



## St George's WEYBRIDGE

### **RECRUITMENT, SELECTION AND DISCLOSURE POLICY AND PROCEDURE**

This policy applies to the recruitment of staff at St George's College and St George's Junior School.

#### **Introduction**

St George's Weybridge (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.

The aims of the school's 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 compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (September 2018) (KCSIE), Disqualification under the Childcare Act 2006 (DUCA), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- 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.

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

#### **Data Protection**

The School is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (NCTL)).

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations. The School will process personal information in accordance with its Staff Privacy Notice.

## **Recruitment and Selection Procedure**

Whenever a vacancy arises careful consideration will be given by the engaging manager and Human Resources as to where best to advertise. To ensure the principle of equal opportunities is upheld all vacancies are advertised internally to enable any existing employee to apply. Vacancies are also typically advertised on the School website and, where necessary, external media (such as TES, professional journals, newspapers and jobs boards).

Consideration is also given to the likely timetable needed for a successful recruitment and selection process, including likely notice periods, induction and on-boarding of the new recruit.

All applicants for employment will be required to complete an **application form** containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will not be accepted nor a curriculum vitae (CV) in place of the completed application form. Applicants will receive a job description for the role for which they are applying. Application forms, job descriptions, school information and the school's Safeguarding Policy are available to download from the school's website.

The applicant may then be invited to attend a **formal interview** at which his / her relevant skills and experience will be discussed in more detail. Wherever possible one of the interviewers will be trained in Safer Recruitment and where this is not possible the successful candidate will be subsequently interviewed by a member of the HR Department before a formal offer is confirmed. This is to ensure that appropriate scrutiny is applied to all candidates, both in terms of the information presented in the application form and the questions asked at interview, to adhere to safer recruitment principles. The panel member trained in Safer Recruitment is responsible for completing a Safer Recruitment Interview Checklist which is retained on the successful candidate's file.

In addition to a formal interview the applicant's suitability may be considered further via the performance of relevant tasks or tests, such as lesson observation for academic roles and timed tests for Business Staff roles. 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;
- verification of the applicant's identity (where this has not been previously been verified);
- verification of the applicant's right to work in the UK;
- verification of qualifications, whether professional or otherwise, which the School takes into account in making the appointment decision, or which are referred to in the application form, whether a requirement for the role or not
- verification of the applicant's employment history;
- the receipt of a minimum of two references (one of which should be from the applicant's most recent employer, in the case of teaching staff from their current or most recent Head) which the school considers to be satisfactory;

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

- any further checks which the school deems necessary as a result of the applicant having lived or worked outside of the UK, which may include an overseas criminal records check, certificate of good conduct or professional references ;
- where the position amounts to “regulated activity” (see section below) the receipt of an enhanced disclosure from the DBS which the school considers to be satisfactory;
- where the position amounts to “regulated activity” (see section below) confirmation that; the applicant is not named on the Children’s Barred List\*;
- for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency which renders them unable or unsuitable to work at the School;
- for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unable or unsuitable to work at the School;
- for teaching staff - information about whether the applicant is, or ever has 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;
- for management positions – information about whether the applicant is, or ever has 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;
- confirmation that the applicant is not disqualified from acting as a trustee / governor or senior manager of a charity under the Charities Act 2011 (if applicable, see section below);
- confirmation (where appropriate) that the applicant is not disqualified from working in connection with early or later years provision;
- verification of the applicant's medical fitness for the role.

**\*The School is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The School is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the School can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.**

**Whether a position amounts to "regulated activity" must therefore be considered by the School in order to decide which checks are appropriate. It is however likely that in nearly all cases the School will be able to carry out an enhanced DBS check and a Children's Barred List check.**

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

## **Medical Fitness**

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

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.

## **Pre-Employment Checks**

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of The Education (Independent School Standards) Regulations 2014 the School carries out a number of pre-employment checks in respect of all prospective employees.

In addition to the checks set out below, the School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the School. This may include internet and social media searches.

