

SAFER RECRUITMENT POLICY

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INTRODUCTION

Alderley Edge School for Girls (“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 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 and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

This policy applies to the whole School, including EYFS. These procedures are designed to comply with the following guidance:

- Keeping Children Safe in Education - September 2024 (**DfE**)
- The Education (Independent School Standards) Regulations 2014 (**ISSRs**)
- Guidance for safer working practice for those working with children and young people in education setting - February 2022 (**Safer Recruitment Consortium**)
- Working Together to Safeguard Children- February 2024 (**DfE**)
- Revised Prevent Duty Guidance for England and Wales – December 2023 (**Home Office**)
- Disqualification under the Childcare Act Updated August 2018 (DUCA) (**DfE**)
- Code of Practice published by the Disclosure and Barring Service (DBS) – November 2015 (**Home Office**)
- The School’s Safeguarding policy (updated September 2024) to which reference should also be made.

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 equally and consistently.
- To ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.
- To ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.
- To ensure that the School does not knowingly employ people to work in childcare or allow them to be directly concerned in its management, if they themselves are directly ‘disqualified’ from childcare. Employees involved in the recruitment and

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

The Safer Recruitment Policy can be accessed on the School's website.

ROLES AND RESPONSIBILITIES

It is the responsibility of the Governing Body to ensure the School has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements and to monitor the School's compliance with them. In addition, the Governing Body should ensure that those involved with the recruitment and employment of staff to work with children have received appropriate safer recruitment training,

It is the responsibility of the Headmistress and HR Manager to:

- Ensure that the School operates safer recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the School.
- Monitor contractors' and agencies' compliance with these safer recruitment procedures.
- Promote the welfare of children and young people at every stage of the recruitment process.

The Governing Body has delegated responsibility to the Headmistress (teaching staff) and HR Manager to lead in all appointments. Governors may be involved in staff appointments, but the final decision will rest with the Head or Director of Finance & Operations.

RECRUITMENT AND SELECTION PROCEDURE

Advertising

To ensure equality of opportunity, the School will advertise all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement.

The advertisement and candidate pack will include the following:

- The skills, abilities, experience, attitude, and behaviours required for the post, and;
- The safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children.

The advertisement will also include:

- The school's or college's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken;
- The safeguarding responsibilities of the post as per the job description and personal specification, and;
- Whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974. The amendments to the ROA 1974 (Exceptions Order 1975, (amended 2020 and

2023)) provide that when applying for certain jobs and activities, certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account.

Job Descriptions and Person Specifications

A job description is a key document in the recruitment process and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, qualifications, abilities and expertise that are required to do the job.

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, but are permitted to be submitted alongside an Application Form.

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.

Application forms, job descriptions, person specifications, this policy and the School's Child Protection Policy (inclusive of Safeguarding) and procedures are available to download from the School's website and can be printed and forwarded to applicants on request.

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

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

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

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the Headmistress immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be

employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Headmistress for more details.

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

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.

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.

Shortlisting / Invitation to Interview

The School will then 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 usually be conducted by two members of staff who will ideally also be involved in the interview process.

Shortlisted applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

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

Artificial Intelligence

The School does not use artificial intelligence software as a decision making tool at any stage of the recruitment process, including in respect of external and internal applications and promotion proposals

Pre Employment Checks

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the ISSRs, the School carries out a number of pre-employment checks in respect of all prospective staff.

The School will, where possible, obtain references prior to interview. This allows any concerns raised to be explored further with the referee and can be taken up with the shortlisted candidate at interview.

All formal interviews will have a panel of at least two people chaired by the Headmistress or Director of Finance & Operations. At least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Headmistress' / Director of Finance & Operation'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 including where appropriate, any discussion of information shared by a candidate in their self-declaration form.

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 and 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 applicable, proof of entitlement to work and reside in the UK.

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

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.

