



Westbourne School

SAFER RECRUITMENT POLICY

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1. Introduction

- a) Westbourne School is committed to ensuring the best possible care and education for its pupils and safeguarding and promoting the welfare of the children and young people is always given the highest priority. The School expects all staff and volunteers to share this commitment.
- b) The procedures within this document pay due regard to the Education (Independent School Standards) Regulations 2014 (ISSRs), the Statutory Guidance in Keeping Children Safe in Education (KCSIE 2022), the Prevent Duty Guidance for England and Wales 2015, and guidance published by the Disclosure and Barring Service (DBS). ²
- c) The School seeks to ensure that the best candidate is chosen for any vacancy and that all job applicants are treated fairly and in accordance with the Equality Act 2010.
- d) This policy is applicable to the recruitment and selection of all staff and others engaged to provide services for the School, irrespective of whether such a contract is for a temporary, fixed term or permanent position.
- e) The regulations regarding the recruitment requirements relating to supply staff; persons employed by a third party; the self-employed and contract workers differ, and are outlined later in this policy as are the safer recruitment procedures which apply to governors and volunteers.

2. Recruitment and Selection Process

2(a) Advertisement

All advertisements for both teaching and non-teaching roles will include:

- a statement relating to the School's commitment to safeguarding and promoting the welfare of children and young people
- the requirement for safeguarding checks including an enhanced Disclosure and Barring Service (DBS) check with Barred List information for posts in regulated activity
- the safeguarding responsibilities of the post as per the job description and person specification
- a statement that the post is exempt from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020)

All positions within the School involve a degree of responsibility for safeguarding children; therefore, all posts are exempt and applicants must declare all previous convictions and cautions, including those which would normally be considered 'spent', except those that are classed as protected offences. (See Appendix 1 for the School's Policy on the Recruitment of ex-offenders.)

2(b) Application Form

- a) The School will only accept applications from candidates who complete the School's application form in full. CVs will not be accepted in substitution for completed application forms but may be submitted in addition to the completed application form. ☒
- b) The School will make candidates aware that all roles involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.
- c) Candidates for employed posts will receive a Job Description and Person Specification for the role for which they have applied.
- d) Via the School website, candidates will be provided with a copy of the School's Safeguarding Policy and the School's Recruitment Policy which includes its policy on the Recruitment of ex-offenders.

The School's application form includes the following details on candidates:

- Current name and any former names
- Current address
- NI number
- Full details of qualifications relevant to the position applied for including awarding body and date of award
- Details of their present (or last) employment and reason for leaving
- Declaration that the person has the right to work in the UK
- Full education and employment history in chronological order by month and year showing all periods of employment, study, voluntary work, with explanations for any periods not covered, and reasons for leaving.
- DfE number for qualified teachers ☐
- Information regarding any periods of overseas residence so that a decision can be made as to whether overseas police checks or additional references are required. ☒
- Declaration of any family or close relationships to any employees or governors of Westbourne School
- Details of at least two referees – one of whom must be the candidate's current or most recent employer. For an employee not currently working with children, but who has done so in the past, a referee must be provided who has knowledge of the candidate's work with children.
- A statement from the applicant of their personal qualities and experience, which they believe meets the person specification.
- Declaration stating all information provided is true
- Signature of the applicant. Where the application form is signed electronically, this must be signed in person if the candidate is later shortlisted and interviewed.

