starts work, unless it can be verified that the individual has been working in another School within the last three months.
- g) A copy of the ID document will be taken and held on file. It is not permissible to retain copies of DBS certificates but the date and number of the certificate will be recorded.
- h) For all supply staff the Head or other senior member of staff must also approve that the person is suitable to work at the School.

## 8. Self-employed staff

- a) The School is permitted to exercise professional discretion as to when self-employed people should be treated as

'staff' or as 'contractors' (see section 9). The general expectation is that if the person is in regulated activity in the school they should normally be treated as 'staff'. (This could have the effect that an invigilator who works for a week is treated as 'staff' but a self-employed plumber who does likewise is treated as a contractor.) The role of the person will therefore determine the level of checks required.

- b) Self-employed are not able to verify themselves, therefore, such staff working in the School in regulated activity such as self-employed teachers, peripatetic teachers, and coaches must be treated as employed staff as far as pre-employment vetting is concerned, and the same checks carried out by the School as for employees.

## 9. CONTRACTORS & EMPLOYEES OF THIRD PARTIES (OTHER THAN EMPLOYMENT AGENCIES)

- a) The level of checking for contractors and employees of third parties is determined by their role.
- b) For those individuals employed by a third party with access to children and in 'regulated activity', they will be considered in the same way as 'supply staff' (see section 7 above).
- c) Contractors who work on the School's site during term-time will be subject to a DBS check, or they will be supervised at all times.
- d) The School will ensure that any contractor, or any employee of a contractor, who is to work at the School has had the appropriate level of DBS check. This will be:
  - An enhanced DBS check with barred list information for contractors engaging in regulated activity
  - An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for contact with children
- e) The School will obtain the DBS check for self-employed contractors.
- f) The School will not keep copies of such checks for longer than 6 months following the last date of work with us.
- g) Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.
- h) The School will check the identity of all contractors on arrival at the School.

## 10. GOVERNORS

All Governors are subject to the following pre-appointment checks:

- an enhanced DBS check
- for those deemed to be in regulated activity a Barred List checks
- Prohibition from Management check (under [section 128 of the Education and Skills Act 2008](#)).
- Identity check
- Right to work in the UK
- Other checks deemed necessary if they have lived or worked outside the UK

The Chair of Governors is required to undergo checks via the DfE, including an enhanced DBS check counter-signed by the 'Secretary of State'.

This also confirm the individual's identity, right to work in the UK and any overseas checks which are deemed necessary because the individual has lived or worked outside the UK. The DfE does not check for Disqualification from Childcare so this is undertaken by the School.

## 11. STUDENT TEACHERS

- a) Student Teachers (unless employed directly by the School) are checked by the supplying university or training provider; however, the School does require written confirmation from the provider that it has carried out all the necessary pre-appointment checks *and* that the trainee has been judged by the provider to be suitable to work with children.
- b) A separate ID check is completed by the School and the original of the DBS certificate is checked when the student begins their placement.
- c) Trainee teachers on a salaried route with the School have the same pre-appointment checks and are recorded on the SCR in the same way as employees

## 12. VOLUNTEERS

- a) Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils or engage in 'regulated activity'.
- b) Checks are not required for volunteers for a one-off occasion such as a parent accompanying a class on a visit to a museum. However, such occasional volunteers must not be unsupervised nor must they be involved in any personal care of pupils or involved in any overnight stays.
- c) Volunteers assisting the School on a regular basis are classified as being in 'regulated activity' and are subject to the following checks before they begin in the School:
  - Enhanced DBS with Children's Barred List Check
  - References from the volunteer's place of work or any other relevant source
  - Informal interview
  - No contrary indications from anyone in the School
- d) The School will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day to day supervision by a fully checked member of staff. A risk assessment will be carried out and retained on record when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity.
- e) A new DBS certificate is required for volunteers who work with the School on regular occasions but who have not been involved in any activities with the School for three consecutive months or more. Volunteers who are likely to be involved in such activities with the School will be required to sign up to the DBS Update Service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

## 13. VISITING SPEAKERS AND THE PREVENT DUTY

- a) All visitors to the School must sign in to the building, must be supervised at all times and must not be left alone with pupils.
- b) Visitors must wear a visitor's badge at all times.
- c) For visiting speakers to the School, The Prevent Duty Guidance requires clear protocols to ensure that whether invited by staff or by pupils, speakers are suitable and appropriately supervised.
- d) Staff must follow the procedure described in the Visitors and Contractors on Site Policy and obtain permission for any visiting speakers.
- e) All visiting speakers will be required to confirm their identity on arrival.
- f) The School will obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so the School will always have regard to 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 law, 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.'*
- g) 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.

## 14. EMPLOYING INDIVIDUALS WITH A DISABILITY

- a) The School welcomes applications from individuals who identify themselves as having a disability (as described under the Equality Act 2010).

- b) Individuals will be provided with appropriate assistance in the selection/interview process and the School will make reasonable adjustments to ensure this and to enable candidates with a disability to work at the School.
- c) The Head of HR Operations will liaise with external agencies where appropriate.