In fulfilling its obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

## **Verification of Identity and Address**

All applicants who are invited to an interview will be required to provide evidence of identity, their right to work in the UK, their current address and qualifications (where relevant) as set out below and in the List of Valid Identity Documents at Appendix 1 (these requirements comply with DBS identity checking guidelines):

- one document from Group 1; 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 relevant to the role.

Where an applicant claims to have changed his / her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) he / she will be required to provide documentary evidence of the change.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

The school asks for the date of birth of all applicants (and proof of this) to assist with the vetting of the applicants. Proof of date of birth is necessary so that the school may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The school does not discriminate on the grounds of age.

## References

References will be taken up on short listed candidates for teaching posts prior to interview. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made. Where possible, one reference will be taken up prior to interview for each shortlisted candidate for non-teaching posts.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the school. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children (if applicable). Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism". All referees will be sent a copy of the job description for the role for which the applicant has applied. 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, and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded 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, except where the allegation or concerns were found to be false, unsubstantiated, unfounded or malicious;
- whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" below).

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 compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed. Where a reference is not received prior to interview it will be reviewed upon receipt. Any discrepancies identified between the reference and the application form and/or the interview assessment form will be considered by the School. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

If factual references are received i.e. those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage an applicant although additional references may be sought before an appointment can be confirmed.

The School may at its discretion make telephone contact with any referee to verify the details of the written reference provided.

### **Criminal Records Check**

**Due to the nature of its work, the school applies for an enhanced disclosure from the DBS in respect of all prospective staff members.**

Prior to 29th May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records which a chief police officer considered relevant to the role applied for at the school.

Since 29th May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions which work as follows:

#### **For Those Aged 18 or Over at the Time of an Offence**

An adult conviction will be removed from a DBS disclosure if:

- 11 years have elapsed since the date of conviction;
- it is the person's only offence, and
- it did not result in a custodial sentence.

It will not be removed under any circumstances if it appears on a list of "**specified offences**" which must always be disclosed. If a person has more than one offence on their criminal record, then details of all their convictions will always be included.

A caution received when a person was aged 18 or over for an offence committed in the United Kingdom will not be disclosed if six years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

#### **For Those Aged Under 18 at the Time of an Offence**

A conviction will be removed from a DBS disclosure if:

- five and a half years have elapsed since the date of conviction; and
- it is the person's only offence, and
- it did not result in a custodial sentence.

Again, the conviction will not be removed under any circumstances if it appears on the list of "specified offences", or if a person has more than one offence on their criminal record. A caution received when a person was aged under 18 for an offence committed in the United Kingdom will not be disclosed if two years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

## The List of "Specified Offences" Which Must Always Be Disclosed

This contains a large number of offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record. The list of "specified offences" can be found at: <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

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 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 maintained by the DBS. Any position undertaken at, or on behalf of, the school (whether paid or unpaid), will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2am and 6am; or
- satisfies the "period condition", meaning four times or more in a 30 day period; and
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis. This definition will cover nearly all posts at the school. Limited exceptions could include an administrative post undertaken on a temporary basis in the School office outside of term time. It is for the school to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances.

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 as soon as reasonably practicable after it is received by the individual, but in any case, prior to them taking up employment at the school. Original certificates should not be sent by post. Applicants must instead bring the original certificate into the school at a convenient time and date for doing so, as arranged with the HR Department at the College or the Administration Officer at the Junior School.

Applicants who are unable to attend at the school to provide the certificate are required to send in a copy by post or email within two weeks of the original disclosure certificate being received. Copies must be sent to a named individual within the HR Department or to the Administration Officer at the Junior School. 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.

If there is a delay in receiving a DBS disclosure the Head teacher or Bursar has discretion to allow an individual to begin work pending receipt of the disclosure certificate. This is referred to as Special Measures and is confirmed in writing to the employee and their Line Manager and reviewed on a fortnightly basis. Special Measures will only be allowed if all other checks, including a 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. This is not the case in the Nursery at the Junior School where an individual is not allowed to start work without having a DBS disclosure in place.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including a criminal records check from the relevant jurisdiction(s). The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the School unless Special Measures are agreed by the Head teacher or Bursar.