2(c) Shortlisting

- a) The School will ensure that at least two people carry out the shortlisting exercise during which they will check the application forms to identify any inconsistencies and/or gaps in employment, and the reasons given for them, in order that all potential concerns can be explored with the candidate at interview.
- b) In addition, the School may carry out an online search as part of their due diligence on shortlisted candidates to identify any incidents or issues that are publicly available online and which the School may wish to explore with the applicant at interview.
- c) All shortlisted applicants will be required to complete a self-declaration form prior to interview in which they will be asked to provide information about their criminal record history and any other factors relevant to their suitability to work with children.
- d) For staff doing teaching work of any kind, a declaration to state whether the applicant has:
 - ever been the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency, or any predecessor or successor body;
 - has ever been the subject of any proceedings before a professional conduct panel of the Teaching Regulation Agency, or equivalent body in the UK.
- e) Any information declared will also be considered and discussed with applicants at interview.
- f) Applicants who sign their declaration and/or application form electronically, will be required to physically sign a hard copy at the point of interview confirming the information they have provided is true and accurate. ☒
- g) All candidates will be made aware from a statement on the form that providing false information is a criminal offence and could result in an application being rejected, or if appointed, in dismissal by the School and a possible referral to the police and/or DBS.

3. Interview & Selection

- a) All candidates invited to interview will be required to bring original documents confirming their:
 - Identity
 - right to work in the UK
 - current address
 - educational and professional qualifications relevant for the post
(See sections below for details of acceptable documents.)
- b) Short-listed applicants will attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.
- c) Candidates with a disability who are invited to interview should inform the School in advance of any necessary reasonable adjustments or arrangements which may be needed to assist them.

- d) All formal interviews will have a panel of at least two people chaired by the Head, or another designated senior member of staff (with the exception of the recruitment of a new Head, when the panel is chaired by the Chair of Governors). At least one person on the appointment panel will have undertaken safer recruitment training.
- e) Whenever possible, the interview will be conducted in person and questions will include an exploration of the candidate's suitability to work with children. It is recognised that not all candidates will have had experience within a School, and in such cases questions will be adapted.
- f) The School will also use other selection techniques to identify the most suitable person for the post. Short listed candidates for teaching posts will usually be observed teaching a lesson and other candidates may have appropriately supervised interaction with pupils.
- g) All information considered in the decision-making process will be recorded along with the decisions made.

4. Offer of Employment

All offers of employment are subject to the following conditions which are detailed in the School's contract of employment:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment ☐
- proof of identity - this must include documentary evidence of any name changes (e.g. birth certificate, marriage certificate, name change by deed poll) ☐
- evidence of the right to work in the UK
- two references that are satisfactory to the School, and meet the reference criteria below
- satisfactory clearance from the Children's Barred List ☐
- satisfactory enhanced criminal records disclosure from the Disclosure and Barring Service (DBS) ☐
- verification of employment history
- satisfactory declaration of medical fitness ☐
- verification of qualifications, where applicable, including verification of qualified teacher status (QTS), and the completion of teacher induction or probation (induction applies to those who obtained QTS after 7 May 1999)
- satisfactory Prohibition from Teaching check, for those involved in 'teaching work' of any kind ☐
- satisfactory Prohibition from Management Check, where the role is involved in the management or governance of the School ☐
- declaration that the candidate is not subject to disqualification under the Childcare Act ☐
- where applicable, overseas criminal record checks from any countries where the candidate has worked or been resident overseas for three months or more in the last 10 years

- for those teachers who have worked overseas, a letter of professional standing from the professional regulating authority in any country in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, on the individual concerned and that they know of no reason why the person may be unsuitable to teach.

Newly appointed staff may **not** start work at the School until all of the above have been completed and found to be satisfactory by the Headmaster or any person on the school management team that he delegates this task to. The only exception is a delayed DBS disclosure; if this occurs the School must follow the procedures outlined in paragraph 8(a) below.

5. Documentation to Verify Identity

- a) Valid identity documents **must** comply with the DBS identity checking guidelines, which can be found at: <https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-standardenhanced-dbs-check-applications-from-1-july-2021-group-1-primary-identity-documents> and **must include:**
 - one document from Group 1 (to include the birth certificate where this is available); and
 - two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address.
- b) In cases where an applicant claims to have changed their name by marriage, deed poll, or any other means, documentary evidence of the change must be provided.
- c) Copies of identity documents will be made and retained by the School, with the original documents then being returned to the applicant.
- d) The originals of all documents are necessary. Photocopies or certified copies cannot be accepted neither can documentation printed from the internet e.g. internet bank statements.

