

PART ONE:

SECTION E – PERSONNEL ISSUES

E14) SAFER RECRUITMENT, SELECTION AND DISCLOSURES POLICY AND PROCEDURE

This policy must be read in conjunction with the following policies:

- Safeguarding Children,
- Equal Opportunities,
- Data protection Policy

1. General

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

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

All queries on the School's Application Form and recruitment process must be directed to the Headmistress or the Bursar.

2. Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks relevant to that person (See Section 7 & 8 for further details).

Any staff who TUPE transfer into the School's staff, will be required to undertake the statutory requirements with regard to safer recruitment checks.

3. Application Form

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.



The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Head/Bursar. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Head/Bursar for advice.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

Appendix 1 provides further details on the recruitment of Ex-Offenders.

a) DBS Checks

The successful applicant will be required to complete an Enhanced Disclosure Form from the Disclosure and Barring Service ("DBS") for the position.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

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

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

Since 17 June 2013, the facility exists for candidates, who hold a DBS certificate, to register with the Updates Service at www.gov.uk/dbs. It is the policy of the School that all new employees must now register with the Updates Service. This will also be made a condition of their employment. Applicants have 19 days from the date of



issue of the certificate to do this. If they fail to comply with this, they will be responsible for the full cost of conducting a DBS check.

Dodderhill School does not currently renew criminal records checks at regular intervals for staff who have not registered with the Updates Service.

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

The School will not access information through the DBS Updates Service without permission from the Applicant.

b) Disqualification by Association

'By association' element of the disqualification criteria no longer applies to schools from 1 September 2018

c) Prohibition Checks (Teaching staff only)

Any successful candidates appointed to carry out teaching work will be subject to a prohibition check to ensure they are not subject to a prohibition order issued by the Secretary of State.

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.

"Delivering" includes delivering lessons through distance learning or computer aided techniques. However, none of these activities is "teaching work" if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the headmistress.

Teaching assistants are unlikely to need prohibition checks as it is likely that their work is carried out under direction and supervision. However, the School will decide on a case by case basis whether these assistants require prohibition checks. This will also apply to those employed as sports coaches and similar posts.

A check will also be done via the NCTL to see whether the Teaching Assistant has a sanction registered against them.

d) Checks required on staff in management positions (Also known as S128 Directions)

The School will check whether staff appointed to management positions after 12 August 2015 are subject to section 128 directions. For staff in regulated activity the check is done via a DBS. The following staff are subject to a section 128 direction check:

- Headteachers



- All staff on the Senior Leadership Team (including non-teaching staff)
- Teaching positions with departmental headship.

The prohibition from management check and a prohibition from teaching check will be included in the SCR.

4. Invitation to Interview

The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least three people chaired by the Head/Bursar 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. The Chair of Governors should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children.

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

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

1. A current driving licence including a photograph or a passport or a full birth certificate;
2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

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

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



5. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed as a teacher, a check that that the candidate is not subject to a prohibition order issued by the Secretary of State;
5. Verification of professional qualifications, where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999);
7. Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered; and
8. Self-declaration of fitness and, where applicable, a satisfactory medical check,
9. Satisfactory disqualification by association check and a signed declaration.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire, the information contained in the questionnaire will then be held by the School in strictest confidence. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, layout of the School.

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

6. References

The School will seek the references referred to in section 5 above for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will ask all referees if the candidate is suitable to work with children.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.



The School will only consider telephone references in cases of emergency where there is good reason to do so for the benefit of the pupils.

7. Agency Staff

In respect of Agency staff, the School will require confirmation that the following checks on the individual concerned have been carried out by the Agency provider before the individual can commence work at the School:

Identity, enhanced disclosure, right to work in the UK, barred list/List 99, prohibition, qualifications, overseas checks.

The single central register will show that all these checks have been carried out to the extent relevant and, in addition, that the school has carried out its own identity check. The school must also have sight of the disclosure before commencement of employment can take place.

Additionally, in having regard to KCSIE, the School will check that the agency has taken up references, obtained a declaration of medical fitness, and checked previous employment history. The School will also check the Disclosure and Barring Service of any Supply Staff that are registered with the Updates Service.

