
Recruitment, Selection and Disclosures Policy and Procedure



General

Claires Court Schools Ltd ("the School") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the School's Application Form and recruitment process must be directed to the Head of HR.

An entry will be made on the Single Central Register for all current members of staff at the School, the proprietorial body and all individuals who work in regular contact with children including regular volunteers, supply staff and those employed as third parties.

The ultimate responsibility for recruitment and selection lies with the Principals. The Principals have delegated the responsibility to the Heads of School and HR for appointing academic and learning support staff (including peripatetic and visiting instructors) other than those for headship. Where a Headteacher is being appointed the Principals will lead the recruitment process.

For all other non-academic staff appointments, the Principals/HR will usually delegate recruitment responsibility to the new appointment's line manager.

All checks will be made in advance of appointment or as soon as practicable after appointment.

Scope of this Policy

The aims of the School's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (September 2022) (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);
- to 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.

Vacancies

When a vacancy occurs the Head of Division will submit a recruitment authorisation form, and submit it to HR, for HR and the Principals' approval.

Every position must have an up to date job description, which clearly defines the responsibilities of the role. The person specification is included within the job description. The

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job description must be reviewed each time a vacancy occurs to ensure that the contents are relevant and accurate.

If a job description is not provided, a Job Analysis Form should also be completed.

The Job Description

Each job must have a job description with key responsibilities and tasks. All job descriptions aim to reflect the role to be performed but may be reviewed at any time to reflect changes as appropriate.

All advertised posts will include information about the skills and attributes required for the role, and the safeguarding responsibilities of the post; some will be essential and some are desirable. Throughout the process consideration will be taken as to these skills and what indeed may be a training need if the applicant meets all other criteria and is the most suited for the role. The person specification sets out the selection criteria and provides a reference document throughout all the steps of the recruitment and selection process.

Advertising

The following are considerations that will take place and agreed by the Recruiting manager;

- Application pack to be produced by HR and reviewed by the Recruiting manager
- The advert is checked to ensure it complies with all employment law regulations and regulatory requirements
- All adverts should have a closing date, usually two to three weeks (although this will be determined by the urgency)
- The advert is placed in the most cost effective and appropriate media to attract the right applicants.

Adverts will carry the following information:

- 'Claire's Court is committed to safeguarding and promoting the welfare of children and young people. Applicants must be prepared to undergo Child Protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service'.
- Details of whether the post is exempt from the Rehabilitation of Offenders ACT (ROA) 1974.

Application Pack

All applicants will have access to an application form, the job description, person specifications, information about the School including relevant policies, such as the School's Safeguarding Child Protection Policy are available to download from the School's website.

Application Form

The School will only accept applications from applicants completing the relevant application form in full. CVs will not be accepted in substitution for completed application forms, but are permitted to be submitted alongside an Application Form.

The School will make applicants aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Applicants for employed posts will receive a Job

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Description and Person Specification for the role applied for.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the applicant.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

The statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The School takes its responsibility to safeguard children very seriously. Any staff member and successful applicant who is aware of anything that may affect their suitability to work with children must notify the Head / and HR immediately. This will include notification of any convictions, cautions, court orders, reprimands, or warnings they may receive.

Staff and successful applicants who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Head of HR for more details.

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

If the applicant is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the applicant's suitability to work with children. Where the applicant has no previous employment history, or in the event that the applicant is unable to provide details of two referees, from current or previous employers (or where both referees relate to the same period of employment) the School may request character references which may include references from the applicant's school or university.

All applicants should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.

Shortlisting

Once all applications have been received, the Recruiting manager, and designated panel, will complete the shortlisting form – at least two people should carry out the shortlisting exercise, consider any inconsistencies, look for gaps in employment and reasons given for them, and explore potential concerns. To ensure an objective review is conducted – the criteria should be determined by the person specification/job description and/or job advertisement, and set before to shortlisting takes place. HR will ask all panel members to

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declare if they have a conflict of interest with any of the candidates before the shortlisting occurs. If a conflict of interest is declared HR will consider this information and make a decision regarding the panel member's continued involvement in the process.. Applicants will be shortlisted according to the relevance and applicability of their professional attributes and personal qualities to the role.

