

<b>Author</b>	Jayne Jones, Director of HR
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## RECRUITMENT AND SELECTION POLICY AND PROCEDURE

### 1.0 Purpose

- 1.1 The purpose of this Policy is to inform employees about their responsibilities in relation to recruitment and selection.
- 1.2 A key commitment for Warwick Schools Foundation ("THE FOUNDATION") and its Schools (Warwick School, Warwick Junior School, King's High School for Girls and Warwick Preparatory School ("the Schools")) is our commitment to providing the best possible education and care to our pupils and to safeguarding and promoting the welfare of young people and expecting all staff and volunteers to share this commitment.
- 1.3 The Foundation recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.
- 1.4 The Kingsley School currently have a separate recruitment and selection policy which can be found on their website and on the Foundation Recruitment Website.

### 2.0 Legislation

- 2.1 This policy ensures compliance with all relevant legislation, recommendations and guidance including the Education (Independent School Standards) Regulations 2014 (ISSRs), the statutory guidance published by the Department for Education (DfE), Keeping children safe in education (1 September 2022) (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 THE FOUNDATION's Child Protection and Safeguarding Policy, Safer Recruitment in Education training and HR best practice.
- 2.2 This policy and recruitment procedures have been reviewed in consideration with the current Data Protection legislation including GDPR (May 2018). The use of data relating to external applicants and members of staff, is strictly controlled by the HR departments, so that only relevant information is accessed by the shortlisting/ recruitment panel. Access to confidential information relating to applicants/ employees is held securely, with restricted access and retained for a limited period of time.
- 2.3 The Foundation 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 Foundation to enable the Foundation to carry out the checks that are applicable to their role. The Foundation will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and

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

### 3.0 Scope

3.1 This policy applies to all employees and governors responsible for and involved in the recruitment and selection process for all staff, contractors (employed and self-employed), agency staff and volunteers.

3.2 The aims of this policy are:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that the Foundation meets the commitments of safeguarding and promoting welfare of children and young people by carrying out all the necessary employment checks;
- to ensure compliance with all relevant legislations, advice and guidance as listed in 2.1 above;
- to ensure that all job applicants are considered equitably and consistently;
- to provide equality of opportunity for all applicants by ensuring 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 Foundation meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks; and
- to ensure that employees involved in recruitment and selection are responsible for complying with the provisions of this policy, and that at least one member of the panel is trained in Safer Recruitment in Education.

### 4.0 Responsibilities

#### 4.1 Authorisation to Recruit

4.1.1 When the decision to recruit is made, the recruiting manager must:

- complete an *Authorisation to Recruit Form*; ensure that both the relevant Head or Foundation Bursar (Professional Services) authorise the recruitment;
- ensure that confirmation has been received from Payroll that the previous job holder has been processed as a leaver and note/attach this to the form;
- pass the Authorisation to Recruit Form to HR, who will arrange for the Director of Finance to authorise the vacancy, and HR will then make arrangements to place the advert; and
- and (at the same time) e-mail to HR electronic copies of the draft advert (Section 4.2) and the job description/person specification (Section 4.3) from the recruiting manager.

4.1.2 This form should be completed promptly, to ensure the recruitment process can start promptly. **Adverts cannot be placed until this form has been completed in full and returned to [hr@warwickschools.co.uk](mailto:hr@warwickschools.co.uk).**

#### 4.2 Adverts

4.2.1 ALL vacancies must be advertised internally across the whole organisation, including The Kingsley School, where possible, for a minimum of five working days for all existing employees to see. The vacancy may also be advertised externally, the type of role determining where the advert is placed.

- 4.2.2 ALL jobs will be advertised on the Foundation's Recruitment Website, with links from the respective school's website, and via other media where appropriate as agreed in consultation between HR and the Head. The agreed media will be noted on the Authorisation to Recruit form. Available media include (but are not limited to):
- Specialist websites (e.g., TES)
  - Job boards
  - Universal Jobmatch (Direct Gov)
  - Linked-In
  - Social Media e.g., Facebook
  - Local or National newspapers
- 4.2.3 Exceptions to open advertising may be applicable where there is a requirement for the Foundation to consider re-deployment for reasons of health, capability or redundancy. For example, certain posts may be 'ring-fenced' for employees 'at risk' of redundancy to allow them to apply ahead of internal or external advertising. HR will liaise with recruiting Heads to advise them when this requirement arises within the Foundation.
- 4.2.4 If the vacant post has previously been advertised within the last six months and becomes vacant again, the interview panel may wish to re-visit the previous applicants before re-advertising. Informed consent will be sought from previous applicants to ensure they are in agreement for their data to be used again, or if consent is withheld, it will be confidentially destroyed.
- 4.2.5 ALL adverts are to be placed and arranged through the HR team only. Careful consideration of the intended publication date for the advert and deadline date for processing the "copy" for the advert is required. Sufficient time allocation must be given to ensure appropriate approval of content/layout etc. prior to the deadline date/time for publication. Regrettably, adverts which are not confirmed until after the deadline date/time will be delayed until this is completed.
- 4.2.6 Support is available from HR to draft the advert and give advice on appropriate media and deadlines. Copy for the advert will be approved by the relevant Head or the Foundation Bursar or any other Senior Management Team member to whom this task has been delegated, prior to placement.
- 4.2.7 The Marketing team will also support HR with layout and provide appropriate images for this purpose.
- 4.2.8 Internal vacancies are for current Foundation employees only. External candidates (including those known to current staff) can only be considered when an external advert has been placed.

### **4.3 Job Description, Person Specification and Information Pack**

- 4.3.1 The recruiting manager is responsible for:
- Drawing up the job description and person specification for the vacant post, using the *Job Description template*. HR will assist where necessary. Templates are available on Sharepoint, which can be adapted. As a general rule, all job descriptions need to be kept up to date on an ongoing basis.
  - Seeking approval of the job description and the person specification from the relevant Head or the Foundation Bursar or any other Senior Management Team member to whom this task has been delegated.
  - E-mailing the approved job information to HR with the *Authorisation to Recruit Form* equivalent to assist with the drafting of the advert.

- 4.3.2 The HR department in consultation with the recruiting manager will compile the information pack that is needed for applicants, where applicable. A template information pack is available on SharePoint. As a minimum this should include:
- background information about the school/the Foundation,
  - the role advertised,
  - a selection of photos relevant to the role/school/Foundation,
  - benefits offered;
  - the job description,
  - the person specification, and
  - details of the application process.
- 4.3.3 The information pack and application forms will be available on the Foundation's Recruitment Website from the date the advert goes live and will be removed when the deadline date/time has passed.

#### **4.4 Application and Short-Listing Process**

- 4.4.1 All applicants for employment will be required to download and complete an application form containing questions about their academic and employment history and their suitability for the role. It will also include the Equal Opportunities Monitoring Section. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form.
- 4.4.2 Completed application forms should be submitted to the HR department via email to [hr@warwickschools.co.uk](mailto:hr@warwickschools.co.uk)
- 4.4.3 Applicants will have access to the Information Pack for the vacancy, which includes a job description and person specification for the role applied for. The Information Pack, the Application Form, this policy and the Foundation's Child protection and Safeguarding policy are available on the Foundation's Recruitment Website.
- 4.4.4 HR will acknowledge receipt of the completed application forms directly to the applicant and process the applications. HR will share relevant sections with the shortlisting/interviewing panel members only. This information is shared securely.
- 4.4.5 HR will check the in-box for new applications at least twice a day and allocate secure access to the relevant sections only, to the shortlisting panel only. This will ensure the shortlisting panel has prompt and secure access to the applications. The Shortlisting panel will then conduct a shortlisting exercise by reviewing all application forms received in order to determine which applicants will be invited for interview, using a shortlisting matrix to do so. The shortlisting exercise will usually be conducted by at least two members of staff, who will ideally also be involved in the interview process.
- 4.4.6 The Recruiting Manager is responsible for checking that all shortlisting panel members have securely accessed the application forms.
- 4.4.7 The Chair of the Shortlisting Panel should note any issues which should be raised at interview e.g., gaps in employment or if the applicant has been living/working overseas for over three consecutive months in the last ten years (see Section 4.6.5 below). These areas must be discussed at interview and noted on their application form or interview notes.