6. Evidence of 'Right to Work' in the UK

- a) The School has a duty to ensure that all staff and governors have the right to work in the UK.
- b) **UK citizens** must provide their passport **or** for those without a passport a UK birth certificate along with an official letter or document from a government agency e.g., HM Revenue and Customs, Department for Work and Pensions, or a previous employer, showing their name and National Insurance number
- c) **Non-UK nationals will require** documentation according to their individual circumstances and as such will be subject to the requirements of the Home Office Right to Work Checking Service: <https://www.gov.uk/check-job-applicant-right-to-work> For both UK and non-UK nationals, copies of all original documentation will be taken and kept in the individual's personnel file.

7. References

- a) The School will obtain a minimum of two references for all shortlisted candidates prior to interview. The School may also approach previous employers for information to verify particular experience or qualifications.
- b) If any candidate does not wish the School to take up references in advance of the interview, the School should be notified at the time of the application to seek its agreement to this.
- c) One reference must be from the applicant's current or most recent employer and all references must be completed by a senior person with the appropriate authority. If the referee is School or college based, the reference must be confirmed by the Head/Principal as accurate in respect to disciplinary investigations.
- d) For teaching staff one reference must be from their current or most recent Headteacher.
- e) If the candidate is not currently working with children, one reference must be from the relevant employer from the last time the applicant worked with children, if the applicant has never worked with children, then one reference must be from their current employer.
- f) Neither referee should be a relative or someone known to the applicant solely as a friend.
- g) A telephone reference may be taken in an emergency and must be recorded in writing, signed and dated. The referee will be asked to provide a written reference as soon as possible.
- h) All referees will be sent a copy of the job description and person specification for the proposed role. Referees will be asked to confirm: dates of employment, salary, job title/responsibilities, reason for leaving, performance, and disciplinary record. They will also be asked to confirm whether they are satisfied with the applicant's suitability to work with children.
- i) The School will only accept references obtained directly from the referee and it will not rely on any references or testimonials provided by the applicant or on open references or testimonials.
- j) The School will verify all references. Where references are received electronically, the School will ensure they originate from a legitimate source.
- k) The School will compare any information provided by referees with that provided by the candidate on the Application Form. Any inconsistencies will be explored further, and also discussed with the candidate.

8. Disclosure & Barring Checks

- a) The School complies with the provisions of the DBS Code of Practice, a copy of which may be accessed here: <https://www.gov.uk/government/publications/dbs-code-of-practice>.
- b) The School requires all successful candidates to provide permission for an application for

an enhanced disclosure from the Disclosure and Barring Service (**DBS**) which includes a check of the Children's Barred List to be made by the school. This includes applicants with periods of overseas residence and those with little or no previous UK residence.

- c) This requirement applies to all prospective staff members, governors and volunteers deemed to be working in regulated activity. [?]
- d) Further information on what constitutes regulated activity is available in KCSIE; however, a person will be engaging in regulated activity if, as a result of their work, they:
 - will be responsible, on a regular basis in a School or college, for teaching, training instructing, caring for or supervising children; [?]
 - will be working on a regular basis in a specified establishment, such as a School, for or in connection with the purposes of the establishment, where the work gives opportunity for contact with children; or [?]
 - engage in intimate or personal care or healthcare or any overnight activity, even if this happens only once

[?]

Therefore, due to the circumstances of the School, all posts in the school constitute regulated activity and only in exceptional circumstances would a post not be deemed to be regulated activity. [?]