Online Searches

In addition to the checks set out in this policy, 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. In accordance with paragraph [• 226] of KCSIE this will include online searches on shortlisted candidates (**online searches**). The online searches the School carries out may include searches of internet search engines, websites and social media platforms. Applicants are asked in the application form to provide details of their online profile,

including account names, social media and professional networking site handles and details of websites on which the applicant is featured or named. This information will be used to carry out online searches. Applicants are not required to provide account passwords or to grant the School access to social media or professional networking account content that is not publicly available. However, if information (such as profile pictures and / or account bios) is publicly available when a social media or professional networking site account is locked and can therefore be viewed by the School, it may be taken into account as part of the online search.

Online searches may be carried out at the shortlisting stage or after an offer of employment has been made (but prior to work commencing). The School will not carry out online searches as part of its initial sift of applications.

The School will determine how it approaches online searches on a case by case basis. However, all applicants for a role at the School will be treated consistently with regard to online searches.

Wherever possible online searches will be undertaken by a person who will play no other part in the recruitment process (including the shortlisting exercise) or the appointment decision. In carrying out online searches the School is looking for any publicly available information about an applicant that:

may be relevant to their suitability to carry out the role for which they have applied;

may be relevant to their suitability to work at the School or in an education setting;

is of a safeguarding nature; and / or

may have an impact on the School's reputation (whether positive or negative)

Any information generated from online searches will be entered in an 'Online search results record'. Where online searches are undertaken on shortlisted applicants any relevant information generated will be provided to the interview panel for discussion with shortlisted applicants at interview. Where online searches are undertaken on the successful applicant only any relevant information generated will be discussed prior to employment commencing. All offers of employment will be conditional upon the School being satisfied that the successful applicant is suitable to work at the School in light of any information generated from online searches.

In evaluating any online information for relevance the School will use the following criteria:

whether the information is relevant to the position applied for;

whether the information is relevant to the applicant's suitability to work at the School or in an education setting;

whether the information could have an impact on the School's reputation (whether positive or negative);

whether the information calls into doubt the applicant's willingness or ability to uphold the School's commitment to safeguarding and promoting the welfare of children;

the length of time since the information became publicly available and whether the applicant's circumstances have changed since the information was published;

whether the information reveals a pattern of concerning behaviour; and

the relevant circumstances and the explanation(s) offered by the applicant.

For successful candidates, the School will retain information generated through online searches for the duration of the individual's employment and in accordance with its Information and Records Retention Policy after employment ends.

For unsuccessful candidates, the School retains the information generated from online searches for six months from the date on which they are informed their application was unsuccessful, after which it will be securely destroyed.

References

The School will seek the references for shortlisted candidates (including internal applicants) and will approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant's current or most recent employer. References must be received by a senior person with appropriate authority. 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 and to provide facts of any substantiated safeguarding concerns or allegations that meet the harm threshold set out in Part 4 of the statutory guidance 'Keeping Children Safe in Education'. Substantiated allegations that meet the harm threshold should be included in references. Any repeated concerns or allegations which do not meet the harm threshold which have all been found to be false, unfounded, unsubstantiated, or malicious should not be included in any reference.

The School will 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.

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. The School will verify all references.

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.

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 (if not already received);
3. A satisfactory enhanced DBS check and, if appropriate, a check of the Children's Barred List maintained by the DBS;

The DBS disclosure certificate

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 within two weeks of it being received by the applicant. Original certificates should not be sent by post. A convenient time and date for bringing the certificate into the School should be arranged with HR Manager as soon as it 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 HR Manager. Where a certified copy is sent, the original disclosure certificate must still be provided either prior to the first day of work or on the first working day.

Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

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 or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
 - Planning and preparing lessons and courses for pupils;
 - Delivering and preparing lessons to pupils;
 - Assessing the development, progress and attainment of pupils; and
 - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, including Qualified Teacher Status, 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:*** 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; from each overseas country in which the applicant has lived for a period of three months or more in the previous 10 years; from each overseas country in which the applicant has lived overseas for a period of six months or more in the previous 10 years; from each overseas country in which the applicant has lived including their country of origin

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.

The School will also ask shortlisted applicants (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.

Sanctions and restrictions issued by the regulating authority of another country will not prevent a person from working as a teacher at the School. However, the School will take all relevant information into account in determining whether an applicant is suitable to work at the School.

