



Safer Recruitment Policy

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

RAJ

Updated September 2021

Review and Amendment Record

Date	Person Conducting the Review	Changes Made
30/08/18	RAJ	Updates in accordance with KCSIE 2018.
01/10/19	RAJ	Annual review
30/10/20	RAJ	Annual review and Updates in accordance with the ISBA policy September 2020
20/9/21	RAJ	Annual review and Updates in accordance with KCSIE 2021 and the ISBA policy September 2021

SAFER RECRUITMENT POLICY

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 Education (Independent School Standards) Regulations 2014 (**ISSRs**), the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (1 September 2021) (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. 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 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 gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form.

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 skills and experience will be discussed in more detail and their suitability to work with children will be assessed. All shortlisted applicants will be required to complete a self-declaration form prior to interview in which they will be asked to provide information about their criminal records

history and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview.

All formal interviews will have a panel of at least two people chaired by the Headmaster/Operations Director or other designated senior members 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 ISSRs 2014 and the Boarding Schools National Minimum Standards, the school will carry out a number of pre-employment checks in respect of all prospective staff. 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, gender reassignment, disability or age.

Verification of Identity, Address, Right to Work in the UK and Qualifications

All applicants who are invited to interview will be required to provide evidence 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 in order to verify identity, and check for any unexplained discrepancies in the employment and education history. The school does not discriminate on the grounds of age.

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. 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, unsubstantiated, unfounded, false 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, unsubstantiated, unfounded, false or malicious;
- whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" in Visiting Speakers and the Prevent Duty below).

(*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.

If factual references are received i.e. those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage an applicant, although additional references may be sought before an appointment can be confirmed. The school may at its discretion make telephone contact with any referee to verify the details of the written reference provided. The school treats all references given or received as confidential which means that the applicant will not usually be provided with a copy.

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

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. The information contained in the questionnaire will then be held by the school in strictest confidence and processed in accordance with the school's Staff Privacy Notice and Staff Security Information Policy. 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 Children's 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.

Applicants with Periods of Overseas Residence

DBS checks will still be requested for successful candidates with periods of overseas residence and those with little or no previous UK residence. For applicants who are living overseas, or who have lived overseas previously, obtaining a DBS certificate may be insufficient to establish their suitability to work at the school. In such cases the applicant will be required to provide additional information about their suitability from the country (or countries) in which they have lived. The school's policy is to request such information from each overseas country in which the applicant has lived for a period of three months or more in the previous five years.

When requesting such information the school has regard to relevant government guidance and will therefore always require the applicant to apply for a formal check from the country in question i.e. a criminal records check (or equivalent) or a certificate of good conduct. The school recognises that formal checks are not available from some countries, that they can be significantly delayed or that a response may not be provided. In such circumstances the school will seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country.

These candidates will also be asked to provide further information, including a criminal records check or a certificate of good conduct 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 whether staff who carry out "teaching work" are prohibited from doing so. The school uses the Teaching Regulation Agency Teacher Services system 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. In addition the School asks

all shortlisted applicants to declare 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 in the UK.

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 applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012, which state 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, including for sports coaches.

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; and
- support staff posts on the senior leadership team.

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. All individuals who are appointed to the governing body will be subject to a section 128 direction check.

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 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. 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 at least 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;
- any further checks which the school decides are necessary as a result of the applicant having lived or worked outside of the UK which may include an overseas criminal records check, certificate of good conduct or professional references;
- 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 qualifications, whether professional or otherwise which the school takes into account in making the appointment decision, or which are referred to in the application form, whether a requirement for the role or not
- verification of right to work in the UK;
- for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency which renders them unable or unsuitable to work at the school;
- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the school;
- for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unable or unsuitable to work at the school
- 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)";
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the school. 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 section on the verification of identity and address above and requires the provision of the DBS disclosure certificate before those individuals can commence work at the school.

Volunteers

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 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 or by a volunteer who the school has deemed appropriate to supervise and ensure the safety of those pupils in their care.

Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with pupils.

It is the school's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the school for three consecutive months or more. Those volunteers who are likely to be involved in activities with the school on a regular basis may 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.

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):

- 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.

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 is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in 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 Reception, 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, gender reassignment, 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 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 Retention and Erasure Procedures. Copies of DBS certificates will not be retained for longer than six 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 Staff Privacy Notice and the Staff Information Security Policy.

Referrals to the DBS and Teaching Regulation Agency

This policy is primarily concerned with the promotion and practice of safer recruitment. However, applicants should also be aware that the school has legal responsibilities to fulfil when employment comes to an end. In particular, the school has a legal duty to make a referral to the DBS 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.

The DBS will consider whether to impose sanctions on that individual which may restrict or prevent them from working with children in future. In addition, if a teacher is dismissed because they are found to have committed serious misconduct, or they have breached the Teachers' Standards, or they resign prior to dismissal on such grounds, the school will make a referral to the Teaching Regulation Agency. The Teaching Regulation Agency will consider whether to impose a prohibition from teaching order.

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.