- e) DBS certificates are issued directly to the applicant and not to the School. It is a condition of employment that the original disclosure certificate is presented to the School by the applicant as soon as possible after it is received.
- f) Original certificates should not be sent by post. A convenient time and date for presenting the certificate should be arranged with the Bursar as soon as the certificate has been received.
- g) Applicants who are unable to attend at the School to provide the certificate before starting work are required to email a scan of the certificate. However, the original disclosure certificate **must** still be presented on the first working day. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School. [?]
- h) If the receipt of the certificate is delayed and applicants are unable to present the original of their DBS certificate to the School prior to their first working day, employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School. Safeguarding measures, such as supervision, will be put in place until the certificate is produced.
- i) The Bursar/SCR Administrator will notify the Head immediately if a DBS check identifies a criminal record. The School will then refer to its policy on the recruitment of ex-offenders as detailed in Appendix 1 of this policy. The School will assess each case on an individual basis.

8(a) If a DBS disclosure is delayed

If a DBS is delayed, the individual may start at the School, but only under controlled conditions and at the Head's discretion. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School. ☒

The Head will only grant permission under the following conditions:

- the person is not working in a one-to-one situation with pupils, or undertaking personal care for pupils or involved in residential visits
- a satisfactory separate check of the Barred List has been obtained (if the person will be working in regulated activity)
- that **all** other relevant checks (including any appropriate prohibition checks and references) have been completed satisfactorily
- that the DBS application has been made and supporting documentation has been provided by the candidate
- that the person in question is informed of the safeguards in place and other staff are aware that there should be no unsupervised contact
- a written risk assessment is in place which is reviewed at least every two weeks
- that the person will have appropriate supervision as determined by the risk assessment, which takes previous experience and work history into account

8(b) 'Porting' a DBS from another School (The 'three months' rule)

- a) There is no requirement for the School to obtain a new enhanced DBS certificate if, during a period which ended not more than three months before the person's appointment, the applicant has worked in:
- a School in England in a position which brought him/her regularly into contact with children aged under 18 or
 - another institution within the further education sector in England, or in a 16 to 19 academy, in a position which involved the provision of education and caring for, training, supervising or being solely in charge of persons aged under 18 and their existing certificate is still current, enhanced, and refers to the children's workforce
- b) If a DBS is accepted under these conditions, the School must:
- complete all other relevant pre-appointment checks, including references
 - carry out a separate Barred List check
 - see the original DBS certificate and check it is of the correct level and contains no information
- c) The School will still apply for a new DBS disclosure even if the conditions to port a DBS are met, as it considers this to be best practice; however, the candidate can start work prior to the new DBS result without the additional conditions imposed under 8a, as long as **all** other relevant checks have been completed satisfactorily.

8(c) DBS Update Service

- a) Subscription to the DBS Update Service enables employers to verify that no new information has been added to a DBS check since its issue. Individuals join the DBS Update Service at the point when an application for a DBS check is made by paying an annual subscription fee.
- b) For individuals joining the school who are already members of the Update Service, before verifying the status of their DBS, the School will:
 - obtain consent from the individual to carry out an online check to view the status of an existing DBS check
 - confirm the DBS certificate presented to the School matches the individual's identity
 - examine the original certificate to ensure that it is valid for the children's workforce
- c) All new staff joining the school who are not members are required to register with the DBS Update Service (the School bears the cost of the annual fee for its permanent employees).
- d) For good practice, the School renews DBS checks on a three-yearly basis.
 - For members of the Update Service this will entail an online check to ensure no new information has been added to their certificate since its issue.
 - For any staff not registered with the update service, a new DBS application will be made and the School will require such staff to join the Update Service at that point. The School bears the cost of the annual fee for permanent employees.

