



St Paul's School

FOUNDED 1509

Safer Recruitment Policy

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This policy is available on the Handbook page of the School Intranet and policies page of the School website and can be made available in large print or other accessible format if required; such requests can be made by email to policyquery@stpaulsschool.org.uk

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1. Introduction

- 1.1 St Paul's School and St Paul's Juniors ("the School") is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is also committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.
- 1.2 The School follows all relevant legislation, recommendations and guidance including the Education (Independent School Standards) Regulations 2014 (ISSRs), the statutory guidance published by the Department for Education (**DFE**), Keeping Children Safe in Education (**KCSIE**), the Prevent Duty Guidance for England and Wales 2015 and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**).

2. Recruitment and Selection Procedure

- 2.1. An advertisement for a role will include the School's commitment to safeguarding and promoting the welfare of children and will make it clear that safeguarding checks will be undertaken in respect of any applicant. Applicants will receive a job description and person specification for the role applied for. This will include information about the role's safeguarding requirements. A copy of the [School's Child Protection and Safeguarding Policy](#), and this policy (including the School's policy on the employment of ex-offenders) are available to download on the School's website or in hard copy format to applicants, on request.
- 2.2. All applicants for employment will be required to complete an application form containing questions about their personal details, details of their present (or last) employment and reason for leaving, academic and full employment history, details of referees/references and their suitability for the role. Where a role involves engaging in regulated activity (see 4.3.1 for definition of regulated activity) relevant to Children, the application form (or elsewhere in the information provided to applicants) will include a statement that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children. The School will only consider candidates who have completed the application form in full. Incomplete application forms 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 but may be submitted in addition to the completed application form.

Applicants will also be asked to provide information regarding any periods of overseas residence so that a decision can be made as to whether overseas police check or additional references are required.

The School will conduct a shortlisting exercise by reviewing all application forms received in order to determine which applicants will be invited for interview. The shortlisting exercise will be conducted by at least two members of staff.

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. Where the applicant electronically signs the declaration, they should physically sign a hard copy at the point of interview.

In addition, as part of the shortlisting process, the School may carry out an online search as part of their due diligence on the shortlisted candidates in order to identify any incidents or issues that are publicly available online and the School may wish to explore with the applicant at interview.

2.3. Shortlisted applicants may be invited to initial on-line interviews as part of the recruitment process but before any offer of employment is made, will then be invited to attend a formal, in-person interview at which their relevant skills and experience will be discussed in more detail. Candidates will also be asked questions relating to child protection at interview to ascertain the level of their knowledge and the suitability of their answers. It is recognised that not all interviewees will have child protection experience within schools. In such cases, questions will be adapted to test applicants' responses to hypothetical safeguarding scenarios. At least one member of every appointment panel will have received safer recruitment training. In addition, any member of staff responsible for assessing pre-employment checks will have received the relevant training. (Relevant staff normally undergo refresher safer recruitment training every 3 years). Pupils should be involved in the recruitment process in a meaningful way. All information considered in decision-making should be clearly recorded along with decisions made.

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

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
- a pre-employment immigration check (the necessary documents that must be shown before any employment may start) confirming the right to work in the UK;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer/educational provider if this is their first job) which the School considers to be satisfactory;
- for positions which involve "teaching work", information about whether the applicant is, or has ever been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (**TRA**), which, in the School's opinion, renders them 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, in the School's opinion, renders them unable or unsuitable to work at the School;

- where the position amounts to "regulated activity (see paragraph 4.3 below) obtaining via the applicant an enhanced disclosure (including confirmation that the applicant is not named on the Children's Barred List*) from the DBS which the School considers to be satisfactory. In

the unlikely event that the position does not amount to "regulated activity" (for example where volunteers are regularly supervised) the School will carry out the relevant DBS check which will ordinarily be an enhanced check without barred list;