- 4.4.8 The shortlisting matrix should be completed for all vacancies, as this will demonstrate the objective decision making of the panel. This ensures that all decisions are fair, equitable and objective. Shortlisting matrices will be retained for 6 months after the selection process is completed (see Section 5.2 below).
- 4.4.9 The chair of the shortlisting/interview panel (or someone authorised by him/her) is responsible for
- drawing up the *Interview Schedule* once the shortlisting process is complete, and
  - liaising with HR, giving at least five working days' notice wherever possible, who will make initial contact with shortlisted candidates. This will be actioned by HR who will issue formal invitations to interview by letter/email, confirming the details and any documents required at the interview stage. The five days' notice also helps to give candidates time to make their own arrangements to attend the interview.
- 4.4.10 HR will provide all shortlisted applicants with a self-declaration form prior to interview in which they will be asked to provide information about their criminal records history and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview.
- 4.4.11 On receipt of the interview schedule, advising of the shortlisting candidates, HR will provide access to the Chair of the Shortlisting Panel with the contact details for all shortlisted candidates.
- 4.4.12 *Urgent cases* – In **exceptional** circumstances, a very quick turnaround may be required, curtailing the processes outlined above. The recruiting manager must:
- plan for this eventuality,
  - note that this is the case on the Authorisation Form alternative,
  - including details of who is to make the initial contact with the shortlisted candidates.

As soon as the shortlisted candidates are decided:

- the shortlisting panel chair must advise HR;
  - HR provide the person making the initial contact with the contact information required;
  - HR will complete the internet search for shortlisted candidates;
  - the person making initial contact must provide certain information as a **minimum**, which is outlined in the letter template provided at Appendix 1.
- 4.4.13 Non-shortlisted applicants will be informed electronically from HR on behalf of the shortlisting panel, that they have been unsuccessful.

## 4.5 References

- 4.5.1 All offers of employment are subject to receiving a minimum of two satisfactory references, which are considered satisfactory by the Foundation. One of which must be from the applicant's current/most recent employer. If the current / most recent employment does / did not involve work with children, then a further reference should be from the employer with whom the applicant most recently worked with children. No referees should be a relative or someone known to the applicant solely as a friend.
- 4.5.2 If there is no current employer, verification of the most recent period of employment and reasons for leaving will be obtained. The Foundation will seek to take up references on shortlisted applicants prior to interview, wherever possible. The referees should have appropriate authority within their

organisation, for example Headteacher for those working in schools. All references received from a school must be countersigned by the Head of that school. The information supplied by the candidate concerning their references, will be independently checked by HR.

- 4.5.3 In exceptional circumstances, where the written references have not yet been returned or the urgency of recruitment makes this unlikely, then with agreement HR will obtain verbal references over the phone. These verbal references will be documented in writing by HR, and the referee will be required to follow-up in writing.
- 4.5.4 Once shortlisting has been completed:
- The chair of the shortlisting panel must decide the references to be sought by HR.
  - The chair must check that the referees are “acceptable” to the School, e.g., for teaching post applicant referees to include the current Head teacher. This is in accordance with Safer Recruitment in Education.
  - Notify HR, giving at least five working days’ notice wherever possible, of the references to be sought. This allows reasonable time to request and receive references.
  - HR will take up references for all short-listed candidates between shortlisting and interviewing but only where candidates have given their informed consent to do so. Candidates are advised on the application form that Safer Recruitment guidance advises that references are received prior to interview. However, they cannot be required to do so.
  - If the chair has any concerns, he/she should advise HR, who will liaise with the candidates for further information and/or additional referees, if required.
- 4.5.5 It should be noted that no questions will be asked about health or medical fitness prior to any offer of employment being made.
- 4.5.6 The Foundation 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. All electronic references will be verified to check that they originate from a legitimate source.
- 4.5.7 Character references will only be accepted in exceptional circumstances, and by agreement with HR, for example first job appointees or volunteers.
- 4.5.8 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
- 4.5.9 The Foundation may at its discretion make telephone contact with any referee to verify the details of the written reference provided.
- 4.5.10 The Foundation treats all references given or received as confidential which means that the applicant will not be provided with a copy.
- 4.5.11 The standard *Reference Request Form* will be used when obtaining references to ensure that all necessary Child Protection and employment questions are covered. It may be necessary to add an additional question(s) to the standard form for a specific post. Additional question(s) will be added to the reference request form by HR in consultation with the recruiting manager/Head to ensure consistency across the whole organisation.

- 4.5.12 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. All referees will be sent a copy of the job description and person specification 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, sickness (not included after an employment offer has been made)<sup>1</sup> and disciplinary record;
  - Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be unsubstantiated, unfounded or malicious;
  - Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be unsubstantiated, unfounded or malicious; and
  - whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" at section 7 below).
- 4.5.13 The Foundation 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 by HR or the Head of the relevant school, before any appointment is confirmed.
- 4.5.14 HR will securely share all references received prior to/on the interview date to the chair of interview panel to ensure that he/she can raise any relevant issues or concerns which may arise from this reference.
- 4.5.15 Any references not received prior to the interview, will be forwarded in confidence, to the chair of the panel as soon as they are received, and any discrepancies identified between the reference and the applications form and/or the interview assessment form considered. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.
- 4.5.16 If there is a delay in the receipt of references, unfortunately this is likely to result in a delay to the commencement of employment. HR will keep the recruiting line manager informed and will inform the manager and the applicant when references have been returned; deemed satisfactory and verified.
- 4.5.17 All internal candidates who apply for a new role at the Foundation will have their application assessed in accordance with this procedure. References may be taken up on all internal candidates as part of the application process and can be provided by colleagues as the Foundation will be the most recent employer and will previously have taken up references from past employers.
- 4.5.18 The Foundation have carefully considered carrying out online searches for shortlisted candidates following advice from the Safer Recruitment Consortium.
- a) All shortlisted candidates will have an internet search prior to their interview, to enable any concerns to be raised at interview.

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<sup>1</sup> Questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made.

- b) The application form will advise candidates that if they are shortlisted, any internet content which causes concern and may suggest that they may not be suitable to work with children, will be discussed at interview
- c) This search will be carried out by a member of the HR team, not involved in the shortlisting/selection decision, and will include, but not necessarily limited to, a Google search. In exceptional circumstances e.g. limited resources within the team, then the search may be outsourced to an external organisation to assist..
- d) Any issues of concern, as a result of this online search, will be shared with the chair of the interview panel prior to the interview, to enable this to be discussed at interview. Advice will be given by HR about suitable questions to gather the necessary information.

## **4.6 The Interview**

4.6.1 It is considered best practice that at least one member of the interview panel has completed the safer recruitment training in order to comply with Department for Education guidance. This information is requested on the Authorisation to Recruit Form equivalent and clearly noted on the interview notes.

4.6.2 All applicants who are invited to an interview will be required to bring with them the following:

- evidence of identity,
- right to work in the UK,
- evidence confirming their address,
- the signed self-declaration form (see Section 4.4.10) if they have not already returned electronically and
- original documents confirming any educational and professional qualifications referred to in their application form.

The first three items are required in order to comply with DBS identity checking guidelines. Appendix 2 gives the list of valid identity documents, from which the following must be provided:

- 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.