Once shortlisting has been completed, the Recruiting manager should liaise with HR who will invite applicants for interview. All application forms (including copies) should be returned to HR for retention/secure disposal as appropriate.

As part of the shortlisting process, the School will carry out an online search from standard online searches using a web browser, website or social media platform, on all shortlisted candidates, as part of its due diligence. This may help to identify any incidents or issues that have happened, and are publicly available online, which the School may want to explore with an applicant at interview. This forms part of the School's wider safeguarding due diligence which aims to prevent and/or deter individuals who may be unsuitable to work with children from working in a school environment.

Additionally, short-listed applicants will be required to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

Invitation to Interview

Short-listed applicants will then be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail.

All formal interviews will have three people involved in the process and the panel will consist of at least two people with a senior member of Staff. At least one member of the interview panel will have undertaken safer recruitment training. For roles across divisions, the Recruiting manager will be the Head from the 'main division' where the applicant will work. The Recruiting manager will approve the selection panel and the team who will be involved within the recruitment process i.e. tours and pupil panel etc.

The interview will be conducted in person (where possible) and the areas which it will explore will include suitability to work with children (with reference to standard child protection related questions) including where appropriate, any information shared by a candidate in their self-declaration form, and any incidents or issues that were identified in the online search. The panel will ask structured questions, which should include:

- finding out what attracted the candidate to the post being applied for and their motivation for working with children;
- exploring their skills and asking for examples of experience of working with children which are relevant to the role; and
- probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.

The interview panel will explore potential areas of concern to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:

- implication that adults and children are equal;



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- lack of recognition and/or understanding of the vulnerability of children;
- inappropriate idealisation of children;
- inadequate understanding of appropriate boundaries between adults and children; and,
- indicators of negative safeguarding behaviours.

Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case.

Applicant responses will be recorded by each panel member separately. Ideally, all panel members will agree on the outcome, however, in rare situations when the panel does not or cannot agree, all panel members must take the time to consider different perspectives and any objections. As a last resort utilise a majority vote.

Where teaching posts are being interviewed, applicants will be required to teach a relevant lesson. Applicants should be notified in their interview letter and given sufficient time to prepare. If a lesson has been taught the Lesson Observation sheet should be completed by a suitably qualified observer. Following the interview, the Interview Assessment Form should be completed and passed to HR indicating the next action.

All applicants invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful applicant, written confirmation of the relevant qualifications must be obtained by the applicant from the awarding body.

The School requests that all applicants invited to interview also bring with them:

- A current driving licence including a photograph or a passport and full birth certificate;
- A utility bill or financial statement issued within the last three months showing the applicant's current name and address;
- We ask all applicants to present their birth certificate, where this is available. To assist in identifying where there has been a name change and allow for more thorough vetting;
- Where appropriate any documentation evidencing a change of name;
- Where applicable, proof of entitlement to work and reside in the UK.

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

Applicants with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

Conditional Offer of Appointment: Pre-Appointment Checks

On completion of the interview process, if it is decided to make an offer of employment following the formal interview any offer to a successful applicant will be conditional upon:

- Receipt of at least two satisfactory references (if these have not already been received);
- Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK (if not already received);
- A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS;

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- For an applicant to be employed as a teacher, a check that that the applicant is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
 - Planning and preparing lessons and courses for pupils;
 - Delivering and preparing lessons to pupils;
 - Assessing the development, progress and attainment of pupils; and
 - Reporting on the development, progress and attainment of pupils;
- Verification of professional qualifications, including Qualified Teacher Status, where appropriate. The Teaching Regulation Agency's (TRA) is used to verify any award of QTS and the completion of teacher induction or probation;
- Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999). This is verified using the TRA;
- Where the successful applicant has worked or been resident overseas: Such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. For teaching posts, this shall include the candidate providing the School with proof of their past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in they worked;
- Evidence of satisfactory medical fitness;
- For applicants employed into the Junior / Nursery and Holiday Club Provision, receipt of a signed Declaration form (Appendix 1 of the offer letter) showing that the applicant is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)";
- A satisfactory credit check (financial roles only);
- Where the successful applicant will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to the Senior Management Team and teaching heads of department; and
- A satisfactory financial integrity check (for finance roles only).