9. Verification of Employment History

- a) The Bursar, Head, or SCR administrator will compare all references with any information given on the application form. Any discrepancies or inconsistencies will be followed up appropriately and explored with the referee and/or candidate.
- b) The Bursar, Head, or SCR administrator will also check the application form for any unexplained gaps in employment which will be explored with the candidate.
- c) The School will ensure that any concerns are resolved satisfactorily before an appointment is confirmed. ☒

10. Declaration of Medical Fitness

- a) The School has a statutory responsibility to verify the medical fitness of anyone appointed to a post, after the offer of employment has been made but before the appointment can be confirmed. ☒
- b) All successful candidates must complete a pre-employment Medical Questionnaire and must sign to confirm that they know of no reasons, on grounds of mental or physical health, why they should not be able to fulfil the responsibilities required by the post offered.
- c) The information provided will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental

requirements of the role e.g. proposed timetable, extra-curricular activities, and/or layout of the School.

- d) If a medical condition that might impair the candidate's ability to discharge the role were to be reported, the School would discuss the matter with the candidate and, if appropriate, consider with the candidate what reasonable adjustments might be made.
- e) The School may also require an additional medical opinion from a specialist or request that the applicant undertakes a full medical assessment. ☒
- f) The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.☒

11. Verification of Qualifications - where applicable

- a) Original documents confirming any educational and professional qualifications relied upon in the application must be provided by the candidate to the School.
- b) The School will take photocopies and return the original documents to the individual.
- c) For qualified teachers, an online check will also be made of their QTS status and the completion of teacher induction (induction applies to those who obtained QTS after 7th May 1999.)

12. Prohibition from Teaching ☒

- a) It is a statutory requirement that a Prohibition from Teaching check must be made for any individual in the School engaged in teaching duties. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
 - Planning and preparing lessons and courses for pupils
 - Delivering and preparing lessons to pupils
 - Assessing the development, progress and attainment of pupils
 - Reporting on the development, progress and attainment of pupil
- b) The School uses the Teaching Regulation Agency Employer Access service to check whether successful applicants are the subject of a prohibition order or interim prohibition order issued by the Teaching Regulation Agency.
- c) The check is undertaken for all individuals involved in teaching work of any kind, whether qualified teachers or not e.g. sports coaches, teaching assistants, peripatetic staff. ☒
- d) The School recognises that a prohibition from teaching order may not last indefinitely and that professional conduct panels do not always impose sanctions on the subject of the hearing. In order to fully assess the suitability of an applicant, the School considers it important that all such information is made available during the recruitment process and requires all candidates to declare such information.
- e) Where an applicant is not currently prohibited from teaching, but has been the subject of a professional conduct hearing whether that resulted in the imposition of a sanction,

or where a sanction has lapsed or been lifted, the School will consider whether the facts of the individual case render the applicant unsuitable. ☒

13. Prohibition from Management (Section 128 Direction)

- a) The School is required to check whether applicants appointed to management positions are subject to a Section 128 Direction; a direction made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring individuals from taking part in the management of an independent School. ☒
- b) The School considers all members of the Senior Leadership Team including the Bursar to be involved in the management of the School. Heads of Department will also be subject to this check.
- c) All governors are also subject to a Prohibition from Management check.
- d) If a member of staff is promoted internally to a management position, then the School will check that the member of staff is not subject to a Section 128 direction prior to the promotion. ☒

14. Disqualification under the Childcare Act 2006

- a) This applies to staff working in the EYFS and those involved in childcare for children under the age of eight in before and after school settings, and to those who are directly concerned in the management of that childcare. It concerns how people can be disqualified under the Childcare Act 2006.
- b) The School must not knowingly employ people to work in childcare or allow them to be directly concerned in its management, if they are 'disqualified' from childcare.
- c) The School has taken the decision that it requires all members of staff to sign a Disqualification Declaration Form, which is reviewed annually, confirming that they are not disqualified from working under the Childcare (Disqualification) Regulations 2006.