In addition, 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.

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

4.6.3 The recruiting manager is responsible for making arrangements for a designated member of staff in school to co-ordinate the copying of relevant documents on the day of the interview.

Each page copied should be signed and dated by the designated member of staff to confirm they have viewed the original document. This information is confidential, and must be kept securely, and



forwarded securely to HR the same day or no later than close of play the following working day. Once HR has confirmed receipt, the original copy must be securely destroyed.

4.6.4 A record of interview must be kept.

It is the responsibility of the chair of the interview panel to:

- complete a '*Record of Interview Form*',
- collect in all the interview papers and returning them to HR as soon as possible after interviewing has taken place (e.g., by the end of the following working day) to retain as an accurate record for the successful candidate, which will be held on their confidential HR file for the duration of their employment.

Alternatively, the chair may allocate one member of the panel to take notes during the interview and summarise the comments for all panel members, which all members will need to sign. This ensures that an accurate record is kept of the candidate's responses at interview and that all records are held confidentially and securely.

4.6.5 If there are any gaps in employment, which are not explained on the application form, these should be raised during the interview to obtain an explanation. If there are queries/inconsistencies arising from the references received these should also be raised at the interview, to give the candidate an opportunity to clarify/explain. The chair of the panel should liaise with HR for advice prior to interview.

4.6.6 The chair of the interview panel will be responsible for contacting the successful applicant in the first instance once the decision to offer has been made. Any offer must only be made conditional upon the receipt of satisfactory employment checks, and other regulatory requirements.

4.6.7 Ideally, both references will have been received prior to interview, but the timescales involved, and availability of the referee means this may not always be possible. Any outstanding references should be received as a matter of urgency because it has to be obtained and verified before employment can start. The chair of the interviewing panel should liaise with HR for advice.

4.6.8 Once the chair of the interview panel knows that the offer has been accepted then he/she is responsible for completing a '*New Starter Form*' or CIPHR equivalent and submitting this to HR as soon as possible after the interview.

4.6.9 Only upon receipt of the '*New Starter Form*' or CIPHR equivalent can HR prepare a written offer of employment and contract plus any other appropriate employment documentation. This offer letter/contract will be signed by either the Head or Foundation Bursar or as delegated to HR. All offer letters and contracts must be prepared by HR to ensure consistency throughout the organisation.

4.6.10 HR will then email securely the employment pack to the new appointee. If this is not possible, it will be posted. HR will then monitor the return of signed documentation and keep the recruiting manager informed of progress. Where necessary, the new appointee will be asked to attend a meeting with HR to complete all pre-employment documents.

4.6.11 Unsuccessful candidates will be informed by the chair of the interview panel and followed up in writing by HR.

4.6.12 Candidates attending are eligible to request reimbursement of reasonable travelling expenses to interview, using the most cost-effective method of travelling and if driving, the shortest possible route.

- a) The candidate should be given the Expense Claim Cover Note for External Claimants (which can be found on the SharePoint Portal).
- b) The candidate should both complete both the Expense Claim Form and Cover Notes, referred to above, enclosing appropriate proof for the claim (e.g., receipt of ticket purchased, travelling distance (less their normal travelling to and from work);
- c) The information on the cover note will only be used in relation to the expense claim, stored securely and destroyed once the claim is settled;
- d) The claim should be authorised by the person responsible for their visit e.g., the recruiting manager and the authorised form submitted to Finance for payment.

#### **4.7 What pre-employment checks will need to take place?**

##### **4.7.1 All offers of employment are conditional upon the following:**

- Verification of right to live and work in the UK;
- Verification of identity;
- Receipt of an Enhanced (with barred list information) Certificate from Disclosure and Barring Service (DBS) which is satisfactory to the Foundation;
- Where the position amounts to a “regulated activity” confirmation that the applicant is not named on the Children's Barred List administered by the DBS;
- A Prohibition Order Check (for all staff in teaching roles and other roles identified as appropriate by the Head);
- Verification that under s128 of the Education and Skills Act 2008 that the individual is not barred from taking part in the management of an independent school. This includes Governors, all staff on the senior leadership team (including non-teaching staff) and all teaching positions appointed at the level of Head of Department or above;
- Verification of mental and physical fitness for the role;
- Verification of educational qualifications that are applicable to the post;
- The receipt of at least two references which are considered satisfactory to the Foundation;
- Additional checks/references may be required if the appointee has lived or worked outside the UK at the discretion of the Head; and
- Online search of the prospective employee (see paragraph 4.5.18) after shortlisting but prior to interview

##### **4.7.2 Criminal records checks**

Due to the nature of the work, the Foundation applies for an enhanced disclosure from the DBS in respect of all prospective staff members, governors and volunteers.

Prior to 29 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.

##### **4.7.3 DBS filtering rules**

As of 29 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 filtering rules developed by the DBS and the Home Office designate certain spent convictions and cautions as

"protected". "Protected" convictions and cautions are not included in a DBS certificate and job applicants are not required to disclose them during the recruitment process. It is unlawful for an employer to take into account a conviction or caution that should not have been disclosed. If a protected conviction or caution is inadvertently disclosed to the Foundation during the recruitment process it must be disregarded when making a recruitment decision.

A conviction will always be disclosable if it was imposed for a "specified offence" committed at any age. A caution issued for a "specified offence" committed over the age of 18 will always be disclosable. However, a caution issued for a "specified offence" committed under the age of 18 is never disclosable. "Specified offences" are usually of a serious violent or sexual nature or are relevant for safeguarding children and vulnerable adults. 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 filtering rules have recently been updated and work as follows:

#### **For those aged 18 or over at the time of an offence**

A spent criminal conviction for an offence committed in the United Kingdom when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by the job applicant if:

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

A spent caution for an offence committed when a person was aged 18 or over 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 spent conviction for an offence committed when a person was under the age of 18 will not be disclosed in a DBS certificate and does not need to be disclosed by the job applicant if:

- five and a half years have elapsed since the date of conviction; and
- it was not imposed for a specified offence; and
- it did not result in a custodial sentence.

A caution issued for an offence committed when a person was aged under 18 will never be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant).

### **4.7.5 Regulated Activity**

The Foundation 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 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 Foundation (whether paid or unpaid), will amount to "regulated activity" if it is carried out on an unsupervised basis:

- frequently, meaning once a week or more;
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30-day period; and
- provides the opportunity for contact with children.

This definition will cover nearly all posts at the Foundation or at one of the Schools. It is for the Foundation to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances.

#### **4.7.6 The DBS enhanced disclosure certificate**

The DBS issues the DBS disclosure certificate to the subject of the check only. It is a condition of employment with the Foundation that the original disclosure certificate is provided to the Foundation. On receipt of the disclosure certificate the appointee must immediately arrange to meet with a member of the HR team to verify the original certificate. Original certificates should not be sent by post. A convenient time and date for bringing the certificate into the Foundation should be arranged with HR as soon as it has been received. Applicants who are unable to attend at the Foundation 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 Director of HR. Where a certified copy is sent, the original disclosure certificate must still be provided preferably prior to the first day of work or at the very latest on the first working day, prior to any contact with children.

Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the Foundation. A delay in providing the certificate could result in the offer of employment being withdrawn.

Although renewing the DBS certificate is not currently a regulatory requirement, it is considered best practice. Therefore from January 2023, the Foundation will implement a process to update DBS checks for all staff every three years, using the DBS Update Service. It is noted that it will take three years for this to be implemented across all schools.

#### **4.7.7 Applicants with periods of overseas residence**

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. The Foundation will take into account the "DBS unusual addresses guide" in such circumstances.

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 Foundation'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 10 years.

