



## Safer Recruitment Policy

Including all of the Pre-Prep Department and Early Years Foundation Stage

RAJ

Updated October 2018

Review and Amendment Record

Date	Person Conducting the Review	Changes Made
30/08/18	RAJ	Updates in accordance with KCSIE 2018.

## **Introduction**

Summer Fields is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children. We expect all staff and volunteers to share this commitment and to become familiar with our Safeguarding Policy. In order to help safeguard and promote the welfare of all its pupils the school is committed to a thorough and consistent Safer Recruitment Policy.

Summer Fields must recruit and retain staff of the highest calibre and the purpose of this policy is to provide a safe and sound recruitment framework to help deter, reject or identify people who might be unsuitable for working with children.

The aims of the school's Safer 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 equitably 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 2018) (KCSIE); Disqualification under the Childcare Act 2006 (July 2018) (DUCA), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance); 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 by carrying out all necessary pre-employment checks.

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

## **Data Protection**

The School is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the school to enable the school to carry out the checks that are applicable to their role. The school will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (NCTL)). Failure to provide requested information may result in the school not being able to meet its employment, safeguarding or legal obligations. The school will process personal information in accordance with its Staff Privacy Notice.

## **Recruitment and Selection Procedure**

All applicants for employment will be required to complete and sign an application form containing standard questions about their academic and full employment history and their suitability for the role. Incomplete application forms may be returned to the applicant where the deadline for completed application forms has not passed. Should there be any gap in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form.

The school will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail and their suitability to work with children will be assessed. All formal interviews will have a panel of at least two people chaired by the Headmaster/Operations Director or another designated senior member of staff. It is

recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training.

## **Pre-Employment Checks**

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of The Education (Independent School Standards) Regulations 2014 and the Boarding Schools National Minimum Standards, the school will carry out a number of pre-employment checks. In addition to the checks set out below, the school reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the school. This may include internet and social media searches.

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.

## **Verification of Identity and Address**

Applicants must provide proof of their identity, right to work in the UK and address. Acceptable identity documents may include a full birth certificate, passport, current driving licence or a recent utility bill with proof of address. Successful applicants who are unable to bring these to interview must provide them before taking up appointment.

The school asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE. 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.

## **Qualification Requirements**

Candidates must be able to demonstrate they have actually obtained any relevant academic or professional qualifications that are referred to in their application. The successful applicant will be asked to provide original certificates before taking up appointment. If original documents are not available a certified copy must be provided or written confirmation from the awarding body.

## **Previous Employment History**

A full chronological history of employment must be provided along with satisfactory explanations for any gaps in employment. In the event that there are employment gaps on the application form this will be followed up prior to or during the interview. A written record of issues covered during the interview will be kept on file.

## **References**

All offers of employment will be subject to the receipt of a minimum of two references, which are considered satisfactory by the school. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment 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. 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. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism". 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."*

If the referee is a current or previous employer, they will be asked to confirm the following:

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness\* and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated or malicious;
- 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 allegations or concerns were found to be false, unsubstantiated or malicious;
- 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;
- whether the applicant could be considered to be involved in "extremism" (see the above definition of "extremism")
- questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made).

The school will only accept references obtained directly from the referee on the Summer Fields Reference Request Form with all relevant sections completed. References or testimonials provided by the applicant or open references are not acceptable. The school will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed. The school may at its discretion make telephone contact with any referee to verify the details of the written reference provided. Where references are received electronically, the school will ensure that they originate from a legitimate source.

All internal candidates who apply for a new role at the school will have their application assessed in accordance with this procedure. References will be taken up on all internal candidates as part of the application process but can be provided by colleagues as the school will be the most recent employer.

## **Medical Fitness**

The school is legally required to verify the medical fitness of anyone to be appointed to a post at the school, after an offer of employment has been made but before the appointment can be confirmed. It is the school's practice that all applicants to whom an offer of employment is made must complete a Pre-Employment Health Questionnaire. If necessary, the school will arrange for the information contained in the Health Questionnaire to be reviewed by the school's medical advisor. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra-curricular activities, layout of the school etc. If the school's medical advisor has any doubts about an applicant's fitness the school will consider reasonable adjustments in consultation with the applicant. The school may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

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

## **Disclosure and Barring Service Check**

Due to the nature of the work, all prospective staff members will be required to apply for an Enhanced Certificate from the Disclosure and Barring Service (DBS). DBS certificates are not portable between one organisation and another unless the applicant has registered for the DBS Update Service. The school will also carry out a Children's Barred List check to ensure that applicants are not unsuitable for working with children.

All employment and voluntary work with children is exempt from the provisions of the Rehabilitation of Offenders Act 1974. Therefore applicants must declare all previous convictions, cautions reprimands or final warnings including those which would normally be considered "spent" except those received for an offence committed in the UK if it has been filtered in accordance with the DBS filtering rules. In the event that an applicant discloses relevant information, or information is disclosed on the DBS, a Risk Assessment will be carried out before reaching a recruitment decision.

The DBS issues the DBS disclosure certificate to the subject of the check only, rather than to the school. It is a condition of employment with the school that the **original** disclosure certificate is provided to the school before the applicant begins work. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the school.

If there is a delay in receiving the DBS disclosure the Headmaster has the discretion to allow an individual to begin work within the school without confirming the appointment pending receipt of the disclosure certificate. This will only be allowed if all other required checks have been completed, including a check of the barred list, and provided that the DBS application has been made in advance. Appropriate supervision must be arranged and the member of staff must be informed of the safeguards in place.