15. Overseas Criminal Record Checks

- a) There is no statutory period of time spent overseas which demands that additional checks be made. KCSIE states that:- *Schools and colleges **must** make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered.*
- b) However, the School will usually undertake overseas criminal record checks for each country where a candidate has lived for 3 months or more in the ten years prior to applying to the School.
- c) If an individual has worked in a School in the UK since moving from overseas, without going back overseas, it is not necessary to repeat the overseas checks for subsequent appointments. However, the School will assess each case individually and will consider what overseas checks the previous School obtained prior to deciding whether to carry

out further / repeated checks. ☒

- d) Further guidance on criminal records checks for applicants who have lived overseas can be found at <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

16. Overseas Checks of Professional Conduct

- a) If an applicant has taught outside the UK, the School will ask for proof of their past conduct as a teacher.
- b) This may be provided by the applicant obtaining a letter which verifies their professional conduct, from the professional regulating authority for teachers in each country in which they have worked.
- c) The School will also ask the applicant (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction issued by, the regulator of the teaching profession in the countries in which they have carried out teaching work.
- d) This verification of professional conduct is separate from overseas checks of criminal records.
- e) Where this information is not available, the School will seek alternative methods of checking suitability e.g. additional references and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

17. Disqualification from Acting as a Charity Trustee or Charity Senior Manager

Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so.

- a) 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.
- b) At Westbourne School the trustees are the Governors of the School. Senior managers include those employees who report directly to the governors or have responsibility for the overall management and control of the charity's finances.
- c) At Westbourne School the disqualification rules are applicable to all governors, the Head and the Bursar.
- d) Relevant staff and governors are required to complete a declaration confirming that they are not subject to any of the disqualification criteria. ☒

18. TUPE Arrangements

If there is continuous employment under TUPE (transfer of undertakings protection of employment) arrangements, there is a requirement for recruitment information to be passed to the new employer. If the details are fully in order, the School will enter them onto the

Single Central Register, and will add a note to the register that the details have been accepted under TUPE arrangements. However, if the information is incomplete, the School will undertake a new DBS check and any other necessary checks.

19. Supply Staff

- a) Supply staff are staff who are supplied to the School by an employment agency to work under the control of the School.
- b) Before an individual begins work, the School must receive written confirmation from the agency that all the checks that would normally be carried out by the School, if it was employing the person directly, have been completed.
- c) The written confirmation must detail all the checks carried out and the date these were undertaken for the *specific named individual* who will begin work at the School.
- d) Supply staff can be anybody supplied by an employment business – this includes supply teachers but also any other staff supplied by an employment agency e.g. cleaning, catering.
- e) Where an external agency does not have access to the necessary database to do a relevant check, the School will do the missing check(s) themselves, where this applies.
- f) Before beginning work, the individual must present the original of their DBS certificate and their passport or driving licence or another suitable photographic identity document to the School. The DBS must be less than three months old when the person starts work, unless it can be verified that the individual has been working in another School within the last three months. ☒

20. Self-employed Staff

Other staff not directly employed by the School such as self-employed teachers, peripatetic teachers, and coaches are treated as employed staff as far as pre-employment vetting is concerned, and the same checks are carried out by the School as for employees. This is regardless of whether the person is paid for by the School or by the parents directly.

21. Contractors and Employees of Third Parties (other than employment agencies)

- a) The level of checking for contractors and employees of third parties is determined by the role in question.
- b) For those individuals with access to children and in regulated activity, they will be considered in exactly the same way as 'supply staff' as above.
- c) Contractors may also include individuals in School for a short time with very limited access to children (e.g. a plumber supervised by the School's maintenance department) In such instances, the School will ensure that any contractor who works in the School, has been subject to the appropriate level of checks which will be determined on a case

by case basis depending on the nature of their work and their opportunity for contact with children.

- d) The School checks the identity of all contractors on arrival.

22. Appointment of Volunteers

- a) Checks are not required for volunteers for a one-off occasion such as a parent accompanying a class on a visit to a museum. However, such occasional volunteers must not be involved in any personal care of pupils or involved in any overnight stays.
- b) Volunteers assisting the School on a regular basis are classified as being in regulated activity and are subject to the following checks:
- Enhanced DBS with Barred List Check
 - References
 - Informal interview and with no contrary indications from anyone in the School
- c) The details of regular volunteers are included on the School's SCR.