When requesting such information, the Foundation 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 Foundation 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 Foundation will

seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country.

In addition, where an applicant for a teaching position has worked as a teacher carried out teaching work outside of the UK, the Foundation will ask the applicant to provide proof of their past conduct as a teacher by obtaining a letter of professional standing obtain from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher, evidence which confirms that they have not imposed any sanctions or restrictions on the applicant and that they are not aware of any reason why the applicant may be unsuitable to work as a teacher. The Foundation will also ask the 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 Foundation. However, the Foundation will take all relevant information into account in determining whether an applicant is suitable to work at the Foundation.

The Foundation 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 Foundation, continued employment will remain conditional upon the Foundation being provided with the outcome of the formal check and it being considered satisfactory.

If no information is available from a particular country the Foundation 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 relevant Head, on behalf of the Foundation, 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 Foundation is not satisfied about the applicant's suitability in the absence of that information, the applicant's proposed start date may be delayed until the formal check is received.

#### **4.7.8 Disclosure declared on application form/included in DBS certificate**

If the applicant is successful and has declared a conviction, this should have been discussed as part of the interview process. A member of the HR team will liaise with the Chair of the recruitment panel and review the interview notes made, prior to contacting the candidate to meet with them to discuss in detail the conviction. The candidate will be asked to give their informed consent to permit the Foundation to retain a copy the Disclosure certificate for the duration of their employment. A detailed risk assessment is then completed regarding the positive disclosure, and this will be considered by the Head/Foundation Bursar, to determine whether to continue with the appointment.

#### **4.7.9 DBS Certificate not available prior to start date**

Where the DBS certificate has not been provided to the Foundation, or received by the appointee, by the date work is to commence, and dependent on the role the applicant is appointed to, we may allow

work to commence on a supervised basis until the DBS disclosure is provided to the Foundation. This 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. A written *risk assessment* will need to be completed by the appointee's line manager, appropriate supervision must be put in place and approved by the relevant Head/Foundation Bursar. The risk assessment and the supervision arrangements must be agreed with HR, prior to the commencement of their employment.

#### **4.7.10 Prohibition Order Checks**

The Foundation is required to check whether staff who carry out "teaching work" are prohibited from doing so. The Foundation uses the Teaching Regulation Agency Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency.

In addition, the Foundation asks all shortlisted applicants to declare whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by, the Teaching Regulation Agency or other equivalent body in the UK.

Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the Teaching Regulation Agency (or other equivalent body), whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the Foundation will consider whether the facts of the case render the applicant unsuitable to work at the Foundation.

The Foundation applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012, which state that the following activities amount to "teaching work":

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

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

#### **4.7.11 Prohibition from management check**

The Foundation is required to check whether any applicant for a management position is subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (a section 128 direction).

The Foundation will carry out checks for such section 128 directions when appointing applicants into management positions from both outside the Foundation 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

- support staff posts on the senior leadership team; and
- The Foundation will assess on a case-by-case basis whether the check should be carried out when appointments are made to teaching and support staff roles which carry additional responsibilities.

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

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

In addition, the Foundation asks all shortlisted applicants for management roles to declare in the application form whether they have ever been the subject of a referral to the Department for Education or are subject to a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

It is the Foundation'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 or not 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 Foundation will consider whether the facts of the case render the applicant unsuitable to work at the Foundation.

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

##### **(1) Background**

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.

##### **(2) Who is covered?**

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 Foundation.

Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the Foundation the disqualification rules will be applicable to all governors, the Head / Principal, Bursar and potentially other senior staff who report directly to the governors.

There is no single list or register that covers all of the disqualification criteria and the Foundation therefore adopts a pragmatic approach to checking whether a person is disqualified. This is achieved by the use of a self-declaration form and the checking of relevant publicly accessible registers.

### **(3) Self-declaration**

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 Foundation'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 Foundation 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.

### **(4) Checks by the Foundation**

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

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

### **(5) Waiver**

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 Foundation 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 Foundation is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

#### **4.7.13 Childcare disqualification**

The Childcare Act 2006 (Act) and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (Regulations) state that it is an offence for the Foundation 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.

### **(1) Definitions**

- (a) 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;



- (b) 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.

## **(2) Relevant roles**

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 leadership 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 Foundation 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 Foundation will therefore consider whether they do on a case-by-case basis. The Regulations only apply to a limited number of roles within the Foundation but do extend beyond employees to governors and volunteers who carry out relevant work in EYP or LYP.

## **(3) Grounds for disqualification**

The grounds on 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:

- i. 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;
- ii. various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
- iii. 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;
- iv. having been refused an application for registration of a children's home or having had any such registration cancelled; or
- v. having been prohibited, restricted or disqualified from private fostering.

#### **(4) Self-declaration form**

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 meet any of the criteria for disqualification under the Regulations.

The Foundation 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 Foundation in any relevant role will be conditional upon completion of the self-declaration form and upon the applicant not being disqualified.

The Foundation cannot permit any person who is currently disqualified to start work in a relevant role. The Foundation also reserves the right at its absolute discretion to withdraw an offer of employment if, in the opinion of the Foundation, any information disclosed in the self-declaration form renders that person unsuitable to work at the Foundation.

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

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

**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.**

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

#### **(5) Waiver of a disqualification**

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 Foundation 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 Foundation will withdraw the conditional offer of employment.

#### **(6) Retention of disqualification information**

The Foundation 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 Foundation is found to be disqualified the Foundation will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the Foundation, after which it will be securely destroyed.

#### **(7) Continuing duty to disclose change in circumstances**

After making this declaration staff in a relevant role are under an on-going duty to inform the Foundation 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.

#### **4.7.14 Medical fitness**

The Foundation is legally required to verify the medical fitness of anyone to be appointed to a post with the Foundation, after an offer of employment has been made but before the appointment can be confirmed.

It is the Foundation's practice that all applicants to whom an offer of employment is made to sign a declaration to confirm that they are both physically and mentally well to carry out the work responsibilities of the post they have been appointed to. They must also complete a Health Questionnaire, which should it be required, will be reviewed by an independent Occupational Health Adviser. Should it be required, an independent Occupational Health company will use the information provided and arrange an appointment to assess their fitness. All medical appointment with the Occupational Health adviser will be requested via the HR team. If there are doubts about an applicant's fitness the Foundation will consider reasonable adjustments.

The Foundation is aware of its duties under the Equality Act 2010. No job offer would be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

#### **4.7.15 Prevent Duty**

The Foundation is required to ensure that measures are in place to prevent pupils from being radicalised or drawn into terrorism/extremism. Having carefully reviewed the risk of this happening within the Foundation, the overall risk is currently considered to be low. References require referees to advise whether they believe pupils/students at be at risk from the applicant

HR will ensure that all of the above conditions have been met before employment. All references received will be cross referenced with the potential employee's application form to make sure they are satisfactory.

Verification of employment checks will be recorded on the Foundation's Single Central Record which is centrally operated by the HR team and the recruiting line manager informed when all checks have been completed. The Single Central Record is regularly checked by the Head and Governor with responsibility for Safeguarding.

### **4.8 Contractors (Employed or Self-Employed) and Agency Staff**

- 4.8.1 Contractors (and their employees) undertaking regulated activity, engaged by the Foundation, must also complete appropriate safeguarding checks i.e., the same as required for staff. s. The specific checks will be determined by reference to factors including when the contractor and/or their staff are working, what duties they are undertaking, how frequently, and the likelihood of them having unsupervised contact with children (i.e., whether they are engaged in "regulated activity" as defined above).
- 4.8.2 The Foundation requires written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at the Foundation before any such individual can commence work at the Foundation (See Appendix 4).