- information about whether the applicant is, or has ever been, subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children or which otherwise, in the School's opinion, renders them unsuitable to work at the School (checked via DBS certificate);
- for management positions:
 - information about whether the applicant is, or has ever been, the subject of a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school or which otherwise, in the School's opinion, renders them unsuitable to work at the School; (NB the School will also carry out this check for staff promoted internally to positions of management) ** and
 - information about whether the applicant is, or has ever been, the subject of a referral to, or proceedings before, the Department for Education or other appropriate authority where consideration was given to imposing a direction under section 128 of the Education and Skills Act 2008 which, in the School's opinion, renders them unsuitable to work at the School;
- confirmation that the applicant is not disqualified from acting as a charity trustee or charity senior manager (currently only applicable to the roles of High Master, Finance Director, Clerk to the Governors and members of the Governing Body)
- verification of the applicant's medical fitness for the role (see paragraph 3 below);
- any further checks that the School deems appropriate as a result of the applicant having lived or worked outside of the UK, which may include an overseas criminal records check, certificate of good conduct or professional references (see 4.7 below); and
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

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

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

3. Medical Fitness

- 3.1. The School has a statutory responsibility to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed. The School must verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role.
- 3.2. It is the School's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire and sign to confirm that they know of no reasons, on grounds of mental or physical health, why they should not be able to discharge with due care and skill the responsibilities required by the post in question. The School will arrange for the information contained in the Health Questionnaire to be reviewed by the School's Doctor. 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 Doctor 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.
- 3.3. The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

4. Pre-employment Checks

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 reasonably 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.

4.1. Verification of Identity and qualifications

- 4.1.1. All applicants who are invited to an interview will be required to bring the following evidence of identity, right to work in the UK, address and qualifications as set out in the list of valid identity documents as prescribed by gov.uk (these requirements comply with DBS identity checking guidelines):
 - one document from Group 1 (to include the birth certificate where this is available); and
 - two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and
 - original documents confirming any educational and professional qualifications referred to in their application form.

- 4.1.2. 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.
- 4.1.3. The School asks for the date of birth of all applicants (and proof of this). 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.
- 4.1.4. Should an applicant attend interview without the above documentary evidence, without good cause, the interview may be cancelled and the School may choose not to progress their application further even upon subsequent submission of the documentation.
- 4.1.5. For European identity documents, may use PRADO at http://www.consilium.europa.eu/prado/en/prado-start-page.html?mc_cid=2ce14554eb&mc_eid=668cd8c8ad that is a website created by the EU to help identify genuine identity documents with examples from across the world.

4.2 References and Employment History

- 4.2.1 References will be taken up on shortlisted candidates prior to interview where possible. References may however be taken up after interview by exception or agreement.
- 4.2.2 All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer/educational provider if this is their first job. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. If the applicant has never worked with children, the School must ensure they obtain a reference from their current employer. Neither referee should be a relative or someone known to the applicant solely as a friend and references must be from a senior person with appropriate authority.
- 4.2.3 All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that (to the best of their knowledge) the applicant has not been radicalised so that they do not support terrorism or any form of "extremism" (see the definition of "extremism" at paragraph 8 below). All referees will be sent a copy of the job description and person specification for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:
- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness* and disciplinary record;
 - whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be, unsubstantiated, unfounded, false or malicious; and
 - whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young

people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated or malicious. (**questions about health or sickness records will only be sent out after the offer of employment has been made.*)

- 4.2.4 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.
- 4.2.5 The HR Department will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information (e.g. delays in receipt, specific questions not answered satisfactorily, any expression of concern about the suitability of the candidate, any doubt about the validity of the reference) will be followed up appropriately by the School's HR department. The School will make telephone contact with referees to verify the authenticity of all references. When verifying references, the School will contact referees via the referee's work telephone number and not private mobile numbers. The process of verbally verifying the reference will also ensure that electronic references originate from a legitimate source.
- 4.2.6 Any information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post.
- 4.2.7 It is a criminal offence to falsify references. Any applicants or referees who are found to have submitted false references to the School will be referred to the Local Area Designated Officer (LADO).
- 4.2.8 Suitability references may be sought for internal candidates applying for new positions within the School.
- 4.2.9 The School will ensure that any concerns are resolved satisfactorily before an appointment is confirmed.