23. Governors

Governors are subject to the following checks in advance of appointment:

- an enhanced DBS check (either including or not including barred list information depending on whether the School determines the Governor is in regulated activity)
- confirmation of identity
- confirmation of right to work in the UK
- prohibition from management check (section 128)
- overseas police background checks, if applicable
- references

The Chair of Governors is required to undergo checks via the DfE and requires an enhanced DBS with Barred List information. Members of the governing body are also required to confirm that they are not disqualified from acting as a charity trustee.

24. Student Teachers

- a) Student teachers (unless employed directly by the School) are checked by the supplying university/training provider; however, the School does require written confirmation from the provider that it has carried out all necessary pre-appointment checks *and* that the trainee has been judged by the provider to be suitable to work with children.
- b) Trainee teachers on a salaried route with the School have the same pre-appointment checks and are recorded on the SCR in the same way as employees.

25. Visiting Speakers

- a) Statutory guidance requires that the School ensures that any visiting speakers who might fall within the scope of the Prevent duty, whether invited by staff or pupils, are suitable. ☒
- b) Staff must follow the procedure described in the Visiting Speaker Policy and obtain permission from the Head for any visiting speakers.
- c) Visitors must be supervised at all times and not left alone with pupils.

26. Single Central Record (SCR)

- a) In addition to the various staff records kept in individual personnel files, the School is statutorily required to keep a Single Central Record of all recruitment checks.
- b) The SCR shows which checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained for each individual working in the School. This includes:-
 - employees
 - supply staff provided by an employment agency
 - staff employed by third parties
 - self employed
 - contractors
 - governors
 - volunteers in regulated activity
- c) For supply staff, and other staff employed by a third party or agency, the SCR also records the date the employer provided written confirmation to the School that all the required checks had been completed.
- d) The School has produced an internal document (Westbourne School SCR Procedure) relating to the procedure for all pre-appointment checks and the administration of the SCR to ensure the School follows good practice and is compliant with legislation and statutory guidance.
- e) The SCR is scrutinised regularly by the Head and the Governor with responsibility for Safeguarding, (at least termly) to ensure that all the necessary checks are carried out and recorded correctly before individuals begin work in the School

27. Retention of Records

- a) The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and the School's Data Protection Policy.
- b) Copies of DBS certificates are not permitted to be kept by the School.
- c) If an applicant is appointed, the School will retain any information provided and documentation related to pre-employment checks in their personnel file. This will include

copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.

- d) This information will be retained by the School for the duration of the successful applicant's employment and then in accordance with the School's Data Retention Policy on the keeping of records after employment terminates.
- e) If an applicant is unsuccessful in obtaining a position with the School, all documentation relating to the application will be held for 6 months, and then destroyed.

28. Referral to the DBS and the Teaching Regulation Agency (TRA)

- a) The School has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had that person not left the School's employ.
- b) If the individual is engaged in teaching duties, a referral will also be made to the TRA.
- c) Referrals may also be made to the TRA (irrespective of whether the DBS criteria for referral have been met) for unacceptable professional conduct, conduct that may bring the profession into disrepute or a conviction, any time, for a relevant offence.
- d) Advice about the conduct of teachers can be found in Teacher misconduct: the prohibition of teachers (February 2022) which is published on the TRA website.

Appendix 1

Policy on the Recruitment of Ex-offenders

- a) The School uses the DBS Disclosure service to assess the suitability of applicants for all positions at the School. It complies with the DBS Code of Practice and undertakes to treat all applicants for paid or voluntary positions within the School fairly and not to discriminate unfairly on the basis of previous offences or other information disclosed.
- b) The School actively promotes equality of opportunity and welcomes applications from a wide range of candidates. It selects candidates based on their skills, qualifications and experience.
- c) All positions within the School involve a degree of responsibility for the safeguarding and welfare of children. Therefore, all positions are exempt from the provisions of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020).
- d) All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent", except those that are classed as protected offences.
- e) The aim of this policy is to ensure that having a criminal record will not necessarily bar any individual from working with the School, and that due consideration is given to the nature of the position together with the circumstances and background of any offences.

