



DANES HILL SCHOOL

STRONG & SAGACIOUS

STAFF RECRUITMENT POLICY AND PROCEDURE

Author/Reviewer responsible:	HR Director	Date of review:	July 2023
Reviewed by:	People, Governance & Risk Committee	Date of authorisation:	19 October 2023
		Date of next review:	September 2024

Contents

1. Purpose
2. Scope
3. Recruitment policy statement
4. Recruitment of ex-offenders policy statement
5. Recruitment and selection procedure
6. Medical fitness
7. Pre-employment checks
8. Verification of identity, address and qualifications
9. References
10. Criminal record checks
11. Prohibition from teaching check
12. Prohibition from management check
13. Staff on short term or seasonal contracts
14. Governors
15. Supply staff
16. Employees of contractors or third parties and agency staff
17. Trainee/ student teachers
18. Visiting professionals
19. Volunteers

20. Visitors, visiting speakers and the Prevent duty
21. Recruitment of ex offenders
22. Retention of records
23. Whistle-blowing
24. Referrals to the DBS and Teacher Regulation Agency (TRA)
25. Responsibilities
26. Related documents

1. Purpose
 - 1.1. The purpose of the School's recruitment policy is:
 - 1.1.1. to ensure that the best possible staff are recruited on the basis of their qualifications, abilities and suitability for the position;
 - 1.1.2. to create a culture of safe recruitment, by consistently using recruitment procedures that help to deter, reject or identify people who might abuse children;
 - 1.1.3. to ensure that all job applicants are considered fairly and consistently;
 - 1.1.4. to ensure that no job applicant is treated unfairly on the basis of race, colour, nationality, ethnic or national origin, pregnancy/ maternity leave, religion or religious belief, sex, gender reassignment, or sexual orientation, marital or civil partner status, disability or age;
 - 1.1.5. to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping children safe in education (September 2023) (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
 - 1.1.6. to safeguard and promote the welfare of children and young people by carrying out all necessary pre-employment checks.
2. Scope
 - 2.1. This policy sets out the duties and responsibilities of all staff in relation to recruiting and vetting staff, contractors or volunteers or any individual working in any capacity at, or visiting the School.
 - 2.2. The policy applies to everyone who works at the School including those who may not have direct contact with children as part of their job.
3. Recruitment policy statement
 - 3.1. The School is committed to providing the best possible care and education to its pupils, and to safeguarding and promoting the welfare of children and young people. The School is also committed to providing a supportive and flexible working environment for all members of staff, and to ensuring that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.
 - 3.2. To achieve these aims, it is of fundamental importance that the School attracts, recruits and retains staff, workers and volunteers of the highest calibre who share and understand this commitment.
 - 3.3. Any queries on the School's recruitment process must be directed to Nina Waters, HR Director.
 - 3.4. An entry will be made on the Single Central Record (SCR) for all current members of staff at the School, the governors and all individuals who

work in regular contact with children – including volunteers, supply staff and those employed by third parties. All checks will be made in advance of appointment, or as soon as practicable after appointment.

4. Recruitment of ex-offenders policy statement
 - 4.1. The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar them from employment. Each case will be decided on its merits in accordance with the objective assessment criteria set out in the procedure.
5. Recruitment and selection procedure
 - 5.1. All applicants for employment will be required to complete an application form including details of their academic and employment history and their suitability for the role. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form, but may also be submitted.
 - 5.2. Applicants will receive a job description/person specification for the role applied for. All internally and externally advertised posts should include specific selection criteria. Selection criteria should include educational qualifications, relevant training, experience, knowledge and skills, outside interests relevant to the job and interpersonal skills.
 - 5.3. Application forms, job descriptions/person specifications and the School's Child Protection and Safeguarding Policy are available to download via the School's website and the TES portal. The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.
 - 5.4. Applicants will be shortlisted on the basis of the evidence provided about the relevance and applicability of their professional attributes and personal qualities to the role. At least two people (who will also be involved in the interview process) will carry out the shortlisting exercise, consider any inconsistencies, look for gaps in employment and reasons given for them, and explore all potential concerns. Shortlisted applicant(s) will then be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail. A practical test or example teaching session will usually be included.
 - 5.5. Shortlisted candidates should be asked to complete a self-declaration form in relation to their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.
 - 5.6. The School will obtain references prior to interview where possible. This allows any concerns raised to be explored further with the referee and can be taken up with the shortlisted candidate at interview.
 - 5.7. The School will obtain such formal or informal background information about shortlisted applicants as is reasonable to determine whether they are suitable to work at the School. As part of the shortlisting process, the School will consider carrying out an online search on shortlisted candidates at part of its due diligence, and candidates will be informed