It is the School's practice that a successful applicant must complete a pre-employment medical questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Job Application Privacy Notice and Data Protection Policy. 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 workload, extra-curricular activities, and/or layout of the School.

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

A separate Barred List will be carried out in the following circumstances:

- For newly appointed individuals, engaging in regulated activity, pending receipt of an Enhanced Certificate with Barred List information from the DBS (and where all other relevant pre-employment checks have been completed).
- Where an individual has worked in a post in a school or college that brought them into regular contact with children or young persons which ended not more than three months prior to that person's appointment to our school (and where all other relevant pre-employment checks have been carried out).

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- Where a pre-existing enhanced DBS check, without barring information, is accepted from a candidate who has subscribed to the DBS update service.

Pre-Employment Checks – further information

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

References

The School will seek the references referred to above for shortlisted applicants (including internal applicants, where appropriate); and may approach previous employers for information to verify particular experience or qualifications, which will be obtained as soon as practically possible, and ideally before the interview. One of the references must be from the applicant's current or most recent employer, and from the last time the applicant worked with children (if not currently working with children); if the applicant has never worked with children, then a reference should be obtained from their current employer. References must be completed by a senior person with appropriate authority. If any reference relates to the applicant's employment at a school or college, the reference should be from the Headteacher or Principal, or from a senior person with appropriate authority i.e. not just a colleague.

The School will, where possible, obtain reference prior to interview. This allows any concerns raised to be explored further with the referee and can be taken up with the shortlisted candidate at interview. If the applicant does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

Where a reference is not received prior to interview, appointment will always be made subject to receipt of satisfactory references, and all references will be reviewed upon receipt. Any concerns/discrepancies raised with the referee and applicant at the earliest possible opportunity.

The School will ask all referees to confirm in writing the following:

- The applicants dates of employment, salary, job/titles/duties reason for leaving, performance and disciplinary record;
- Are you completely satisfied that the applicant is suitable to work around children and young people;
- are you completely satisfied that the applicant has the ability and is suitable to undertake the post applied for;
- to provide facts of any substantiated safeguarding concerns/allegations that meet the harm threshold set out in Part 4 of the statutory guidance 'Keeping Children Safe in Education' and
- the reason the applicant is leaving their current or most recent post.

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. The School will verify all references. Where references are received electronically, the School will ensure they originate from a legitimate source.

The School will compare any information provided by the referee with that provided by the applicant on the Application Form. HR will verify any information with the person who

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provided the reference. Any inconsistencies will be discussed with the applicant and any concerns will be resolved satisfactorily before appointment is confirmed.

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 [here](#) (these requirements comply with DBS identity checking guidelines):

- one document from Group 1; 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.

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.

The School asks for the date of birth of all applicants to assist with the vetting of the applicants. 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.

Medical Fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, **after** an offer of employment has been made but **before** the new member of staff starts work. Therefore, all applicants to whom an offer of employment is made must complete a Medical Questionnaire.

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 etc.

Successful applicants will be required to sign a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role.

The School will arrange for the information contained in the Medical Questionnaire, if appropriate, to be reviewed by the School's appointed Occupational Health Advisor. If the School's Occupational Health Advisor has any doubts about an applicant's fitness, the applicant will be invited for consultation. The Occupational Health Advisor will provide the School with a report and will advise the School on reasonable adjustments may be necessary.