- f) Applicants will be asked to provide details of their criminal record prior to interview and any information provided, will only be seen by those closely involved the recruitment process.
- g) Failure by an applicant to disclose a previous conviction may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence. ☐
- h) It is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children.
- i) It is also unlawful for the School to knowingly employ someone who is disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006”.
- j) It is also a criminal offence for any person who is barred from working with children to attempt to apply for a position at the School. The School will make a report to the Police and / or the DBS if:
- it receives an application from a barred person; ☐
 - it is provided with false information in, or in support of an applicant's application; or ☐
 - it has serious concerns about an applicant's suitability to work with children.
- k) At interview, or under separate discussion, the School undertakes to ensure an open and measured discussion takes place on the subject of any offences or other matters disclosed that might be considered relevant for the position concerned.
- l) 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 Head will make a judgment about the applicant’s suitability and will consider the following factors before reaching a recruitment decision:
- whether the conviction or other matter revealed is relevant to the position in question
 - the seriousness and nature of any offence or other matter revealed
 - the age of the applicant when the offence was committed and the length of time since the ☐offence or other matter occurred
 - whether the applicant has a pattern of offending behaviour or other relevant matters☐
 - the applicant's subsequent career and good behaviour ☐
 - whether the applicant's circumstances have changed since the offending behaviour or other ☐relevant matters ☐
 - the circumstances surrounding the offence and the explanation(s) offered by the applicant, including whether the individual accepted responsibility for their actions
 - in the case of Disqualification from Childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification

- m) The Head will consider the incident in the context of the Teachers' Standards and Teacher Misconduct Guidance if the applicant is applying for a teaching post.
- n) The Head will confirm in writing whether the person can be employed and, if so, any mitigating actions and controls to be put in place. ☒
- o) The Head undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
- p) If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS directly.

Disclosure of Convictions by Current Employees

- a) Existing employees are required to disclose any new convictions during the course of their employment.
- b) New employees will be advised of this expectation during the induction process and reminders will be issued to staff periodically.
- c) Employees are expected to advise the School of any new convictions, cautions or reprimands issued during their employment (which wouldn't be filtered in line with current guidance), regardless of how minor they are considered to be.
- d) The expectation would be that the employee advises the School as early as possible for example at the point of being interviewed by the police in connection with the alleged criminal conduct or arrested.
- e) Where a new conviction is disclosed, a full appraisal of the situation will be carried out by the Head including whether the conviction is relevant to the post and an assessment of the risks involved.
- f) As a result of this assessment, the School may consider the introduction of safeguards, may move the employee to an alternative role or may dismiss the individual.
- g) Depending on the nature of the new conviction, it may also be appropriate to suspend the employee while the matter is investigated further.
- h) The School may be informed by the Police and/or the Local Safeguarding Children Partnership of a safeguarding issue relating to a member of staff. In such instances the School would work in partnership with external agencies to safeguard pupils.

Queries

If an applicant has any queries relating to how to complete the application form, or any other matter covered in this policy, they should contact the Headmaster or his PA.

Headmaster – Mr Chris Hattam

PA to the Headmaster – Mrs Fiona Walker

Governor with Safer Recruitment Training:

- Alison McKinna

This Safer Recruitment policy should be read in conjunction with the following policies/procedure(s)/guidance:

- Westbourne School SCR procedure 2023
- KCSIE 2022 Guidance
- GDPR and Data Protection Policy
- Safeguarding and Child Protection Policy
- Low Level Concerns Policy
- Anti-bullying and Peer Abuse Policy