

Collège Français Bilingue de Londres

("CFBL" or the "School" or "we")

Authorised by:	The Board of Governors of CFBL
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SAFER RECRUITMENT POLICY

1. Introduction

This policy sets out how the School will ensure this through safe recruitment practices that ensure only those suitable to work with children are recruited and from holding expectations of high standards of personal and professional conduct from staff.

2. Safer recruitment: general principles

The School recognises safer recruitment practices are an essential part of creating a safe learning environment and will carry out the processes set out in this policy to ensure those who are not suitable to work with children are identified during recruitment processes and prevented from taking up posts.

When recruiting staff, the School will follow Part 3 of the Keeping children safe in education guidance (DfE 2022).

- The School will carry out extensive checks and enquiries on applicants for all positions, including voluntary and support roles, governors and those involved in the management of an independent school, in accordance with statutory requirements.
- No staff member, volunteer, governor or anyone involved in the management of an independent school will be allowed to take up posts until all checks and enquiries required for that position have been satisfactorily completed.
- Checks with the Disclosure and Barring Service will be carried out at the level appropriate to the candidate's role in the School (see section 4.3).
- Staff and governors who are involved in recruitment will receive Safer Recruitment training offered through Camden or any other accredited training provider and no interview should go ahead unless at least one member of the panel has undertaken safer recruitment training. The following persons who have responsibility for recruitment have received appropriate Safer Recruitment training:
 - Staff: Mr David Gassian (Headteacher), Ms Laurence Ladecky (Head of finance & Administration), Ms Cecile Denais (DSL and Deputy to the Head, Secondary), Ms Marjorie Lacassagne (DSL and Deputy to the Head, Primary) and Ms Audrey Koumba (HR manager);
 - Governors: Ms Nathalie Bouché and Ms Julie Louvrier (both on the HR committee).
- Although the Headteacher has day-to-day responsibility for the recruitment of staff, the board of governors ensures that they maintain an overview of recruitment systems in order to scrutinise practice and ensure all statutory checks are carried out.

- Staff with responsibility for carrying out recruitment checks will ensure they have a copy of any relevant documents or take relevant issue numbers from documents as proof that the document has been seen.
- Checks will be taken out on existing staff where concerns arise regarding their suitability to work with children or a person moves into a post that is a regulated activity.
- The Headteacher is responsible for keeping a single central record of all staff and volunteers who work at the School and any checks taken out on governors.
- Where the School has salaried trainee teachers, the School will ensure that all necessary checks are carried out on the trainees, including DBS checks, and that the outcome of these checks is recorded on the single central record.
- For trainee teachers that are fee-funded, the School will obtain written confirmation from the training provider that the necessary checks have been carried out and that the trainee has been judged to be suitable to work with children.
- Where staff are recruited via third parties such as employment agencies, the Head teacher and/or the board of governors:
 - seek written confirmation from the agency that the agency has carried out all necessary checks on the individual
 - request written confirmation of the outcome of all checks
 - request written confirmation that an enhanced DBS certificate has been received by the agency
 - request a copy of any DBS certificate where information has been disclosed
 - check the identity of agency staff when they first present for work to ensure they are the person against whom the checks were taken out.
- Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

3. Advertising and recruitment

When recruiting, the School will ensure that all advertisements for posts are clear that the role is a safeguarding role for which successful candidates should be considered suitable to work with children and that successful applicants will be expected to agree to undergo DBS and other checks as part of safer recruitment practices.

The School will only accept applications using the School application form in order to capture important information about the candidate to enable the School to make informed decisions about their suitability for the role.

3.1 Advertisements

The School will ensure the following information is included in any advertisement:

- a statement of the School's commitment to safeguarding and promoting the welfare of children and that all applicants will be subject to checks
- information about the role (job description/person specification) and the safeguarding responsibilities that are part of the role
- the skills, experience, knowledge, abilities, attitudes and behaviours required
- the safeguarding requirements of the role, including level of contact with children and whether the post involves regulated activity

- principles of equality, diversity and inclusion
- whether the post is exempt from the Rehabilitation of Offenders Act 1974 as amended (where specific spent convictions must be disclosed).