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 no information is available from a particular country the School may allow an applicant to commence work if they are considered suitable based on all of the information that has been obtained during the recruitment process.

The School will take proportionate risk based decisions on a person's suitability in these circumstances. All suitability assessments must be documented and retained on file.

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.

8. Evidence of satisfactory medical fitness;

It is the School's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire. The School will arrange for the information contained in the Health Questionnaire. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra- curricular activities, layout of the School etc. If the School 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 a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with the School instead, or to attend an occupational health assessment to consider their fitness for the role, they should contact the HR Manager so that appropriate arrangements can be made.

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.

9. Confirmation that the candidate is not disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006” **OR** Receipt of a signed Self-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”;
10. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department; and

All appointments are subject to a probationary period during which time a reduced notice period may apply enabling termination of the employment for whatever reason, by either the employee or the School in a shorter time frame than would normally apply under the standard terms of their contract. The School’s disciplinary and capability procedures do not apply during this probationary period. The School also reserves the right to extend this probationary period should it deem this necessary.

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>.

There are limited circumstances where the school will accept a check from another educational institution which are as follows:

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

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or

- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

during a period which ended not more than three months before M's appointment.

In these circumstances the school may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

If the Disclosure is delayed

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

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be engaging in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head/Director of Finance & Operations and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but is not a requirement, that a note is added to the single central register and evidence kept of the measures put in place.

Assessment Procedure

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 HR Manager or Bursar or the Head of the School before a position is offered or confirmed.

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.

Whistleblowing and Exit Interviews

All staff are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the School's policies (including the

Whistleblowing Policy, the Child Protection Policy and the Staff Code of Conduct). All staff receive training so that they understand the School's expectations. Safeguarding children is at the centre of the School's culture and is accordingly considered formally during staff performance development reviews and appraisal and finally at an exit interview which is held with all leavers.

Retention, Security of Records and Data Protection Obligations

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

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

Visiting Speakers and 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 subject to the School's Visitor and Visiting Speaker Policy. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff between appointments.

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 Visitor and Visiting Speaker Policy the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

"Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces"

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.

Queries

If an applicant has any queries on how to apply for a post at the School they should contact the Bursar / Head / HR manager.

Single Central Record (SCR)

In addition to the various staff records kept in School and on individual personnel files, a single central record of recruitment and vetting checks (known as the "SCR") is kept in accordance with the Education (Independent School Standards) Regulations

April 2019 requirements. This is kept up-to-date and retained by the HR Manager. The SCR will contain details of the following: -

- all employees who are employed to work at the School
- all employees who are employed as supply staff to the School.
- all peripatetic music teachers working at the School.
- coaches (such as sports coaches and DofE mountain leaders) brought in by the School to work with pupils.
- volunteers who may be in regulated activity and for whom therefore checks have been completed.
- all Governors of the School

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:

- an identity check, (identification checking guidelines can be found on the GOV.UK website.
- a standalone children's barred list check 88
- an enhanced DBS check (with children's barred list check) requested/certificate provided
- a prohibition from teaching check 89
- further checks on people who have lived or worked outside the UK
- a check of professional qualifications, where required, and,
- a check to establish the person's right to work in the United Kingdom.

In addition:

- independent schools must record details of the section 128 checks undertaken for those in management positions.

The details of an individual should be removed from the single central record once they no longer work at the school or college.

A designated Governor will be responsible for auditing the SCR and reporting their findings periodically to the Governing Body.

Appendix

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 also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006".

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

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

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

- whether the conviction or other matter revealed is relevant to the position in question;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

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

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

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

Contractor's Clause

Standard clause for contracts where staff are employed by a contractor to work with or provide services to children or young people at, or on behalf of, the School.