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

Regulated Activity

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).

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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. Any position undertaken at, or on behalf of the School will amount to "regulated activity" if they:

- will be responsible, on a regular basis* for teaching, training instructing, caring for or supervising children;
- will be working on a regular basis, where the work gives opportunity for contact with children; or
- engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once.

*meaning more than three days in a 30 day period.

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.

It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the School amount to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in the School office outside of term time or voluntary posts which are supervised.

Criminal Records Policy

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed [here](#).

The School will usually apply for a fresh DBS check, however, there are limited circumstances where the School may accept a check from another educational institution, at the discretion of the Principals, which are as follows:

This is where the new member of staff ("M") has worked in: –

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons, during a period which ended not more than three months before M's appointment.

In these circumstances, a new separate barred list check will be obtained.

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. The school should examine the certificate, check it matches the individual's identity and run an online Update check. If the check indicates that there has been a change then the individual must apply for a new certificate.

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If disclosure is delayed

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

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head or DSL/Deputy DSL;
- The person in question is informed what these safeguards are; and
- Where an applicant takes up appointment before receipt of an enhanced disclosure certificate, the Head, at their discretion allow them to commence work. A DBS risk assessment form must be completed and a note will be added to the single central register and evidence kept of the measures put in place.

Applicants with periods of overseas residence

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. The School will take into account the "DBS unusual addresses guide" in such circumstances.

The School takes into account the guidance issued by the NSPCC when deciding whether to request overseas information from applicants, which recommends that such information should be sought on those who have lived overseas for periods of three months or more in the last five years. However, the School recognises that Education (Independent School Standards) Regulations 2014 do not specify that a minimum period of overseas residence is required. The School therefore assesses each applicant's situation on its individual facts.

Where applicants are asked to provide further overseas information this will include a criminal records check from the relevant jurisdiction(s), and for teaching positions, a letter of professional standing from the professional regulating authority in the country in which the applicant has worked, and / or references from any employment held.

Work can only commence once sufficient overseas information has been received and only if the School has considered that information and confirmed that the applicant is suitable to commence work at the School. Where this information is not available we will seek alternative methods of checking suitability, such as a third reference, and or undertake a risk assessment.

Prohibition from Teaching Check

The School is required to check whether staff who carry out "teaching work" are prohibited from doing so. The School uses the 'Check a Teacher's Record Service' (a web service operated by the DfE, which is used by the TRA) to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency. This service is also used to check if they have:

- qualified teacher status (QTS) or early years teacher status (EYTS)
- passed their induction
- national professional qualifications (NPQ) or mandatory qualifications for teaching pupils with sensory impairments
- been prohibited from teaching by the Teaching Regulation Agency or General Teaching Council for England

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- been found guilty of serious misconduct but not prohibited from teaching

The School asks all applicants for roles which involve "teaching work" to declare in the application form whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (or other equivalent body)..

It is the School's position that this information must be provided in order to fully assess the suitability of an applicant for a role which involves "teaching work". Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the Teaching Regulation Agency (or other equivalent body) whether or not 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 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.

The above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Head. If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken.

Prohibition from management check

The School is required to check whether any applicant for a management position is subject to 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 (a section 128 direction).

This check applies to appointments to the following positions made on or after 12 August 2015:

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

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 Teaching Regulation Agency Teacher Services system. The School will use either, or both, methods to obtain this 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.

Disqualification from Childcare

The School will ask relevant members of staff to complete a Disqualification from Childcare Self-Declaration Form, prior to start of employment. Additionally, the School is responsible for

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ensuring that relevant staff are made aware of the legislation, this is detailed in the Employee Handbook which is distributed annually to all staff.

This applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

Supply or Third Party Staff (supply staff)

Agencies or third party organisations who supply staff to the School must provide written confirmation that they have completed all of the pre-employment checks which the School would otherwise complete for its staff. The School requires confirmation that these checks have been completed before an individual can commence work at the School and the School must be provided with a copy of the appropriate level of DBS check.