- that online searches will be undertaken. This may help to identify any incidents or issues that have happened, and are publicly available online, which the School may want to explore with an applicant at interview.
- 5.8. Every recruitment exercise must involve the Head, the Director of Finance & Operations or the HR Director who will support and guide the recruiting manager through the process and ensure compliance with legal requirements, official guidance and School policy. The recruitment of the Head or Director of Finance & Operations will be led by a nominated governor (usually the Chair of Governors). At least one member of a selection panel must hold a certificate of Safer Recruitment training. Interviewers involved will be required to state any prior personal relationship or knowledge of any candidates and a judgement will be made by the Head as to whether or not an interviewer should withdraw from the selection process.
 - 5.9. Interviews will usually be conducted in person, but may use Zoom or Teams. All candidates invited to interview will be asked to bring original documents confirming any educational or professional qualifications that are required for the post. They will also be asked to bring original copies (photocopies or certified copies are not sufficient) of:
 - 5.9.1.a current driving licence or passport including a photograph and a full birth certificate;
 - 5.9.2.a utility bill or financial statement issued within the last 3 months, showing the candidate's name and address;
 - 5.9.3.where appropriate, documentation evidencing a change of name; and
 - 5.9.4.where applicable, proof of entitlement to work and reside in the UK.
 - 5.10. Candidates with a disability who are invited to interview will be asked about any reasonable adjustments that could be made to assist them in participating in the selection process.
 - 5.11. Detailed records of the process should be kept for six months after the recruitment selection exercise (unless the successful candidate requires a Certificate of Sponsorship in which case the unsuccessful selected candidates' records should be kept for the duration of the successful candidate's employment). These notes should be kept by the HR team.
 - 5.12. Following the selection process, the appointment, salary level and other terms of employment must be discussed and agreed with the Head or Director of Finance & Operations. If it is decided to make an employment offer following the formal interview, offers will be conditional on:
 - 5.12.1. the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
 - 5.12.2. verification of the applicant's identity;
 - 5.12.3. the receipt of two references (one from the applicant's most recent employer) which the School consider to be satisfactory;
 - 5.12.4. (where the position provides the opportunity for regular contact with children) the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
 - 5.12.5. where the position amounts to 'regulated activity'ⁱ, confirmation that the applicant is not named on the Children's Barred Listⁱⁱ;
 - 5.12.6. receipt of a signed self-declaration form showing that the candidate is not disqualified from providing childcare as set out in

the statutory guidance 'Disqualification under the Childcare Act 2006';

- 5.12.7. verification of the applicant's medical fitness for the role;
 - 5.12.8. verification of the applicant's right to work in the UK; and
 - 5.12.9. verification of academic, professional or other qualifications which are required for the post, or which the applicant cites in support of their application including QTS (and successful completion of statutory induction period); and
 - 5.12.10. any further checks which the School decides are necessary, including an overseas criminal records check, certificate of good conduct or additional references where an applicant has lived or worked outside of the UK, so that any relevant events that occurred outside the UK can be considered. This may include a candidate providing the School with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked.;
- 5.13. For teaching roles, offers will additionally be conditional on:
- 5.13.1. a check that a candidate is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012; and
 - 5.13.2. 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 countries in the form of a letter of professional standing where appropriate.
- 5.14. For senior management and head of department roles, offers will additionally be conditional on:
- 5.14.1. information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008.
- 5.15. For the Head and Director of Finance & Operations roles, offers will additionally be conditional on:
- 5.15.1. receipt of a signed 'senior charity manager positions: automatic disqualification declaration' confirming that the candidate is not disqualified from acting in a charity senior management position in accordance with automatic disqualification rules for charities
- 5.16. All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.
6. Medical fitness
- 6.1. The School is legally required to verify the physical and mental fitness of anyone appointed, after an offer of employment has been made but before the appointment can be confirmed. All applicants to whom an offer of employment is made must complete a declaration. The School will treat any information shared in strict confidence and arrange for any relevant disclosure to be reviewed by the School's medical advisor where