3.2 Application forms

Application forms, job descriptions, person specifications and the School's child protection policy are available to download from the School's website and can be printed and forwarded to applicants on request, so that they are aware of the School's approach to safeguarding and safer recruitment and the expectations of staff in implementing these.

The application form includes a clear statement that it is an offence to apply for posts involving regulated activity, when barred and asks for the following information:

- personal details of the candidate including current and former names, current address and national insurance number;
- details of their present (or last) employment and reason for leaving;
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment;
- qualifications, the awarding body and date of award;
- details of referees/references (see section 4.2 for further information);
- a statement of the personal qualities and experience that the candidate believes are relevant to their suitability for the post and how they meet the person specification.

Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. The School will not accept copies of curriculum vitae in place of an application form.

3.3 Interview and selection

The School will expect candidates who are shortlisted for interview to complete a self-declaration form as shown in [Appendix 1](#). Where there is an electronic signature, the shortlisted candidate will be asked to physically sign a hard copy of the application at point of interview.

The applicant may then be invited to attend a formal interview.

One of the key purposes of the interview is to establish whether the candidate is suitable to work with children. For this reason, the School will structure interviews to enable a full exploration of the candidate's knowledge, skills and experiences of teaching and/or working with children as well as their attitudes and motivations to safeguarding. The interview will also explore any unexplained gaps in employment or frequent changes of employment, any information on allegations or disciplinary actions, or any other areas of concern.

The School will:

- ensure that at least two people carry out the shortlisting exercise (it is recommended that those who shortlist carry out the interview for a consistent approach);
- consider any inconsistencies and look for gaps in employment and satisfactory reasons given for them; and,
- explore all potential concerns.

In addition, as part of the shortlisting process, the School will consider carrying out an online search (including social media) and exploring anything that is publicly available online which may be worth testing at interview, as part of its due diligence on the shortlisted candidates.

4. Checks and vetting for school staff

All offers of appointment will be conditional until satisfactory completion of the mandatory pre-employment checks.

The School will take out checks in order to verify the following information for all new staff:

- The applicant's identity must be verified from their passport; birth certificate or other photographic ID and proof of address must be provided. The School will follow government guidance:

<https://www.gov.uk/government/publications/identity-proofing-and-verification-of-an-individual>

- The applicant's right to work in the UK must be evidenced through documentation. Only original documentation will be accepted and its validity checked in the presence of the applicant. The School will follow government guidance:

<https://www.gov.uk/government/publications/identity-proofing-and-verification-of-an-individual>

- Verification of qualifications, whether professional or otherwise, which the School considers in making the appointment decision, or which are referred to in the application form, whether a requirement for the role or not.
- The School will obtain (via the applicant) an enhanced DBS check (including children's barred list information, for those who will be engaging in regulated activity with children).
- If the applicant will begin work before an enhanced DBS check can be completed, a barred list check will be obtained.
- In the case of teaching staff, checks will be made on the applicant's academic and vocational qualifications and further checks made on the TRA Teacher Employer Access Service system to ensure they are not prohibited from teaching under a teacher prohibition order.
- Checks are made to ensure any member of staff involved in the management of the School or governor is not barred from doing so under a section 128 direction made by the Secretary of State.
- The School will obtain confirmation that the applicant is not disqualified from acting as a trustee (governor) or senior manager of a charity under the Charities Act 2011 (if applicable, see section 4.6 below)
- Where the applicant has been living abroad, similar enquiries will be made in the country of origin relating to the applicant's qualifications and suitability to teach, including overseas criminal records checks, certificate of good conduct and/or professional references. (See 4.4 below.)
- For staff working with reception class children under 5 or children under 8 in wraparound care settings, the School will make checks as to whether the individual has been disqualified from working in these settings. (See 4.4 below.)
- Enquiries will be made regarding the applicant's state of physical and mental health to the extent that it may affect their capacity to carry out their role.
- The School will ensure that an applicant to be employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State (see KCSIE 2022, paragraph 253 for prohibition checks) or any sanction or restriction imposed (that remains current) by the GTCE (see KCSIE 2022, paragraph 255), before its abolition in March 2012.
- The School will keep copies of the following documents on staff personnel files:

- o documents used as proof of identity such as passports or driving licences;
- o a summary of the DBS certificate (but all other documents relating to the DBS check must be destroyed);
- o documents that prove the staff member's right to work in the UK (failure to do so can result in a fine for employing illegal workers).