4.3 Disclosure and Barring Checks

- 4.3.1 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 Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. Regulated activity includes teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical emotional or educational well-being, or driving a vehicle only for children. Any position undertaken at, or on behalf of, the School, will amount to "regulated activity" if it is carried out:
- frequently, meaning once a week or more on an ongoing basis; or
 - overnight, meaning between 2.00 am and 6.00 am; or
 - satisfies the "period condition", meaning four times or more in a 30-day period; and
 - provides the opportunity for contact with children.
- 4.3.2 Roles which are carried out on an unpaid / voluntary basis will normally amount to regulated activity unless the volunteer is regularly supervised by someone who is themselves in regulated activity.

4.3.3 It is for the School to decide whether a role amounts to “regulated activity” considering 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. Barred list information must not be requested on any person who is not engaging in or seeking to engage in regulated activity.

The relevant DBS check must be carried out as a matter of priority for all new employees at the job offer stage. If the offer is made more than three months before the employment will commence, it is best practice to wait until three months before the commencement date before applying for the DBS check or to complete an update service check closer to the start date.

4.3.4 Enhanced DBS check with children’s barred list information allows an additional check, to be made, about whether the person appears on the children’s barred list, along with a check of the Police National Computer records plus additional information held by the police such as interviews and allegations. Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed. The position being applied for or activities being undertaken must be eligible for an enhanced DBS check and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check. In addition, this check can also include information as to whether an individual is subject to a section 128 direction.

4.3.5 The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the School. It is a condition of employment with the School that the original disclosure certificate is provided to the School within two weeks of it being received by the applicant. Original certificates should not be sent by post. Applicants must bring the original certificate into the School within two weeks of it being received. A convenient time and date for doing so should be arranged with the Human Resources Department as soon as the certificate has been received. Applicants who are unable to attend at the School to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to the Human Resources Department. Where a certified copy is sent, the original disclosure certificate must still be provided on the first working day. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

4.3.6 If there is a delay in receiving a DBS disclosure (or in the case of staff joining from overseas, the DBS application can’t be submitted until arrival in the UK and verification of ID and address has taken place) the High Master has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, including a separate, clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place (full details of the procedure to be followed are covered in the School’s [Policy on Staff Commencing Employment Pending a DBS Disclosure](#)).

4.3.7 DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. See 4.7 below for further details of overseas checks.

4.3.8 The HR Department will notify the High Master immediately if a DBS check identifies a criminal record. The School will then refer to its policy on the recruitment of ex-offenders as detailed in paragraph 9 of this policy. The School will assess cases fairly, on an individual basis.

4.3.9 DBS certificates do not expire and there is no requirement for the School to re-check current employees. However, all staff are required to register with the DBS update service and the School renews DBS checks on a three-yearly basis for all staff (using the DBS update service where applicable). Before using the DBS update service, the School must obtain the consent from the individual to carry out an online check to view the status of an existing standard or enhanced DBS check, confirm the DBS certificate matches the individual's identity, examine the original certificate to ensure that it is valid for employment with the children's workforce, and ensure that the level of check is appropriate for the relevant role.

4.3.10 DBS filtering rules may be found in the Disclosure & Barring Service guidance, [New Filtering Rules for DBS Certificates \(from 28 October 2023 onwards\)](#)

4.4 Prohibition from Teaching

4.4.1 The School is required to check whether staff who carry out "teaching work", as defined in the Teachers' Disciplinary (England) Regulations 2012, are prohibited from doing so. The School uses the Gov.uk website (effective May 2024) 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.

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

- have ever been the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency, or any predecessor or successor body; and
- have ever been the subject of any proceedings before a professional conduct panel of the Teaching Regulation Agency, or equivalent body in the UK.

4.4.3 If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken for all individuals (effective May 2024).

4.4.4 From 1 January 2021, the TRA no longer maintains a list of EEA teachers with sanctions.

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

The School will continue to make any further checks that are applicable (please see para 4.7 re Overseas checks).