Recruitment of staff

1. The School is legally required to ensure that any Contractor adopts and implements the measures described in the statutory guidance *Keeping children safe in education* (September 2024) (**KCSIE**), *Disqualification under the Childcare Act 2006* (**DUCA**), the Safeguarding Vulnerable Groups Act 2006 and the Education (Independent School Standards) Regulations 2014 (**ISSRs 2014**) all as amended from time to time, when recruiting staff to work with or provide services to children or young persons at the School. Failure to provide the School with the information required under this clause will mean that the Contractor cannot provide any services to the School. The School will process personal information in accordance with its Staff Privacy Notice.
2. Contractors must confirm that the following checks have been carried out on each person who will work with or provide services to children or young persons in connection with this contract before they can commence at, or for, the School:

2.1 verification of identity against an official document containing a photograph of the individual, such as a passport or photocard driving licence;

2.2 an enhanced disclosure from the Disclosure and Barring Service (**DBS**)*;

2.3a clear check of the Children's Barred List**;

2.4 for positions which involve "teaching work" information about whether the individual has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership) which renders them unable or unsuitable to work at the School;

2.5 for positions which involve "teaching work" and for individuals who have carried out teaching work outside the UK, a letter of professional standing from the professional regulating authority of the teaching profession in each country in which the individual has worked as a teacher, if available;

2.6 receipt of two satisfactory written references and confirmation that there are no concerns about the individual working with children;

2.7 proof has been provided that they hold the qualifications that are a legal requirement for the post they will be undertaking;

2.8 verification of their right to work in the United Kingdom;

2.9 receipt of a self-declaration form confirming whether the person is disqualified from working in connection with children under the age of eight in accordance with the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 and DUCA (only applicable to individuals who will be providing childcare at the School to children under the age of eight);

2.10 information about whether the individual has ever been the subject of a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the School;

2.11 for management positions, information about whether the individual 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;

2.12 full employment history together with explanations of any gaps;

2.13 verification that the individual is medically fit for the role; and

2.14 for individuals who have lived or worked outside of the United Kingdom, and in respect of whom obtaining a disclosure from the DBS is not sufficient to establish their suitability to work with children, an overseas criminal records check or certificate of good conduct and, if required by the School, professional references from the relevant country*.

3. In accordance with the ISSRs 2014, the School is to be provided with a DBS disclosure certificate for each individual who will perform work under the contract at the School. No individual will be permitted to start work at the School unless the DBS disclosure certificate has been received by the School. If the DBS disclosure contains any information the School will need to consider whether the individual is suitable to work at the School. The School may also need to complete its own checks before the individual can commence work.

4. The Contractor undertakes to keep a register showing whether the required checks have been carried out and the date on which each check was completed.

5. The Contractor undertakes to allow the inspection of such register or the records retained in respect of each person supplied by the Contractor to work at the School by a person authorised by HR Manager on reasonable notice for the purposes of confirming that all of the pre-appointment checks referred to in clause 2 of this agreement have been properly completed.

6. The School will check the identity of all individuals employed by the Contractor who it is intended will undertake work at the School before they can commence work at the School. It is a condition of this agreement that such individuals must provide acceptable evidence of their name and address when attending at the School for their first day of work. Acceptable evidence is deemed to be a current passport or photocard driving licence and a utility bill from within the last three months. For the avoidance of doubt no one will be permitted to commence work at the School until this evidence is provided.

*DBS disclosures for all staff and additional checks for individuals who have lived outside the United Kingdom are not required by law if, within the three months prior to an individual commencing work at the School, that individual has worked in:

a) a school in England which brought him / her regularly into contact with children or young persons;

b) a maintained school in England in a position to which he / she was appointed on or after 12 May 2006 and which did not bring him / her regularly into contact with children or young persons; or

c) a FE college in England in a position which involved the provision of education or which brought him / her regularly into contact with children or young persons.

** A check of the Children's Barred List is not permitted if an individual will not be undertaking "regulated activity". An enhanced DBS check is required if an individual

will be engaging in regulated activity at the School and can also be requested for those individuals whose duties would amount to regulated activity if they were carried out more frequently. Whether a position amounts to "regulated activity" must therefore be considered by the School in order to decide which DBS checks are appropriate. Consideration should be given to the duties being undertaken by the contractor, when they will be undertaken i.e. inside or outside of normal school hours, the frequency with which they are carried out and whether there is the potential for contact with children. It is however likely that in nearly all cases a DBS check and a Children's Barred List check will be required.