### **Prohibition from Teaching Check**

The School is required to check whether staff who carry out "teaching work" are prohibited from doing so. The School uses the Teaching Regulation Agency Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition, order issued by a professional conduct panel on behalf of the Teaching Regulation Agency. In addition 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 TRA, or any predecessor or successor body; and
- have ever been the subject of any proceedings before a professional conduct panel of the TRA, or equivalent body in the UK.

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

The School carries out this check, and requires associated information, for roles which involve "teaching work". In doing so the School applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012 which states that the following activities amount to "teaching work":

- planning and preparing lessons and courses for pupils;
- delivering lessons to pupils;
- assessing the development, progress and attainment of pupils; and
- reporting on the development, progress and attainment of pupils.

The above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Head. If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken including for Visiting Music Teachers and sports coaches.

In addition, for all appointments made on or after 18 January 2016, where an applicant has carried out teaching work outside of the UK the School will ask the applicant (and their referees) whether they have ever been referred to, or are the subject of a sanction issued by, a regulator of the teaching profession in the countries in which they have carried out teaching work. This will include checking for the existence of any sanctions issued by regulators of the teaching profession in other EEA countries using the Teaching Regulation Agency Teacher Services system.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a



## **Prohibition from Management Check**

The School is required to check whether any applicant for a management position is subject to direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (a **section 128 direction**). The School will carry out checks for such directions when appointing applicants into management positions from both outside the School and by internal promotion.

This check applies to appointments to the following positions made on or after 12 August 2015:

- Head;
- teaching posts on the senior leadership team;
- teaching posts which carry a departmental head role; and
- Business staff posts on the senior management or leadership team;

The School will assess on a case by case basis whether the check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities. It also applies to appointments to the governing body.

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

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.

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

## **Disqualification from acting as a charity trustee or senior manager**

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. In an independent school the trustees will typically be 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

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

finances. At the School the disqualification rules will be applicable to all governors, the Head / Principal, Bursar and potentially other senior staff who report directly to the governors.

All those who are covered by the disqualification rules are required to complete a self-declaration form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria. A failure to disclose relevant information, or the provision of false information, which subsequently comes to the School's attention may result in the termination of an appointment as a governor or senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence.

All those who are required to complete a self-declaration form are also under an ongoing duty to inform the School if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

To ensure that it has accurate and up to date information the School will also check the following registers in respect of each governor and senior manager who is already in post or is appointed in future:

- (a) the Insolvency Register;
- (b) the register of disqualified directors maintained by Companies House;  
and
- (c) and the register of persons who have been removed as a charity trustee.

A person who discloses that one or more of the disqualification criteria is applicable to them may apply to the Charity Commission for a waiver of the disqualification. The School may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appointment to the governing body if a waiver application becomes necessary or is rejected by the Charity Commission. The School is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

### **Childcare Disqualification Requirements**

The Childcare Act 2006 (**Act**) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (**Regulations**) state that it is an offence for the School to employ anyone in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP.

EYP includes usual school activities and any other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place on the school premises during or outside of the normal school day;

LYP includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.

DUCA states that only those individuals who are employed directly to provide childcare are covered by the Regulations. "Childcare" means any form of care for a child, which includes education and any other supervised activity for a child who is aged 5 or under. "Childcare" in LYP does not include education during school hours but does cover before and after school clubs.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

Roles which will be covered by the Regulations are teaching and teaching assistant positions in EYP, and those which involve the supervision of under 8s in LYP. Those who are directly involved in the management of EYP and LYP include the Head, and may also include other members of the management team as well as those involved in the day to day management of EYP or LYP at the School.

DUCA contains an express statement that cleaners, drivers, transport escorts, catering and office staff are not covered by the Regulations.

Some roles at the School may involve the provision of childcare in EYP or LYP on an occasional basis. They will not automatically be within the scope of the Regulations and the School will therefore consider whether they do on a case by case basis. The Regulations only apply to a limited number of roles within the School but do extend beyond employees to governors and volunteers who carry out relevant work in EYP or LYP.