- 4.8.3 The Foundation will independently verify the identity of individuals supplied by contractors or an agency requires the provision of the DBS disclosure certificate before those individuals can commence work at the Foundation.
- 4.8.4 Only when confirmation is given that all the checks have been received, will permission be given for the contractors to be on site. In certain circumstances, a risk assessment may be required, and advice must be sought from HR before their arrival and site. Their details will be input on the Single Central Record by HR for the duration of the time their services are being used by the Foundation.
- 4.8.5 All contractors must report to Reception or the Estates Hub to sign in and out. On the first day of their arrival, they should provide their photo-id (i.e., staff identity badge). This should be copied, signed and dated by the Receptionist and forwarded to HR.
- 4.8.6 For self-employed contractors, similar checks are required as detailed in Section 4.8.1. However, as there is no employer, they will also be required to provide evidence of their self-employed status (e.g., UTR number) and evidence of the public liability insurance cover for the work they are completing. Depending on the likelihood of their contact with children, the Foundation may need to take up references and arrange a DBS check prior to starting their work. Alternatively, they would need to be supervised on site, with an appropriate Risk Assessment in place, as approved by Head/Foundation Bursar and HR
- 4.8.7 Agencies who supply staff must also complete the pre-employment checks which the Foundation would otherwise complete for its staff. The Foundation requires confirmation that these checks have been completed before an individual can commence work at any of the Schools. The HR team will liaise with the appropriate managers in school who are engaging the services of the agency staff with regards to which checks are relevant including independent verification of identity.
- 4.8.8 All member of agency staff must report to Reception to sign in and out. On the first day of their arrival, they should provide their photo-id (i.e., staff identity badge). This should be copied, signed and dated by the Receptionist and forwarded to HR.

#### **4.9 Volunteer and School-Based Placements**

- 4.9.1 Volunteers and students on school-based placements in the Foundation bring with them a range of skills and experience which enhances the learning opportunities of our student body.
- 4.9.2 The volunteers/placement students are valued by the Foundation but are not employees. However, the Foundation has reasonable expectations that their conduct and input will support the Foundation's values and ethos, and therefore they are expected to adhere to our Child Protection and Safeguarding Policy; Staff Code of Conduct Policy and Whistleblowing policy.
- 4.9.3 **Principles:**
- All offers of support are gratefully acknowledged and, where possible, accepted i.e., when they meet the Foundation's needs.
  - A clear recruitment process is in place to ensure the safeguarding of all students.
  - Anyone wishing to become a volunteer/placement student needs to complete the application form.
  - Unless there are extenuating circumstances, all volunteers/students are considered to be taking part in **regulated activity** (i.e., either due to the frequency of their support or the possibility that they may occasionally have unsupervised access to students).

- All volunteers/placement students are required to have enhanced clearance by the Disclosure and Barring Service/Barred list, prior to starting with the Foundation in accordance with Keeping Children Safe in Education (2022).
- The usual pre-employment paperwork that is required for people who are working with children (i.e., references, medical fitness etc.) also apply to volunteers/placement students to ensure the Foundation has made appropriate checks to confirm their suitability to work with children.
- Regular supervision of all volunteers and placement students is required, and each will have a nominated member of staff as a “mentor”.
- All volunteers/placement students will complete a Volunteer Agreement (Appendix 5) before starting to help in the Foundation, which sets out expectations of volunteers.
- Whilst the volunteers have no employment rights (as they are not employees), the Foundation values their contribution and will treat them fairly and consistently.
- A thorough induction is held with all volunteers/placement students, which includes Child Protection Training and Health and Safety.
- Feedback from volunteers and placement students is encouraged so the Foundation can understand how we can improve/extend opportunities to further support students.

#### **4.9.4 Confidentiality:**

- Volunteers/placement students in the Foundation are bound by a code of confidentiality.
- Any concerns that Volunteers have about the children they work with/ come into contact with should be raised immediately with their mentor and NOT with the parents of the child / persons outside school. Comments regarding children’s behaviour or learning can be highly sensitive, and if taken out of context, can cause distress to the parents of a child if they hear about such issues through a third party rather than directly from the school.
- Volunteers who have concerns should raise the matter with the Designated Safeguarding Lead.
- Volunteers should also be aware of the Whistleblowing policy.

#### **4.9.5 Disclosure and Barring Service (DBS) – Enhanced Disclosure**

- If the volunteer/placement student is offering their assistance/help to enable them to provide evidence of relevant experience for either a job or further education/university application, then the Foundation would reasonably expect them to meet the cost of the disclosure.
- The Foundation recommends that volunteers subscribe to the online service offered by the DBS, which permits immediate access for the Foundation to perform the necessary check without any delay. PGCE students will have their DBS disclosure details confirmed by their university.

#### **4.9.6 Supervision**

- All volunteers/placement students’ work under the supervision of their mentor to carry out the tasks they are assigned.
- Mentors/teachers retain responsibility for children at all times, including the children’s behaviour and the activity they are undertaking.
- Volunteers should have clear guidance from the mentor/teacher as to how an activity is carried out and what the expected outcome of an activity is.
- Volunteers are encouraged to seek further advice and guidance from the mentor/teacher in the event of any query or problem regarding children’s understanding of a task or behaviour.

- All volunteers will be accompanied at all times by a member of staff until we have received confirmation of their completed DBS clearance and appropriate pre-employment checks (i.e., references) have been confirmed.

#### **4.9.7 Health & Safety**

- The Foundation has a Health & Safety Policy, and this is made available on request to volunteers.
- Mentors/teachers must ensure that Volunteers are clear about emergency procedures (e.g., fire alarm evacuation) and about any safety aspects associated with a particular task (e.g., using DT equipment, accompanying children on visits).
- Volunteers need to exercise due care and attention and report any obvious hazards or concerns immediately to their mentor.

#### **4.9.8 End of the work experience**

- Prior to starting the period of volunteering/placement, either an end date or a review date should be agreed between both the volunteer and their mentor.
- If the Foundation wishes to end this placement earlier than originally planned, then they should arrange a meeting as soon as possible with the volunteer to explain the reasons why.
- In exceptional circumstances, it may not be possible or advisable for the volunteer to return for this meeting. Should that be the case, the Foundation may need to contact the volunteer by phone.
- If the volunteer has any concerns, they should raise them in writing with the Head or Foundation Bursar.

#### **4.9.9 Complaints Procedure**

- Any complaints or allegations made about a Volunteer/placement student will be referred to the Head for investigation, in accordance with appropriate procedures.
- Any complaints made by a Volunteer will also be referred to the Head.
- The Head reserves the right to take the following action:
  - To speak with a Volunteer about a breach of the Volunteer Agreement and seek reassurance that this will not happen again;
  - Offer an alternative placement for a Volunteer, e.g., helping with another activity
  - Inform the Volunteer that the Foundation no longer wishes to use them, explaining the reasons why.

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

**5.1** The Foundation'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. The Foundation will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken, and 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 Foundation's senior management team;
- not retain disclosure information or any associated correspondence for longer than is necessary, and for a maximum of six months;

- ensure that any disclosure information is destroyed by suitably secure means such as shredding;
- not photocopy or scan any disclosure information without the express permission of the individual to whom the disclosure relates.

## **5.2 Retention of Records**

- 5.2.1 The Foundation is legally required to undertake the pre-employment checks detailed in this document and therefore are required to retain information to evidence both during their employment and for period of time after they have left (see Section 4.12.5)
- 5.2.2 If an applicant is successful in their application, HR will retain on his/her personnel file (hard copy or electronic file) any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.
- 5.2.3 Medical information may be used to help the Foundation to discharge its obligations as an employer e.g., so that the Foundation may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.
- 5.2.4 Please note that at present, the Foundation is following legal advice not to destroy any records for former members of staff, pending the outcome of the Independent Inquiry into Child Sexual Abuse (the Goddard Inquiry). This supersedes the information detailed below: The Foundation will retain records of former employees securely in archive for a reasonable time period (e.g., currently 7 years in accordance with the Data Protection Act) or until the next inspection by the regulatory body, if that is longer. Some records may be retained indefinitely, if there is a requirement to do so e.g., on the grounds of previous allegation of abuse or potential safeguarding concerns. All archived files can be accessed by HR, so they are readily available for inspection purposes. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months or immediately, if informed consent is not given.