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

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

4.1 Verification of identity, address and qualifications

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications as set out below and in the list of valid identity documents at [Appendix 2](#) (these requirements comply with DBS identity checking guidelines):

- one document from Group 1; and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and
- original documents confirming any educational and professional qualifications referred to in their application form.

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

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

The School asks for this information at interview to ensure that the person attending interview is who they claim to be, to ensure that they are permitted to work for the School if appointed and that they hold the qualifications that have been requested (if any).

4.2 References

The purpose of seeking references is to allow CFBL to obtain factual information to support appointment decisions. The School will obtain references before confirming the employment with a contract. This allows any concerns raised to be explored further with the referee and taken up with the candidate. Where a reference is not received prior to interview it will be reviewed upon receipt.

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

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism" (see the definition of "extremism" at section 5 below). 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, job title / duties, reason for leaving, performance, sickness and disciplinary record
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated 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 false, unsubstantiated or malicious
- whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" at section 5 below).

Any information provided by applicants as part of an application process will be verified with independent sources and any reference received electronically will be checked to verify the originating source. The School may at its discretion make telephone contact with any referee to verify the details of the written reference provided.

Any discrepancies identified between the reference and the application form and/or the interview assessment form will be considered by the School. Referees will be contacted to resolve any issues that emerge from the references provided. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.

All internal candidates who apply for a new role at the School will have their application assessed in accordance with this procedure. References will be taken up on all internal candidates as part of the application process but can be provided by colleagues as the School will be the most recent employer.

4.3 DBS checks

In order to ensure that people who work in the School are suitable to do so and are not barred from working with children, the School will apply to the Disclosure and Barring Service (DBS) for police checks and other barred list information as part of the recruitment process.

The relevant DBS check will be taken out according to the role of the individual and their level of unsupervised contact with pupils. Enhanced DBS checks including police information and children's barred list information will only be taken out on individuals who are involved in 'regulated activity'. This is defined as:

- teaching, training, instructing, caring for or supervising children (including driving vehicles only for children)
- working in the School on a regular basis giving opportunities for contact with children (for example in an administrative role)
- engaging in intimate or personal care or healthcare within the School.

Enhanced DBS checks with barred list checks will also be carried out on unpaid volunteers who regularly work unsupervised at the School and whose work means they have an opportunity for regular contact with children.

Other staff, contractors and supervised volunteers who have opportunities for regular contact with children but do not carry out a regulated activity will be subject to an enhanced DBS check but not barred list checks.

Decisions on whether a person is carrying out a regulated activity or whether their role provides opportunities for regular contact with children requiring a DBS check will be made by the Headteacher, based on their role, the level of contact they have with children and whether they are supervised.

DBS disclosure certificate: The DBS issues the DBS disclosure certificate to the subject of the check only, rather than to the School. It is a condition of employment with the School that the original disclosure certificate is provided to the School within two weeks of it being received by the applicant. Original certificates should not be sent by post. A convenient time and date for bringing the certificate into the School should be arranged with HR as soon as it has been received. Applicants who are unable to attend at the School to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to HR. Where a certified copy is sent, the original disclosure certificate must still be provided on the first working day. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

Starting work pending receipt of the DBS certificate: If there is a delay in receiving a DBS disclosure the Headteacher has discretion to allow an individual to begin work pending receipt of the disclosure certificate. 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 and once appropriate supervision has been put in place.

Decision following DBS disclosures: The School will consider any disclosures to decide if the candidate is suitable to work with children and will consider the number and nature of disclosures, their seriousness and when offences occurred. Decisions not to appoint following DBS disclosure will be carefully recorded giving details of how the decision was reached.

The School follows the DBS code of practice available at: <https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers>

4.4 Individuals who have lived or worked outside the UK

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff. This includes obtaining (via the applicant) an enhanced DBS certificate (including children's barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK.

In addition, schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. Following the UK's exit from the EU, schools and colleges should apply the same approach for any individuals who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world.