The criteria for which a person will be disqualified from working in connection with EYP or LYP are set out in the Regulations. They are not only that a person is barred from working with children (by inclusion on the Children's Barred List) but also include:

- having been cautioned (after 6 April 2007) for, or convicted of, certain criminal offences including violent and sexual criminal offences against children and adults whether committed in the United Kingdom or overseas;
- various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
- having been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), having been disqualified from any such registration or having had that registration cancelled;
- having been refused an application for registration of a children's home or having had any such registration cancelled;
- having been prohibited, restricted or disqualified from private fostering.

All applicants to whom an offer of employment is made to carry out a relevant role in EYP or LYP will be required to complete a Self-Declaration Form confirming whether they, or anyone in their household, meet any of the criteria for disqualification under the Regulations.

The School will decide whether a role is relevant and within the scope of EYP or LYP by having regard to the guidance in DUCA. Employment with the School in any relevant role will be conditional upon completion of the Self-Declaration Form and upon the applicant not being disqualified. The School cannot permit any person who is currently disqualified to start work in a relevant role. The School also reserves the right at its absolute discretion to withdraw an offer of employment if, in the opinion of the School, any information disclosed in the Self-Declaration Form renders that person unsuitable to work at the School.

Applicants who have any criminal records information to disclose about themselves, must also provide the following information:

- details of the order, restriction, conviction or caution and the date that this was made;
- the relevant court or body and the sentence, if any, which was imposed; and
- a copy of the relevant order or conviction.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

**Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules (see section Error! Reference source not found.above).**

**For the avoidance of doubt the School does not require applicants to request any criminal records information directly from the DBS. The School only requires applicants to provide relevant information about themselves "to the best of their knowledge".**

A person who discloses information which appears to disqualify them from working in a relevant role may apply to Ofsted for a waiver of the disqualification. The School may withdraw an offer of employment at its absolute discretion and is under no obligation to await the outcome of an Ofsted waiver application. If a waiver application is rejected the School will withdraw the conditional offer of employment.

The School will securely destroy any information which is provided by an applicant which is not relevant to the childcare disqualification requirements as soon as it is established that it is not relevant. Where a person appointed to a role at the School is found to be disqualified the School will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the School, after which it will be securely destroyed.

After making this declaration staff in a relevant role are under an on-going duty to inform the School if their circumstances change in a way which would mean they subsequently meet any of the criteria for disqualification. Any failure to disclose relevant information now, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.

### **Contractors and Agency Staff**

Contractor staff 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 written confirmation that these checks have been completed before employees of the contractor can commence work at the school. Further information is available in the Contractors on- Site Policy.

Agencies who supply staff to the school must also complete the pre-employment checks which the school would otherwise complete for its staff. Again, the school requires confirmation that these checks have been completed before an individual can commence work at the school. All such records and confirmation of safer recruitment checks supplied by the contractor firm or agency are held securely by the HR Department.

The school will independently verify the identity of staff supplied by contractors or an agency in accordance with details given above upon commencement of the contract or temporary assignment Agency staff must also provide their current valid DBS certificate on arrival.

### **Volunteers**

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the School (the definition of regulated activity set out above will be applied to all volunteers).

The School will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day to day supervision by a fully checked member of staff or by a volunteer who the School has deemed appropriate to supervise and ensure the safety of those pupils in their care.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

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

It is the School's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the School for three consecutive months or more. Those volunteers who are likely to be involved in activities with the School on a regular basis may be required to sign up to the DBS Update Service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

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

### **Visiting Speakers and the Prevent Duty**

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised. The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.

All visiting speakers will be subject to the School's Visitor's 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 Visitors Policy, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

*"Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."*

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

The School keeps a central log of visiting speaker checks which includes the member of staff responsible for carrying out the check and a specific reference to whether they present a Prevent concern.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

## **Policy on Recruitment of Ex-Offenders**

### **Background**

The school will not unfairly discriminate against any applicant 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 applicant 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 positions within the school are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except for those to which the DBS filtering rules apply (see the paragraph entitled 'The list of "specified offences" which must always be disclosed' above). A failure to disclose a previous conviction (which should be declared) 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.

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.