## 15. TUPE

In the event of a TUPE transfer – all relevant information (regarding safeguarding) will move from the transferor to the transferee and a note made on the Single Central Register to this effect. It will be the transferee's responsibility (as the new employer) to ensure all the information is present, accurate and valid.

## 16. SINGLE CENTRAL RECORD (SCR)

- a) In addition to the various staff records kept in individual personnel files, the School is statutorily required to keep a Single Central Record of all recruitment checks.
- b) Once all recruitment checks are complete, the individual's details will be added to the SCR and a further check is undertaken by the Head of HR Operations before the start date is confirmed.
- c) The SCR shows which checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained for each individual working in the School. This includes:-
  - employees
  - supply staff provided by an employment agency
  - staff employed by third parties
  - self-employed staff
  - contractors
  - governors
  - volunteers in regulated activity
- d) For supply staff, and other staff employed by a third party or agency, the SCR also records the date the providing employer provided written confirmation to the School that all the required checks had been completed.
- e) When an individual is no longer employed by the School their details are removed from the SCR and archived.
- f) The Single Central Register is reviewed at the beginning of each term by the Head, the Senior Deputy Head, Designated Safeguarding Lead, the Junior School Head, the CFO, the COO and the Governor responsible for safeguarding. All new entries are carefully scrutinised at this meeting.

## 17. RETENTION OF RECORDS

- a) The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and the School's Data Protection Policy.
- b) If an applicant is appointed, the School will retain any information provided and documentation related to pre-employment checks in their personnel file. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications as a minimum.
- c) The School is not permitted to retain copies of DBS certificates. It will keep a record of the date of a disclosure, the type of disclosure, and the unique number issued by the DBS. It will also record the date the original of the DBS certificate was presented to the School.
- d) Documentation will be retained by the School for the duration of the successful applicant's employment and then in accordance with the School's Data Protection & Retention Policy on the keeping of records after employment terminates.
- e) This also applies to any suitability information obtained about volunteers.
- f) If an applicant is unsuccessful in obtaining a position with the School, all documentation relating to the application will be held for 6 months, and then destroyed.



## 18. ACCESSING ICT IN ADVANCE OF STARTING EMPLOYMENT

- a) The HR Department will communicate with the School Community (IT, Timetabling, Security etc.) about the new staff member's arrival.
- b) Where it is helpful and appropriate for a teacher to have access to School ICT then they may be given access to the Hub, School e-mail, and school folders in advance of starting employment provided that all pre-recruitment checks are completed, and the appropriate ICT AUP signed.

## 19. INDUCTION & PROBATIONARY PERIOD

- a) The HR team keep a record of dates when the induction safeguarding training was undertaken for all staff in the HR system.
- b) Safeguarding training is provided to new staff on the first or second day, and always before unsupervised contact with children is allowed.
- c) Senior School Teaching Staff receive this from the DSL, Junior School Staff are trained by the Junior School Deputy Head (DDSL), and Senior School Operational Staff are trained by the HR Department.
- d) It is the responsibility of the HR team to ensure that safeguarding induction takes place including provision of KCSIE part 1.
- e) Probationary periods are reviewed at the appropriate point by the Head, Junior School Head or the CFO/COO/Line Manager.

## 20. CHECKS FOR EXISTING STAFF

- a) In certain circumstances the School will carry out checks on existing staff as if the individual was a new member of staff.
- b) These circumstances may arise when:
  - There are concerns about an existing member of staff's suitability to work with children; or
  - An individual moves from a post that is not regulated activity to one that is; or
  - There has been a break in service of 12 weeks or more or
  - The School decides to repeat DBS checks

## 21. REFERRAL TO THE DBS AND THE TEACHING REGULATION AGENCY (TRA)

- a) This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed.  
However, the School also has a legal duty to make a referral to the DBS in circumstances where an individual: -
  - has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed and they believe the individual has
  - engaged in relevant conduct in relation to children and/or <sup>ITP</sup>ISEP;
  - satisfied the harm test in relation to children and/or
  - been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.

A child is a person under 18 years of age.

Relevant conduct is:

- endangers a child or is likely to endanger a child
- if repeated against or in relation to a child would endanger the child or be likely to endanger the child
- involves sexual material relating to children (including possession of such material)
- involves sexually explicit images depicting violence against human beings (including possession of such images)
- is of a sexual nature involving a child

A person's conduct endangers a child if they:

- harm a child
- cause a child to be harmed
- put a child at risk of harm
- attempt to harm a child
- incite another to harm a child

Further advice about referrals to the DBS may be found [here](#).

- b) If such circumstances arose, the School would work closely and from the earliest stages with the School's Local Authority Designated Officer (LADO). (Also see the School's Safeguarding and Child Protection Policy and KCSiE)
- c) If the individual referred to the DBS is engaged in teaching duties, the School may also decide to make a referral to the TRA.
- d) Referrals may also be made to the TRA (irrespective of whether the DBS criteria for referral have been met) for unacceptable professional conduct, conduct that may bring the profession into disrepute or a conviction, any time, for a relevant offence.
- e) Advice about the conduct of teachers can be found in Teacher misconduct: the prohibition of teachers (February 2022) which is published [here](#) on the TRA website.