These checks include, where available:

- criminal records checks for overseas applicants from the relevant jurisdiction(s) or a certificate of good conduct (as appropriate) and / or references from any employment held; and
- for teaching positions, obtaining a letter (via the applicant) from the professional regulating authority (this is often the Department/Ministry of Education but varies across the world) in the country (or countries) in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and or that they are aware of any reason why they may be unsuitable to teach.

Where this information is not available the School will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the School will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

Work can only commence once sufficient overseas information has been received and only if the School has considered that information and confirmed that the applicant is suitable to commence work at the School.

4.5 Prohibition from teaching check

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

In addition, the School asks all applicants for roles which involve "teaching work" (and their referees) to declare in the application form 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.

It is the School's position that this information must be provided in order to fully assess the suitability of an applicant for a role which involves "teaching work". 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 School will consider whether the facts of the case render the applicant unsuitable to work at the School.

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

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

The above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Headteacher. 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.

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

4.6 Prohibition from management check

The School 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 School will carry out checks for such directions when appointing applicants into management positions from both outside the School and by internal promotion.

This check applies to appointments to the following positions:

- Headteacher
- Teaching posts on the senior leadership team

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

It also applies to appointments to the governing body (trustees).

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

In addition, the School asks all 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 School's position that in order to fully assess the suitability of an applicant for a management role it must be provided with the above information.

Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body whether that resulted in the imposition of a section 128 direction or other sanction, or where a section 128 direction or other sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

4.7 [Childcare disqualification](#)

Childcare disqualification is an additional requirement to the general child safeguarding arrangements provided under the Disclosure and Barring Service (DBS) regime, which apply to all children.

The childcare disqualification arrangements apply to staff working with young children in childcare settings, including primary schools and nurseries. The arrangements predominantly apply to individuals working with children aged 5 and under, including reception classes. It also applies to those working in wraparound care for children up to the age of 8, such as breakfast clubs, after school clubs and holiday clubs.

The School will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Disqualification Under the Childcare Act 2006 statutory guidance of 31.08.18 (“DUCA guidance”), which describes the application of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (“the 2018 regulations”) and obligations under the Childcare Act 2006 in schools (together the ‘Regulations’).

Pursuant to the Childcare Act 2006:

- a person who is disqualified under the 2018 regulations may not:
 - o provides relevant childcare provision
 - o be directly concerned in the management of such provision
- the School is prohibited from employing a disqualified person in connection with relevant childcare provision, unless the individual in question has been granted a waiver by Ofsted for the role they wish to undertake.

Further information on the staff to whom these regulations apply, the checks that should be carried out, and the recording of those checks can be found in the guidance from DUCA.

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. The School will decide whether a role is relevant and within the scope of EYP or LYP by having regard to the guidance in DUCA. Employment with the School in any relevant role will be conditional upon completion of the self-declaration form and upon the applicant not being disqualified.

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

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 School may withdraw an offer of employment at its absolute discretion and is under no obligation to await the outcome of an Ofsted waiver application. If a waiver application is rejected the School will withdraw the conditional offer of employment.

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

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 School if their circumstances change in a way which would mean they subsequently meet any of the criteria for disqualification. Any failure to disclose relevant information now, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.

4.8 Checks for volunteers

The Headteacher will ensure that the following are carried out in relation to unpaid volunteers such as parents who accompany pupils on school outings or provide help in the classroom:

- All volunteers will be required to undergo a recruitment process, with references, DBS and other checks and interviews taken out as appropriate and proportional to the duties assigned to them.
- The Headteacher will carry out a risk assessment to establish whether a volunteer will be carrying out a regulated activity and decide what level of checks are needed in relation to their proposed role.
- Volunteers who are carrying out a regulated activity, for example being left unsupervised with children or providing personal care to children will be subject to an enhanced DBS check, including barred list information.
 - Volunteers carrying out regulated activity but for whom a DBS check has not been carried out will be suitably supervised by teaching staff at all times at a level that ensures the safety of pupils.
- New volunteers who are not carrying out regulated activity but who have an opportunity for regular contact with children will be subject to an enhanced DBS check but not a barred list check.
- For other volunteers who are not carrying out regulated activity and do not have regular contact with children, the Headteacher will carry out a risk assessment to decide whether standard DBS check should be carried out depending on:
 - o the nature of the role
 - o what information is already known about the volunteer
 - o what references from work or volunteering activity the volunteer has provided regarding suitability
 - o whether the role is eligible for a DBS check.