## **6.0 Referrals to the DBS and Teaching Regulation Agency (TRA)**

- 6.1 This policy is primarily concerned with the promotion and practice. However, applicants should also be aware that the Foundation has legal responsibilities to fulfil when employment comes to an end. In particular, the Foundation also has a legal duty to make a referral to the DBS where an individual:
- has applied for a position at the Foundation despite being barred from working with children; or
  - has been removed by the Foundation 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.
- 6.2 The DBS will consider whether to impose sanctions on that individual which may restrict or prevent them from working with children in future.
- 6.3 In addition, if a teacher is dismissed because they are found to have committed serious misconduct, or they have breached the Teachers' Standards, or they resign prior to dismissal on such grounds, the Foundation will make a referral to the Teaching Regulation Agency.
- 6.4 The Teaching Regulation Agency will consider whether to impose a prohibition from teaching order.

## **7.0 Visiting speakers and the Prevent Duty**

- 7.1** The Prevent Duty Guidance requires the Foundation to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.
- 7.2** The Foundation 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 or perform any other regular duties.
- 7.3** All visiting speakers will be subject to the Foundation's Visiting Speaker procedure. This includes gathering appropriate background checks prior to confirming arrangements. The visiting speaker will need to sign in and out at Reception, always wear a visitor's badge and be accompanied by a fully vetted member of staff between appointments.
- 7.4** The Foundation 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 Foundation will always have regard to the visitors, 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."*

- 7.5** In fulfilling its Prevent Duty obligations the Foundation 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.

## **8.0 Re-employment**

- 8.1** When a recruiting manager is considering re-employing a previous member of staff, HR will need to review their personnel file and determine what checks need to take place.
- 8.2** Any offer made must still be conditional upon the receipt of satisfactory pre-employment checks.
- 8.3** This check must be conducted before any verbal offer of employment is made.

## **9.0 Child Protection Training**

- 9.1** It is a legal requirement as part of induction that every new employee, volunteer and placement student MUST complete the 'new starter child protection training'. When possible, this is done a short time before employment commences. When this is not possible, the training must be completed by the end of the first two weeks of employment.
- 9.2** All newly appointed staff are expected to view the online 90-minute Child Protection Training video before starting, which is followed up by face-to-face training as detailed above.
- 9.3** There is a separate Child Protection and Safeguarding Policy; Whistleblowing Policy and Staff Code of Conduct, which refers to Child Protection, that ALL employees are issued at time of employment which they must sign to declare they have read and understood. HR will arrange the training with the relevant



Designated Safeguarding Lead/HR Professional and keep records of attendance for the Single Central Record.

## **10.0 Induction and Probation**

- 10.1** All new employees must complete their induction and their probationary period, which is organised by their line manager.
- 10.2** Probationary period reviews should be held during the commencement of their employment, making clear the School's expectations and their progress, implementing training required. HR should be informed of any concerns at an early stage, so action can be taken to support the employee.
- 10.3** The final probationary review paperwork confirming that they have met the standards required should be returned to HR, who will confirm this outcome in writing.
- 10.4** As part of their induction, safeguarding is an important aspect, and the following should be explained or provided:
- a) Child Protection and Safeguarding Policy
  - b) Staff Code of Conduct Policy
  - c) Pupil Behaviour Policy
  - d) Safeguarding response to children missing from education
  - e) Role of the DSL and the DDSL
  - f) On-line safety
  - g) KCSIE Part 1
  - h) Whistleblowing Policy

## **11.0 Health and Safety**

- 11.1** As part of the induction process, every employee will need to attend a Health and Safety induction from one of The Foundation's Health and Safety team.

## **12.0 Review**

- 12.1** This Policy will be reviewed annually by Human Resources in consultation with key recruiting managers throughout the organisation, unless there are legislative or safeguarding changes that dictate an earlier review.

## **13.0 Queries**

- 13.1** If there are queries about this Policy or how to complete the application form, contact HR Department by emailing [hr@warwickschools.co.uk](mailto:hr@warwickschools.co.uk) or telephoning 01926 735413.

## APPENDIX 1

### LETTER TO SHORTLISTED CANDIDATES

Dear

#### Re: Subject

Thank you for your application for the above post. I am delighted to invite you to attend an interview on [DATE] at [TIME], please arrive 20 minutes prior to this. Upon arrival, please report to the main reception of [NAME OF SCHOOL] School and ask for [PERSONS NAME AND POSITION].

Your visit to the school is likely to last until approximately [X]. Your formal interview will be with [NAMES AND POST TITLES]

Your interview will include the following: (DELETE OR ADD TO AS APPROPRIATE AND PROVIDE ANY NECESSARY SUPPLEMENTARY INFORMATION)

- A tour of the school
- A lesson observation
- Subject: An activity
- A panel interview
- Test
- Meeting with the Head
- 

The purpose of your interview is to assess your suitability for the above post and to give both you and Warwick Independent Schools Foundation the opportunity to gain further information before making a successful appointment. It is also an opportunity to seek clarification in respect of the information which you have provided on the application form and any accompanying documentation. The interviewer will also assess your suitability to work with children and will ask specific questions relating to safeguarding and promoting the welfare of children.

Warwick Independent Schools Foundation is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. In this respect, a copy of our Child Protection Policy can be found on the School's website [www.warwick-school.org](http://www.warwick-school.org) and it is an expectation that you will have read this before you attend. As you have been shortlisted for a role within education, in accordance with government guidelines and as referenced on our application and our Recruitment and Selection Policy, we will carry out an internet search. If there is anything we should be aware of, please let us know.

You will need to complete the attached Self-Declaration Form, sign this and return to this [hr@warwick-schools.co.uk](mailto:hr@warwick-schools.co.uk) prior to your interview date. This will be forwarded to the Chair of the Interview Panel, who will ask you sign it at interview.

In accordance with Warwick Independent Schools Foundation's recruitment policies and procedures, we ask that applicants invited to an interview bring with them the following **original** documentation:

- Valid Passport
- Birth Certificate
- Driving license. You may be aware that recent changes in government legislation has meant the paper, counterpart to the driving licence is no longer valid. We do however ask all candidates who still have this to bring it along to interview still.
- Evidence of current address issued within the last 3 months (bank statement, utility bill)
- Certificates of any qualifications listed on your application form

- Proof of any name changes if applicable (marriage, divorce, adoption)
- Right to work in the UK (Visa)
- National insurance number (P45, P60, wage slip)

Please confirm your attendance if you have not already done so, by calling 01926 [1234] by [DATE].

If you have any questions or queries, please do not hesitate to contact the HR department on 01926 735413, where someone should be able to help.

I very much look forward to meeting you and hope that you will also enjoy your visit.