8. Contractors

Contractors engaged by the School must complete the same checks for their employees that the School is required to complete for its staff. The School requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School.

a) Employees of contractors

Employees of contractors who are working at the school on a long term basis (caterers, cleaners, et al) will be subject to the same checks as school staff, with written confirmation supplied by the employing organisation. The school will check identity on arrival and complete a risk assessment in relation to the work to be carried out.

Where the employees of contractors such as builders will have access to areas where unsupervised contact with children is possible, the school will ensure that DBS checks are undertaken by the contractor. Before a new individual can start work, the school will require confirmation from the company that the required checks have been undertaken and check photographic identification on arrival at the school. The School will keep records of the confirmations from the contractor, to be checked on inspection as part of the school having regard to safeguarding guidance.

(b) Self-employed contractors

The School will endeavour to check self-employed contractors via their professional associations. If the self-employed person subscribes to the DBS update service, the School will check identity, view the original certificate and check online for updated information. The School will also carry out a risk assessment on each individual basis.

(c) Occasional/temporary contractors

The school will determine when a contractor is occasional or temporary, and therefore whether or not they are working in regulated activity. If the workers are not



in regulated activity they will not be eligible for a barred list check but the School may opt to carry out an enhanced check if they judge this necessary.

If it is not possible to find workers at short notice who have already been checked, the discretion permitted in relation to occasional or temporary contractors must be exercised in good faith. This will entail the issue being considered at the time of the work and the School will create and retain a note of the basis of a decision not to carry out checks, which will form part of the audit-trail for inspectors.

(d) Emergency repairs

Where the contractor is a qualified person and they are making emergency repairs, the School will make regular checks on them as opposed to providing full supervision.

9. Volunteers

Regard will be given to KSCIE in that new regular volunteers will also be required to undertake an Enhanced Disclosure even though this is not a legal requirement if they are supervised. The School may also undertake further checks to be assured of the suitability and competence of the individuals. Appendix 2 of this document sets out the School's procedure for new volunteers.

10. Host Families

The School works in conjunction with partner schools to ensure that appropriate assurances are obtained regarding the host family before an exchange visit is arranged.

The School will not make vetting checks on Host families that are considered to be personal arrangements (i.e. when arrangements are made direct between two families). However, the School will always take reasonable steps to safeguard young people participating by ensuring that pupils are seen by a member of staff every day while away from home, that they have access to a mobile phone with signal or they know who to contact and how, if they have any concerns about their own safety.

The School does not undertake to arrange paid accommodation for children when on sports and language exchanges.

11. Visiting Speakers

In order to be compliant with 'Prevent' duty all visiting speakers, whether invited by staff or by pupils themselves, must be appropriately supervised and will never be left alone with pupils. Although specific vetting checks will not be carried out, the School will ensure visiting speakers are suitable, for example, by undertaking an internet search of the person(s) concerned. All checks carried out on visiting speakers will be recorded on the Single Central Register.

12. Those Who Do Not Require Vetting Checks

The School will not undertake vetting checks on visitors to the headmistress/other staff or those who have only brief contact with children in the presence of a teacher;



visitors carrying out repairs or servicing equipment; secondary school pupils on work experience or similar; those on the school site when pupils are not present; and pupils aged eighteen or over studying as pupils. Individuals returning from maternity leave, sabbaticals or similar, where continuity of employment is maintained do not need to be checked as new employees but schools may choose to renew checks if they wish. Similarly, staff with 'zero-hours' contracts that have continuity of service between periods of work will not be rechecked on each occasion.

See Appendix 3 'Regulated and non regulated activity and the relevance test' for further details.

13. Single Central Register (SCR)

The SCR will relate to the relevant persons at any time and will be kept up to date. Staff no longer employed at the School will not be removed from the SCR until the end of the academic year (31st August).

14. Induction of staff

All new members of staff are provided with induction training which includes copies of the following documentation:-

- The School's Child Protection (Safeguarding) Policy
- Staff Code of Conduct Policy
- Behaviour Policy
- Whistleblowing Policy
- The identity of the designated person (DSL)
- Part 1 of KCSIE

15. Criminal Records Policy

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

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request or accessed here:

<https://www.gov.uk/government/publications/dbs-code-of-practice> .

16. Retention and Security of Records

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

Appendix 1

Policy on the Recruitment of Ex-Offenders

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

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



Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

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

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

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

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

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

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

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

Appendix 2 (Vetting checks on volunteers) and Appendix 3 (Section 4 of ISSRs January 2015)

These documents are available on request from the School's HR department