- The School will ensure that all volunteers are competent to carry out the duties assigned to them and are only assigned duties that are suitable to their qualification and experience.
- All volunteers will be fully inducted in relation to all School policies and procedures.

4.9 Checks for governors

4.9.1 DBS check

The school will take out an enhanced DBS check on governors, but a barred list check will only be taken out if the individual governor will be carrying out a regulated activity within the School.

4.9.2 Section 128 check

The School will ensure that governors are not barred from being involved in the management of schools under a section 128 direction made by the Secretary of State.

The School will also take out a check with the Teaching Regulation Agency Teacher Services system to establish whether any individual seeking to take up a position in the management of an independent school has been disqualified and therefore unable to do so.

4.9.3 Disqualification from acting as a charity trustee or senior manager

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.

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 school. Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the School, the disqualification rules will be applicable to all governors, the Headteacher, the Head of finance & Administration and potentially other senior staff who report directly to the governors.

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 School's attention may result in the termination of an appointment as a governor or senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence. All those who are required to complete a self-declaration form are also under an ongoing duty to inform the School if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

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

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

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 School may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appointment to the

governing body if a waiver application becomes necessary or is rejected by the Charity Commission. The School is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

4.10. Contractors and agency staff

The School must complete the same checks for contractors (and their employees) undertaking regulated activity at the School as it does for its own employees. The School requires written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at the School before any such individual can commence work at the School.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.

The School will independently verify the identity of individuals supplied by contractors or an agency in accordance with section 4.1 above and requires the provision of the DBS disclosure certificate before those individuals can commence work at the School.

4.11. Data protection

The School is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (NCTL)). Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations. The School will process personal information in accordance with its Staff Privacy Notice.

5. Visiting speakers and the Prevent Duty

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.

All visiting speakers will be subject to the School's usual visitor's protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and / or permit a speaker to attend the School. In doing so the School will always have regard to its Visitors Policy, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

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

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

6. Policy on recruitment of ex-offenders

6.1 Background

The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details disclosed. The School makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar them from employment with the School. Each case will be decided on its merits in accordance with the objective assessment criteria set out in 6.2 below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules. A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to 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.

6.2 Assessment criteria

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

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

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

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or
- serious class A drug related offences, robbery, burglary, theft, deception or fraud.

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

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

6.3 Assessment procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headteacher before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

6.4 Retention and security of disclosure information

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

7. Single central record

The School maintains a single central record of pre-appointment checks (the "SCR") in an electronic format available from HR.

The SCR covers the following people:

- all staff, including teacher trainees on salaried routes, agency and third-party supply staff, even if they work for one day, and
- all members of the proprietor body (trustees).

The single central record must indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained:

- an identity check;
- a barred list check;
- an enhanced DBS check requested/certificate provided;
- a prohibition from teaching check;
- further checks on people who have lived or worked outside the UK;
- a check of professional qualifications, where required; and
- a check to establish the person's right to work in the United Kingdom;
- details of the section 128 checks undertaken for those in management positions and trustees;
- for agency and third-party supply staff, whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

The SCR also covers certain school volunteers such as PTA members and AVS who attend school on a regular basis.

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

The completeness and consistency of the SCR is checked at least twice a year by a safeguarding trustee.

Last review by management: October 2022

Appendix 1 – Self declaration form for candidates

Candidates who have been shortlisted for interview **must** complete this form. Forms completed by unsuccessful candidates will be destroyed following interview.

Do you have any adult cautions?

Yes No

Do you have any unspent conditional cautions?

Yes No

Do you have any unspent convictions in a court of law?

Yes No

Do you have any spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment)(England & Wales) Order 2020?

Yes No

(Please note: Youth cautions, warnings and reprimands need not be disclosed)

Details:

Are you included on the DBS barred list from working with children?

Yes No

Details:

Are you prohibited from teaching by the Teaching Regulation Agency?