Yours sincerely,

**[Name]**

**[Job Title]**

## APPENDIX 2

### List of valid identity documents

#### **Group 1: primary identity credentials**

- current valid passport
- biometric residence permit (UK)
- current driving licence (full or provisional) (UK / Isle of Man / Channel Islands;)
- birth certificate (UK, Isle of Man & Channel Islands) - issued i within 12 months of birth); *Full or short form acceptable including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces*
- adoption certificate (UK and Channel Islands)

#### **Group 2a: trusted government / state issued documents**

- current driving licence: photocard – full or provisional (all countries outside the UK, excluding Isle of Man and Channel Islands)
- current driving licence (old style paper version if issued before 1998 full or provisional (UK/Isle of Man and Channel Islands)
- birth certificate (UK, Isle of Man and Channel Islands) – issued after the date of birth marriage / civil partnership certificate (UK and Channel Islands)
- immigration document, visa or work permit (issued by a country outside the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non-UK country in which the role is based).
- HM Forces ID card (UK)
- fire arms licence (*UK, Isle of Man and Channel Islands*)

#### **Group 2b: Financial / social history documents**

- mortgage statement (UK)\*\*
- bank / building society statement (UK and Channel Islands) \*
- bank / building society statement (countries outside the UK) \*
- bank / building society account opening confirmation letter (UK)\*
- credit card statement (UK)\*
- financial statement \*\* - e.g., pension or endowment (UK)
- P45 / P60 statement \*\*(UK and Channel Islands)
- council tax statement (UK and Channel Islands) \*\*
- work permit / visa (UK) (UK Residence Permit) \*\*
- letter of sponsorship from future employment provider (non-UK only valid for applicants residing outside the UK at the time of application; must be valid at time of application)
- utility bill (UK)\* – not mobile telephone
- benefit statement\* - e.g., child benefit, pension (UK)\*
- a document from central / local government/ government agency / local authority giving entitlement (UK and Channel Islands) \*- e.g., from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs (HMRC). EEA national ID card (must be valid at time of application)
- Irish passport card (cannot be used with an Irish passport; must be valid at time of application)
- cards carrying the PASS accreditation logo (UK must be valid at time of applications)

- 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. must be valid at time of application.*

**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  
driving licence must be valid*

## APPENDIX 3

### DEFINITION OF REGULATED ACTIVITY (KEEPING CHILDREN SAFE IN EDUCATION SEPTEMBER 2022)

Regulated activity:

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly (*see note 1 below*).

Some activities are always regulated activities, regardless of their frequency or whether they are supervised or not. This includes:

- c) relevant personal care, or health care provided by or provided under the supervision of a health care professional:
  - personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing (*see note 2 below*);
  - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Regulated activity will not be:

- paid work in specified places which is occasional and temporary and does not involve teaching, training; and
- supervised activity which is paid in non-specified settings such as youth clubs, sports clubs etc

#### **Notes:**

*1 The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if "it is carried out frequently by the same person" or if "the period condition is satisfied". Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than **three days in any period of 30 days** and, for the purposes of the work referred to at (a), apart from driving a vehicle only for children, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children.*

*2 It is not intended that personal care includes such activities as, for example, parent volunteers helping with costumes for school plays or helping a child lace up football boots.*

## APPENDIX 4

### STANDARD LETTER TO SUPPLY AGENCIES AND CONTRACTORS

Dear Contractor,

#### Safeguarding children and safer recruitment in education

Your company has a contract with this School which involves the provision of supply staff employed by your company to work with or provide services to children who are students at the School.

I am therefore required to ensure that your company adopt(s) and implement(s) the measures set out in the statutory guidance Keeping Children Safe in Education (**Guidance**) and The Education (Independent School Standards) (England) Regulations 2010, both as amended from time to time.

This means I need to have written assurance of the following:

1. that you have carried out all relevant checks (see below) on all individuals supplied by your company who will work with, or provide services, to children at the School under the contract;
2. that you undertake to carry out such checks on all future staff recruited by your company to carry out work under this contract Warwick Independent Schools Foundation;
3. that you will keep and maintain records of such checks; and
4. that you will allow a person authorised by the School to inspect such records at any reasonable time.

#### Relevant checks

The following checks are required to be completed before an individual can be supplied for work at the School:

- verification of identity against an official document containing a photograph of the individual, such as a passport or photo card driving licence;
- verification of address against a utility bill from within the last three months;
- receipt of a satisfactory **ENHANCED** disclosure from the Disclosure and Barring Service (**DBS**) which is not more than three months old\*;
- a copy of the enhanced criminal record certificate must be forwarded to the Foundation's HR department prior to commencement of their start date;
- a check of the Children's Barred List\*\*;
- for teaching posts, confirmation that a prohibition order check has been carried out and that the individual is not prohibited from working as a teacher;
- two satisfactory written references and confirmation that there are no concerns about the individual working with children;
- confirmation that each individual you place at the School has provided proof of qualifications that are a legal requirement for the post they will be undertaking;
- verification of their right to work in the United Kingdom;
- a check of their full employment history with any gaps explained to your satisfaction;
- verification that the individual is medically fit for the role; and
- where the person to be supplied has lived outside the United Kingdom, confirmation that an overseas criminal records check, or other appropriate check has been carried out where obtaining a disclosure

from the DBS is not sufficient to establish their suitability to work with children.

Where the DBS disclosure reveals any disclosable information (or [• you have / the company has] received information in accordance with the Police Act 1997), that DBS disclosure (or information) must be produced to the School so it can consider whether the individual is suitable to work at the School. The School may then need to complete its own checks before the individual can commence work.

Please complete the attached record form for each individual you supply to the School and send this to me by [• 00-month year]. This record should be updated and provided to the School on each occasion you supply someone to work at the School.

The School is required to check the identity of all individuals supplied by [• you / your company] to the School before they can commence work at the School. Accordingly, please ensure that all supply staff attend the School with the appropriate evidence of name and address on their first day at the School (i.e., passport or photo card driving licence and utility bill from within the last three months).

Please sign and return one copy of this letter, before the contractor starts work with the school and retain the second copy with your records.

If you have any queries about this letter, please contact me as soon as possible.

Yours sincerely

**Jayne Jones**  
**Director of HR**

• I confirm that the contract between [• me / insert name of company] and Warwick Schools Foundation is varied in accordance with the terms of this letter and that [• I / the company] will:]

**OR**

[• I confirm that [• I / name of company] will:]

adopt and implement the measures set out in this letter prior to supplying individuals to work at the School; and

complete the attached record of pre-employment checks; and

will forward a copy of the enhanced criminal record certificate prior to the start of their work at the Foundation

Signed .....

[on behalf of [name of company]]

Date .....

\*DBS Disclosures 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 school in England which brought him / her regularly into contact with children or young persons;

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

an 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". 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 individual, 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 Children's Barred List check will need to be carried out.**

### Contractor Declaration:

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Name of employee				
Identity, date of birth and address checked 1) Yes / No 2) Date of check 3) Confirm documents checked				
<b>Enhanced DBS</b> check completed 1) Yes / No 2) Date of check 3) Unique DBS reference no 4) Has any disclosable information been revealed (including information received in accordance with the Police Act 1997)? <i>A copy of this DBS certificate must be given to THE FOUNDATION</i>				
Check of the Children's Barred List completed 1) Yes / No 2) Date of check				
Further overseas police checks completed 1) Yes / No / Not applicable 2) If yes - date of check and outcome				
Two satisfactory written references received 1) Yes / No 2) Date references received				
Proof received of any qualifications that are a legal requirement for the post 1) Yes / No / Not applicable 2) If yes - date of check and documents seen				
Right to work in the UK checked 1) Yes / No 2) Date of check				
Confirmation of medical fitness for role 1) Yes / No 2) Date of check				

Full employment history together with satisfactory explanations of any gaps in CV 1) Yes / No 2) Date of check				
Prohibition Order check (required for teaching positions only from 3 April 2012) 1) Yes / No / Not applicable 2) Date of check Additional checks if working at Head of Dept. level or above.				