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

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

4.5 *Prohibition from Management of Independent Schools Direction ('Section 128 Direction')*

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

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

4.5.3 The relevant information is contained in the enhanced DBS disclosure certificate (which the School obtains for all posts at the School that amount to regulated activity). It can also be obtained through the Teaching Regulation Agency Employer Access service. The School will use either, or both, methods to obtain this information.

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

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

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

4.5.6 If a member of staff is promoted internally to a management position then the School will check that the member of staff is not subject to a Section 128 direction prior to the promotion.

4.6 Disqualification from acting as a charity trustee or charity senior manager

4.6.1 Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions. A person is considered to be a charity trustee if they are one of the people who have general control and management of the administration of the charity. At SPS the trustees are the governors of the school. Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the School the disqualification rules will be applicable to all governors, the High Master and the Finance Director.

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

4.7 Overseas Checks

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

4.7.2 Where a member of staff has worked in a school in the UK since moving from overseas, without going back overseas, it is not necessary to repeat the overseas checks for subsequent appointments. However, the School will assess each case individually and assess what overseas checks the previous school carried out prior to deciding whether to carry out further / repeat checks.

4.7.3 The School refers to Home Office guidance on what checks are available from different countries.

4.7.4 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.

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

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

- 4.7.5 If no information is available from a particular country the School will carry out an assessment of whether the applicant is suitable to work at the School on the basis of all other suitability information that has been obtained. The School will take proportionate risk-based decisions on a person's suitability in such circumstances. All suitability assessments must be documented and retained on file.
- 4.7.6 Please refer to paragraph 4.4.4 regarding overseas checks for prospective staff who have taught overseas.

5 Contractors and Supply Staff

- 5.1 The School will assess the appropriate level of checks required for contractors on a case by case basis depending on contractors engaging in regulated activity and opportunity for regular contact with children and carry out a risk assessment as required. Contractors engaged by the School, who are not engaged in regulated activity relating to children, but whose work provides them with an opportunity for regular contact with children, must complete the same checks for their employees that the School is required to complete for its staff. The School requires confirmation (in writing) that these checks have been completed before employees of the Contractor can commence work at the School. Where external contractors do not have access to the necessary database to do the relevant checks, the School will do the missing check(s) themselves, where it applies (e.g. prohibition from teaching).
- 5.2 "Supply staff" are staff supplied by an "employment business" (agency) to work under the control of the School. Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation in writing that these checks have been completed before an individual can commence work at the School. Where an "employment business" provides supply staff (to work under the control of the school) then the DBS certificate must be seen by the School (whether or not it discloses any information) and the DBS must be less than three months old when the person starts work at the School (unless he /s he has been working in a school in the last three months).

5.3 The School will also independently verify the identity of contractors and staff supplied by an “employment business”.

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

6 Volunteers

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

6.2 Prior to engaging a volunteer to carry out any activities for or on behalf of the School, the Head of Department with responsibility for the volunteer appointment will discuss the proposed activities to be undertaken by the volunteer with the HR Department so that a risk assessment can be completed and a decision can be made as to what vetting checks are required. Appendices 1 & 2 of the School’s separate [Volunteers - Vetting Checks and Risk Assessments](#) policy will be used to determine which checks are necessary.

7 Governors

Governors are subject to an enhanced DBS check (either including or not including barred list information as appropriate), confirmation of identity, confirmation of right to work in the UK, prohibition from management check (section 128 direction – see para 4.5) and overseas police background checks as appropriate. (The Chair of Governors is required to undergo these checks via the DfE). The School’s policy is also to carry out prohibition from teaching checks see paragraph 4.4 for members of the Governing Body. Members of the Governing Body are required to complete a disqualification from acting as a charity trustee or charity senior manager declaration (see paragraph 4.6)

The above checks are not mandatory for Associate members who are appointed by the governing body to serve on one or more governing body committees. However, the School will assess them under the volunteer’s risk assessment policy to determine if the nature of the work on the committees necessitates checks (see paragraph 6).