Yes No

Details:

Are you prohibited from taking part in the management of an independent school under section 128 of the Education and Skills Act 2008?

Yes No

Details:

Have you ever been convicted in England or Wales of an offence that took place abroad?

Yes No

Details:

Are you known to the Police or a children's social care department?

Yes No

Details:

Have you been disqualified from providing childcare under the Childcare Disqualification Regulations 2018?

Yes No

Details:

If you have lived overseas, is there any relevant information that you feel the interview panel should know about?

Yes No

Details:

I declare that the information given is true

Signed:

Date:

Appendix 2 - List of valid identity documents

Three routes of ID checking

ROUTE 1

The applicant must be able to show:

- one document from Group 1, below
- 2 further documents from either Group 1, or Group 2a or 2b, below

At least one of the documents must show the applicant's current address.

If the applicant isn't a national of the UK or the EEA and is applying for voluntary work they may need to be fingerprinted if they can't show these documents.

ROUTE 2

Route 2 can only be used if it's impossible to process the application through Route 1.

If the applicant isn't a national of the UK or the EEA and is applying for voluntary work they can't use Route 2. If the applicant doesn't have any of the documents in Group 1, then they must be able to show:

- one document from Group 2a
- 2 further documents from either Group 2a or 2b

At least one of the documents must show the applicant's current address. The organisation conducting their ID check must then also use an appropriate external ID validation service to check the application.

EEA nationals who've been resident in the UK for 5 years or less may need to be fingerprinted if they can't show these documents.

ROUTE 3

Route 3 can only be used if it's impossible to process the application through Routes 1 or 2.

EEA nationals who've been resident in the UK for 5 years or less can't use Route 3.

For Route 3, the applicant must be able to show: * a birth certificate issued after the time of birth (UK, Isle of Man and Channel Islands) * one document from Group 2a * 3 further documents from Group 2a or 2b

At least one of the documents must show the applicant's current address. If the applicant can't provide these documents they may need to be fingerprinted.

Group 1: Primary identity documents

Document	Notes
Passport	Any current and valid passport
Biometric residence permit	UK
Current driving licence photocard - (full or provisional)	UK, Isle of Man, Channel Islands and EEA. From 8 June 2015, the paper counterpart to the photocard driving licence will not be valid and will no longer be issued by DVLA
Birth certificate - issued within 12 months of birth	UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, for example embassies, High Commissions and HM Forces
Adoption certificate	UK and Channel Islands

Group 2a: Trusted government documents

Document	Notes
Current driving licence photocard - (full or provisional)	All countries outside the EEA (excluding Isle of Man and Channel Islands)
Current driving licence (full or provisional) - paper version (if issued before 1998)	UK, Isle of Man, Channel Islands and EEA
Birth certificate - issued after time of birth	UK, Isle of Man and Channel Islands
Marriage/civil partnership certificate	UK and Channel Islands
Immigration document, visa or work permit	Issued by a country outside the EEA. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non EEA country in which the role is based
HM Forces ID card	UK
Firearms licence	UK, Channel Islands and Isle of Man

All driving licences must be [valid](#).

Group 2b: Financial and social history documents

Document	Notes	Issue date and validity
Mortgage statement	UK or EEA	Issued in last 12 months

Document	Notes	Issue date and validity
Bank or building society statement	UK and Channel Islands or EEA	Issued in last 3 months
Bank or building society statement	Countries outside the EEA	Issued in last 3 months - branch must be in the country where the applicant lives and works
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK or EEA	Issued in last 3 months
Financial statement, for example pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Letter of sponsorship from future employment provider	Non-UK or non-EEA only - valid only for applicants residing outside of the UK at time of application	Must still be valid
Utility bill	UK - not mobile telephone bill	Issued in last 3 months
Benefit statement, for example Child Benefit, Pension	UK	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, for example from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
EEA National ID card		Must still be valid
Irish Passport Card	Cannot be used with an Irish passport	Must still be valid
Cards carrying the PASS accreditation logo	UK, Isle of Man and Channel Islands	Must still be valid
Letter from head teacher or college principal	UK - for 16 to 19 year olds in full time education - only used in exceptional	Must still be valid

Document	Notes	Issue date and validity
	circumstances if other documents cannot be provided	