## APPENDIX 5

### VOLUNTEER/STUDENT (SCHOOL BASED PLACEMENT) AGREEMENT

Thank you for offering your services as a Volunteer/Placement Student. Your offer of help is greatly appreciated, and we hope that you will gain much from your experience here.

Please read and sign this Volunteer Agreement Sheet and hand it in to HR. You will receive a copy of it for your records.

- I have received a copy of the Foundation Recruitment and Selection Policy
- I agree to support the Foundation 's values and ethos
- I agree to follow the Foundation's safeguarding policy and will also read the follow the staff code of conduct and guidance documents on wider safeguarding issues, for example bullying, behaviour, physical contact, sexual exploitation, extremism, e-safety and information-sharing
- I agree to sign in and sign out daily when I am on site
- I agree to treat information I learn or have access to from being a Volunteer/Placement Student in the Foundation as confidential, and will not be disclosed
- I agree to work closely with my mentor and follow instructions given
- I understand that I am required to undergo a Disclosure and Barring Service enhanced disclosure check to advise the school of my suitability as a volunteer/work experience student as I am likely to be involved in regulated activity. *If there is a cost associated with the DBS check, then I will meet this cost.*
- I understand that there are additional checks which must be completed before I can start, to ensure my suitability to work with children.
- The Foundation is committed to protecting pupils from the risk of radicalisation, which refers to the process by which a person comes to support terrorism or forms of extremism, and I agree to fully support the Foundation, by ensuring that my activities and comments do not in any way encourage this approach.

Start date of Volunteering:

End/Review date:

If you have received your DBS Certificate, please bring this into HR and a copy will be made for the school records.

Signed (Volunteer/Student): \_\_\_\_\_

Print name: \_\_\_\_\_

Date: \_\_\_\_\_

Signed (Mentor): \_\_\_\_\_

Print name: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX 6

### EDUCATIONAL VISITS OFF-SITE: VOLUNTEER AGREEMENT

School trips are an integral part of learning at our Foundation Schools and afford many children opportunities which are outside their usual experiences. We are pleased that you have come forward as a volunteer helper: you will have an important role to play in the success and safety of this school trip.

Please read and return this appendix, and sign and return the helper's slip. This is part of our school's risk assessment planning.

#### Role of the Volunteer Helper:

- to be responsible and look after, in equal measure, all the children in your group
- to stay with your allocated group of children, ensuring that their wellbeing and safety is maintained for the total duration of the school trip
- to promote polite, respectful and courteous behaviour towards each other and members of the public. Staff, volunteers and students are going as ambassadors of our school.
- to ensure that your group keep up with the body of the school visit party, be it walking, entering or exiting from transportation or following speakers for the trip
- to contact the class teacher/member of staff if there are issues with first aid, safety and/or behaviour

#### Working alongside school staff

School staff expect volunteer helpers to:

- comply with all of the above whilst being under the direct line management of school staff
- show a commitment to their group, an interest in the focus of the visit and assist children in their learning by helping them to read signs/labels/information, asking questions that encourage children to think about the task and help to explain areas of interest
- follow guidance from the school staff
- follow the Foundation's Child Protection Policy

#### What is not permitted

- Volunteer helpers are not allowed to bring additional siblings on the school trip.
- Volunteer helpers are not allowed to re-organise school visit groups.
- Volunteer helpers are not allowed to smoke, drink alcohol or engage in any illegal practices.
- Volunteer helpers are not permitted to take photographs of children.
- Volunteer helpers are not allowed to give/buy their group treats e.g., ice-creams, biscuits, sweets – before, during or after the school trip.
- Volunteers are not allowed to touch or reprimand children but should speak to a school staff member if there are any difficulties. If you need to move a child or gain a child's attention, we always use their name and **under no circumstances are we to come into physical contact with a child.**

## **First Aid**

For each class on the school visit, there will be at least one qualified first aider. You will be informed if any child in your group has medication/needs. If medicine needs to be administered, this will be done by a member of staff. Under no circumstances will a volunteer be asked to administer medication of any kind. All other medicines and first aid box(es) will be carried by staff.

## **Emergencies**

You are expected to inform a member of staff as soon as possible.

If you have become separated from the rest of the school party, please telephone one of the members of staff on your contact list or telephone the school.

---

***I have read the Recruitment and Selection Policy***

***I agree to the terms and conditions as stated in the policy***

***I will support the young people in enjoying the trip and actively contribute to the smooth running of the occasion.***

***Signed: \_\_\_\_\_ Date: \_\_\_\_\_***

## APPENDIX 7

### To be used as appropriate

#### Protocol for Visiting Speakers

The Foundation actively promotes engagement with the outside world for pupils. This includes ensuring that pupils are aware of a diversity of views on a range of subjects, and that they are able to draw on the skills, experience, and expertise of those in the wider community ready for when they leave.

We therefore encourage visitors to the Schools to lead talks and debates, which we believe will enrich the educational experience we offer to the pupils.

In order to comply with the 'Prevent' agenda, as required by regulation, the Foundation ensures that all visiting speakers are vetted appropriately. The Foundation is also committed, as required by regulation, to ensuring that it does not promote political views in any form.

For the vast majority of speakers, an Internet search, or similar, will suffice. In the case of a speaker not having a digital footprint, a call to a school where the speaker has visited previously or speaking directly to the speaker to establish the tenor of the proposed talk, would be appropriate.

However, should such a check raise concerns, more thorough vetting or other appropriate action may be required. This should be raised immediately with DSL.

The attached form should therefore always be used before a speaker is confirmed.



### Visiting Speakers Form

1. Name of speaker:.....
- 2 a. Date of proposed talk:..... b. Years groups: .....
3. Title of talk/subject matter.....
4. a. Has the proposed speaker delivered a talk at the school before? Yes / No  
b. If yes, was the talk appropriate? Yes / No  
c. Did the speaker espouse views which were contrary to fundamental British values?  
Yes / No
5. Please outline the checks undertaken for the suitability of this speaker.  
a. Internet search, for example a biography or item which evidences  
a general impression of the speaker's views Yes / No  
b. Other (e.g., calling a school which the speaker has visited before; an email exchange or  
phone conversation with the speaker to establish the tenor of the talk):  
.....
6. The evidence for this check is attached, signed and dated Yes / No
7. Given the evidence, in your professional opinion, is the speaker at risk of promoting views  
which are contrary to British values? Yes / No

Signed: ..... Print name: ..... Date: .....

**Please send this form with necessary attachments to approved member of SMT (ie Deputy Head)**

Speaker approved: Yes / No

Signed.....DSL Date.....

Form passed to HR

☐





## APPENDIX 8

### Policy on Recruitment of Ex-Offenders

#### 1.0 Background

- 1.1 The Foundation will not unlawfully discriminate against any applicant for employment on the basis of conviction or other details revealed. The Foundation makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record, it will not automatically bar them from employment within The Foundation. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 6b) below.
- 1.2 All positions within The Foundation are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore disclose all previous convictions even those that would normally be considered 'spent', when applying for a position at a School. A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct whether or not it would have materially affected the decision to appoint. A failure to disclose a previous conviction may also amount to a criminal offence.
- 1.3 It is unlawful for The Foundation 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 Foundation. The Foundation will report to the Police and/or the DBS if:
- an application is received from a barred person;
  - it is provided with false information in, or in support of an applicant's application; or
  - there are serious concerns about an applicant's suitability to work with children.

#### 2.0 Assessment Criteria

- 2.1 In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Foundation 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;
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

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

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

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

### **3.0 Assessment Procedure**

3.1 In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the Foundation will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Head or Foundation Bursar before a position is offered. In certain circumstances, this will involve liaison with the Governor with responsibility for Safeguarding.

3.2 If an applicant wishes to dispute any information contained in a disclosure, they 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, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

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

- 4.1 The Foundation policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.