Further details can be found in the separate [Governing Body – vetting checks policy](#).

8 Visitors

8.1 An ID check will normally be carried out for all visitors to the School and they will be supervised during their visit appropriately.

8.2 Details regarding visiting speakers may be found in the [Visiting Speakers’ Policy](#).

9 Policy on the Recruitment of Ex-offenders

9.1 Background

9.1.1 As an organisation using the DBS Disclosure service to assess applicants' suitability for all positions at the School, the School complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly and the School will assess each case on an individual basis.

9.1.2 The School shall not unfairly discriminate against any subject of a Disclosure on the basis of conviction or other information disclosed and appointments shall be made on the basis of merit and ability. The School welcomes applications from a wide range of candidates and actively promotes equality of opportunity for all with the right mix of talent, skills and potential. If an applicant has a criminal record this will not automatically bar them from employment with the School. Each case will be decided on its merit's accordance with the objective assessment criteria set out in paragraph 9.2 below.

9.1.3 All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules, when applying for a position at the School. A failure to disclose a previous conviction may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

9.1.4 It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the School. The School will make a report to the Police and / or the DBS if:

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

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

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

9.1.7 Further information on the DBS can be found on www.homeoffice.gov.uk

9.2 Assessment Criteria

9.2.1 In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the High Master will make a judgment about the applicant's suitability and will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness and nature of any offence or other matter revealed;
- the age of the applicant when the offence was committed and the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- the applicant's subsequent career and good behaviour;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the applicant.

9.2.2 The High Master should also consider the incident in the context of the [Teachers' Standards](#) and [Teacher Misconduct Guidance](#) if the applicant is applying for a teaching post. The High Master will confirm in writing whether the person can be employed and, if so, any mitigating actions and controls to be put in place.

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

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or
- serious class A drug related offences, robbery, burglary, theft, deception or fraud.

9.2.3 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.

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

9.3 Assessment Procedure

9.3.1 In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the High Master of the School before a position is offered or confirmed.

9.3.2 If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

10 Retention and Security of Disclosure Information

10.1 Copies of documents used to verify the successful candidate's identity, right to work and required qualifications are kept on their HR file as per the advice at gov.uk.

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

10.3 In particular, the School will:

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

11 Recording Information

The School maintains a Single Central Register of pre-employment checks (see paragraph 2). The single central record must cover all staff, including teacher trainees on salaried routes, agency and third-party supply staff, even if they work for one day and all members of the proprietor body.

The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained in respect of staff members:

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

- Medical verification

With effect from 1 September 2024, the School will record when the online check was completed.

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

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

12 Referral to the DBS and Teaching Regulation Agency

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

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

A person satisfies the harm test if they have behaved in a way that has harmed a child, or may have harmed a child; possibly committed a criminal offence against or related to a child; behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children or behaved or may have behaved in a way that indicates they may not be suitable to work with children

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

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

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

Further, where the School dismisses a teacher, including an agency teacher, due to serious misconduct, or might have dismissed them or ceased to use their services had they not left first, the School must consider whether to refer the case to the Teaching Regulation Agency as required by sections 141D and 141E of the Education Act 2002.

The Teaching Regulation Agency may investigate the case, and if there is a case to answer, must then decide whether to make a prohibition order in respect of the person. Details about how to make a referral to the Teaching Regulation Agency can be found <https://www.gov.uk/guidance/teacher-misconduct-referring-a-case>

12.3 Where an allegation/concern does not meet the harm threshold, ie, is a low-level concern, the School will follow the low-level concerns procedures detailed within the Safeguarding policy and the Staff Code of Conduct. A low level concern might arise from suspicion; complaint; a disclosure made by a child, parent or other adult within or outside of the organisation; or as a result of vetting checks undertaken; and any concern, no matter how small - and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

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

13 Queries

13.1 If an applicant has any queries regarding this policy, they should contact the Human Resources Department.