### **Assessment Criteria**

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 applicant.

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.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

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 a serious driving offence, such as drink driving, within the last ten years.

### **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 Bursar and/or the relevant Head before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, he / she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the school will, 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.

### **Retention and Security of Disclosure Information**

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, but is under no obligation to do so. Further information is available in the School's Policy Statement: Secure Storage, Handling, Use, Retention & Disposal of Disclosures and Disclosure Information.

In particular, the school will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the school's Human Resources and senior management team, and Administration Officer at the Junior School;
- not retain disclosure information or any associated correspondence for longer than is necessary, and for a maximum of six months. The school will keep a record of the date of a disclosure, the date the original certificate was seen, 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 beyond the copy taken of the original certificate.

### **Retention of Records**

If an applicant is appointed, the school will retain any relevant information provided on his / her application form (together with any attachments) on his / her personnel file. This documentation will be retained by the School for the duration of the successful applicant's employment with the School. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed within six months. The same policy applies to any suitability information obtained about volunteers involved with School activities.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a

## **Whistleblowing**

All staff are trained so that they understand they 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 safeguarding policy and the Staff code of conduct).

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

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks, the School also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children; or
- has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.
- If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the Teaching Regulation Agency.

## **Induction**

**All staff, including those on casual contracts and volunteers, undertake an induction appropriate to their role, including a full introduction to the safeguarding approach of St George's Weybridge. This is achieved via a mix of online training, an interview with the DSL or a trained member of staff and the receipt of a hard copy safeguarding information pack, including relevant SGW policies and KCSIE part 1. Wherever possible the safeguarding induction is scheduled for the first day at work or earlier, and no later than the end of the first week of employment.**

## **Queries**

If an applicant has any queries on how to complete the application form or any other matter he / she should contact the HR Department.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a



---

## APPENDIX 1

### List of Valid Identity Documents

#### Group 1 – Primary Trusted Identity Credentials

- Current valid passport
- Biometric UK residence permit
- Current driving licence (photocard and paper) UK - inc. Isle of Man & Channel Islands
- EU driving licence – photo card
- Birth Certificate (UK & Channel Islands) - issued at time of birth
- Adoption Certificate (UK & Channel Islands)

#### Group 2a – Trusted Government/State Issued Documents

- Current UK driving licence (paper – old style)
- Current non-UK/EU photo driving licence ☐
- Birth certificate (UK & Channel Islands) – issued other than at time of birth
- Marriage/civil partnership certificate (UK & Channel Islands)
- HM Forces ID card (UK)

#### Group 2b – Financial/Social History Documents

- Mortgage Statement (UK or EEA)\*\* or Bank/Building Society Statement (UK and Channel Islands or EEA)\*
- Bank/Building Society Account Opening Confirmation Letter (UK)
- Credit Card Statement (UK or EEA)\*
- Financial Statement \*\* - e.g. pension, endowment, ISA (UK)
- P45/P60 Statement \*\*(UK & Channel Islands)
- Council Tax Statement (UK & Channel Islands) \*\*
- Work Permit/Visa (UK) (UK Residence Permit) \*\*
- Utility Bill (UK)\* – Not Mobile Telephone
- Benefit Statement\* - e.g. Child Allowance, Pension
- A document from Central/ Local Government/ Government Agency/ Local Authority giving entitlement (UK & Channel Islands)\*- e.g. from the Department for Work and Pensions, the Employment Service , Customs & Revenue, Job Centre, Job Centre Plus, Social Security
- EU National ID Card
- Cards carrying the PASS accreditation logo (UK)
- Letter from Head or College Principal (UK) for 16-19 year olds in full time education. This is only used in exceptional circumstances if other documents cannot be provided.

Note: If a document in the List of Valid Identity Documents is:

- denoted with \* - it should be less than three months old
- denoted with \*\* - it should be less than 12 months old
- not denoted – it can be more than 12 months old.

Reviewed September 2018

Next review September 2019

Related policies – Safeguarding Policy, Staff Behaviour Policy, Whistle-blowing Policy.

Author – Head of Human Resources

Policy number – 18a