There is no requirement for schools to re-check the DBS status of directly employed staff unless there is a break in service or a cause for concern.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants will also be asked to provide further information, including a criminal records check from the jurisdiction(s) when available. The applicant will not be permitted to commence work until the overseas information has been received or further checks have been made as the school considers appropriate.

## **Prohibition from Teaching Check**

The school is required to check that anyone appointed to carry out teaching work is not subject to a prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency. 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.

Where an applicant has carried out teaching work outside of the UK the school is required to check whether they have ever been referred to, or are the subject of a sanction issued by, a regulator of the teaching profession in the countries in which they have carried out teaching work. This will include checking for the existence of any sanctions issued by regulators of the teaching profession in other EEA countries using the Teaching Regulation Agency Teacher Services system.

## **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).

The school will carry out checks for such directions when appointing applicants into management positions from both outside the school and by internal promotion. This check applies to appointments to the following positions made on or after 12 August 2015:

- Headteacher
- teaching posts on the senior leadership team
- teaching posts which carry a departmental head role;
- support staff posts on the senior leadership team; and
- the school will assess on a case by case basis whether the check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities.

It also applies to appointments to the governing body. 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. In addition the school asks all applicants for management roles to declare in the application form whether they have ever been the subject of a referral to the Department for Education, or are subject to a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

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

## **Conditional Offer of Appointment**

Any offer of employment to a successful applicant will be conditional upon the following:

- verification of the applicant's identity (where that has not previously been verified);
- the receipt and verification of two references (one of which must be from the applicant's most recent employer) which the school considers satisfactory;
- the receipt of a satisfactory Enhanced Disclosure from the DBS. The original DBS certificate must be shown to the school before a new employee moves into school accommodation where boarders reside;
- the receipt of a satisfactory overseas Police Check where the applicant has lived or worked outside the UK, or any further checks as the school may consider appropriate;
- confirmation that the applicant is not named on the Children's Barred List;
- verification of the applicant's medical fitness for the role;
- verification of professional qualifications which the school deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).— original or certified copies must be provided;
- verification of right to work in the UK;
- for teaching positions, confirmation from the National College for Teaching and Leadership that the applicant is not subject to a prohibition order or any EEA restrictions and sanctions;
- confirmation that the applicant is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" **OR** Receipt of a signed Staff Suitability Declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)";
- 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 all Governors, Senior Management Team and teaching Heads of Department.

The above details will be entered on the Single Central Register as a record of recruitment checks in accordance with the ISI Regulatory Requirements.

## **Contractors and Agency Staff**

Employees of contractors who are working at the school on a long term basis (e.g. caterers and cleaners) are subject to the same checks as school staff. The school requires written confirmation that the required checks have been completed before employees of the contractor can commence work at the school. Agencies who supply staff to the school must also complete the pre-employment checks which the school would otherwise complete for its staff. Again, the school requires confirmation that these checks have been completed before an individual can commence work at the school.

The school will independently verify the identity of staff supplied by contractors or an agency in accordance the ISI Regulatory Requirements before contractor or agency staff can commence work at the school.

## **Volunteers**

Volunteers may require an enhanced DBS disclosure and Children's Barred List check due to the frequency of their volunteering activity and the contact they have with pupils at the school. The school will undertake a risk assessment to identify the checks deemed necessary for volunteers by referring to Appendix 3 of the ISI's Commentary on Regulatory Requirements. The school will then 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):

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

Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with pupils. Volunteers working in a regulated activity will be subject to the following checks: - Enhanced DBS disclosure, Children's Barred List, ID check, overseas checks (where appropriate) and references. They will also be required to attend the school's safeguarding training session.

## **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. A Children's Barred List check is not required for a visiting speaker who does not engage in a regulated activity at the school or perform any other regular duties for or on behalf of the school.

All visiting speakers will be required to provide proof of ID which will be photocopied upon their arrival. The school's protocol for visitors also includes signing in and out at the School Office, the wearing of a visitor's badge at all times and being escorted by a supervising member of staff between appointments. It is the responsibility of the supervisor to ensure that visiting speakers are accompanied at all times and are never left unsupervised with pupils.

The school will also 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."*

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.

### **School Governors**

The school will carry out the following checks on all new Governors, in accordance with ISI requirements:- Enhanced DBS disclosure, Children's Barred List, ID checks, overseas checks (where appropriate); the right to work in the UK; and a prohibition from management check (section 128 direction).

### **Retention of Records**

The school is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the school will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the school to discharge its obligations as an employer e.g. so that the school may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue. This documentation will be retained by the School for the duration of the successful applicant's employment with the school.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months. The same policy applies to any suitability information obtained about volunteers involved with school activities.

### **Referrals to the DBS and Teaching Regulation Agency**

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. Whilst these are pre-employment checks the school also has a legal duty to make a referral to the DBS in circumstances where an individual:-

- has applied for a position at the school despite being barred from working with children; or
- has been removed by the school from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, the school may also decide to make a referral to the Teaching Regulation Agency.

Employees involved in the recruitment and selection of staff are responsible for following the Safer Recruitment Policy and the procedures contained within it. The Human Resources Manager must be consulted before anyone is offered paid or unpaid work and the formal recruitment process must be adhered to. This includes the appointment of temporary employees, consultants, volunteers, casual employees, peripatetic music teachers or sports coaches or visiting language teachers.