The School will independently verify the identity of staff supplied by an agency or third party organisation.

Visiting Professionals

KCSIE advises that such individuals should have been checked by their employing organisation. The School will obtain written notification from the third party organisation, that they have carried out the checks on an individual will be working at the school that we would have otherwise carried out. In respect of the enhanced DBS check, we will obtain written notification confirming the certificate has been obtained and whether it contains any information. Where an enhanced DBS certificate has disclosed any matter or information we will obtain a copy of the certificate from the employing organisation.

It is not necessary for the School to see their disclosure as appropriate checks will have been carried out. The School must, prior to the appointment commencing, obtain written confirmation from the employing organisation that appropriate checks have been carried out; as a minimum this should include:

- o barred list check for those in regulated activity;
- o appropriate level of DBS check;
- o identity on arrival;
- o any other specific checks, where applicable eg disqualification from childcare.

Where further information is not available and/or the professional body is not considered relevant, the same checks will apply as those for staff.

Volunteers

The appointment of volunteers will vary by individual and activity. The School will complete an individual risk assessment for volunteers and Heads/HR will use their professional judgement and experience when deciding what checks, if any, are required.

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the School (the definition of regulated activity set out above and will be applied to all volunteers).

Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils or be allowed to work in regulated activity.

In addition the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

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- formal or informal information provided by staff, parents and other volunteers;
- references from the volunteer's place of work or any other relevant source;
- disqualification from childcare; and
- an informal safer recruitment interview.

Contract Workers

Where the School uses contractors to provide services the School should set out their safeguarding requirements in the contract between the organisation.

The School will obtain written confirmation from the employing organisation, for contractors whose work provides them with an opportunity for regular contact with children, that all relevant checks have been completed satisfactorily.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. The School will determine the appropriate level of supervision depending on the circumstances.

The School will independently verify the identity of staff supplied by an agency, or employing organisation.

Visiting speakers and the Prevent Duty

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The School's responsibly to pupils is to ensure that they can critically assess the information that they receive as to its value to themselves, and that such information is aligned to the ethos and values of the School and British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs.

All requests for outside speakers must firstly be discussed with the Head.

The School may also conduct research on the Visiting Speaker and/or their organisation, as appropriate. The School will not use a Visiting Speaker where any link is found to extremism, such as extremist groups and movements.

The School will obtain an outline of what the speaker intends to cover in advance of the Visiting Speaker's visit. In some cases, the School may also request a copy of the Visiting Speaker's presentation and/or footage in advance of the session to ensure it is appropriate to the age and maturity of the pupils to be in attendance and does not undermine British values or the ethos and values of the School.

A member of school staff will be present during the visit/talk, who will monitor what is being said to ensure that it aligns with the values and ethos of the school and British values. In the unlikely event that the talk/presentation does not meet this requirement, Visiting Speakers will be informed that school staff have the right and responsibility to interrupt and/or stop a presentation.

Visiting Speakers will be supervised by a School employee whilst on School site. At no point will a Visiting Speaker be left unsupervised on School site whilst pupils are present.

On arrival at the School, Visiting Speakers will be required to show an original current identification document including a photograph such as a passport or photo card driving licence and will be asked to sign the visitor's book. The Visiting Speaker will be issued with a visitors' badge which they must wear at all times whilst on school site. Visiting Speakers will also be briefed on the School's Child Protection and Safeguarding Policy.

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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.

The School reserves the right to obtain such information on any other person appointed to work for or at the School.

Retention, Security of Records and Data Protection Obligations

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

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

Appendix

Policy on the Recruitment of Ex-Offenders

The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All applicants should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the Police and/or the DBS if:

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

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

- whether the conviction or other matter revealed is relevant to the position in question;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- the seriousness of any offence or other matter revealed;



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- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

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

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

Last reviewed: September 2024
Next review: September 2025
Reviewed by: HSW/HR