- it is required. This information will be reviewed against the physical or mental requirements of the role i.e. proposed timetable, extra curricular activities, layout of the School etc. The medical advisor may recommend reasonable adjustments in consultation with the applicant. The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.
- 6.2. The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.
7. Pre-employment checks
- 7.1. In accordance with the recommendations set out in KCSIE 2023 and the requirements of the Education (Independent School Standards) Regulations 2014 and related guidance, the School carries out a number of pre-employment checks in respect of all prospective employees.
- 7.2. In fulfilling its obligations the School does not discriminate on grounds of race, colour, nationality, ethnic or national origin, religion/religious belief, sex or sexual orientation, marital/civil partner status, disability or age.
- 7.3. The School's single central register (SCR) is used to record the checks undertaken for each member of staff and their outcome, as well as the checks undertaken for volunteers, contractors, supply staff and self-employed workers undertaking work at the School.
8. Verification of identity, address and qualifications
- 8.1. All applicants invited to an interview will be required to bring with them evidence of identity, birth certificate, right to work in the UK, verification of current address and verification of any qualifications relevant to the role. Where an applicant has changed their name from the documentation provided by any means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.
- 8.2. The School asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE 2023. Proof of date of birth is necessary so that the School may verify the applicant's identity, and check for any unexplained discrepancies in their employment and education history.
9. References
- 9.1. References will usually be taken up on short listed candidates prior to interview, where possible, and received by a senior person with appropriate authority. All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children (where possible). Neither referee should be a relative or someone known to the applicant solely as a friend.
- 9.2. All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job and person specification. If the referee is a current or previous employer, they will also be asked to confirm the following:
- 9.2.1.the applicant's dates of employment, salary, job title/duties, reason for leaving, performance and disciplinary record;

- 9.2.2. 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; and
- 9.2.3. 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.
- 9.3. The School will only accept references obtained directly from the referee and it will not rely on documents provided by the applicant. The School will compare references with information given on the application form. Any inconsistencies in the information will be taken up with the applicant and the referee before an appointment is confirmed. The School will make telephone contact with a referee to verify any details provided, and will ensure that the referee is a senior person with appropriate authority.
10. Criminal record checks
- 10.1. The School will refer to KCSIE and any amended version in carrying out the necessary required DBS checks. The School complies with the provisions of the DBS Code of Practice, which can be accessed [here](#).
- 10.2. The School applies for an enhanced disclosureⁱⁱⁱ from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to 'regulated activity' as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended).
- 10.3. The Enhanced Check for Regulated Activity identifies whether an applicant is barred from working with children by inclusion on the Children's Barred List and provides other relevant suitability information.
- 10.4. Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if they meet the criteria and are carried out on an unsupervised basis. It is for the School to decide whether a role amounts to 'regulated activity' taking into account all the relevant circumstances, and with regard to annex F of KCSIE. However, nearly all posts at the School amount to regulated activity. Limited exceptions could include support posts undertaken on a temporary basis outside of term time or voluntary supervised posts.
- 10.5. The DBS issues a disclosure certificate to the subject of the check only, rather than the School. It is a condition of employment that the original disclosure certificate is provided to the School prior to the start of work. Employment is conditional upon the original certificate being provided and it being considered satisfactory by the School.
- 10.6. If there is a delay in receiving a DBS disclosure the Head has discretion to allow an individual to begin work pending receipt of the 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, a full risk assessment is carried out and an appropriate supervision order has been put in place. A review of these arrangements will take place every two weeks until the DBS is received.
- 10.7. DBS checks will be requested for applicants with recent periods of overseas residence and those with little/no UK residence. Where an

applicant has lived overseas after the age of 18 and a DBS check is not considered sufficient, the School will carry out further appropriate checks, such as a criminal record check from the relevant jurisdiction(s), and/or a certificate of good conduct (as applicable). These checks are carried out with reference to Home Office advice on overseas criminal records checks, and the checks must be sufficient to satisfy the School that the applicant is suitable for the role they have been appointed to.^{iv} In most instances, the individual must make the application themselves and this must be done before they start work at the School.

- 10.8. Where a criminal record check or certificate of good conduct is not received before the individual starts, or the country in question does not provide such services, the School will obtain alternative further checks – usually in the form of additional references. Where overseas checks are delayed, the School will carry out a risk assessment and put in place appropriate measures until the checks are completed.
 - 10.9. Staff joining the School from another school in England (with less than a three month gap between roles), in a role that brought them regularly into contact with children/young persons, may start without a new enhanced DBS certificate. The existing DBS certificate must be brought to the School, and all other pre-appointment checks (including a barred list check for those in regulated activity) must be completed.
 - 10.10. Refer to Appendix 1 for Flowchart of Disclosure and Barring Service Criminal Record checks and Barred List checks.
11. Prohibition from teaching check
- 11.1. The School is required to check whether staff appointed to carry out ‘teaching work’^v are prohibited from doing so. The School uses the Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel.
 - 11.2. This information must be provided 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 Teacher Regulation Agency (TRA) (or 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.
 - 11.3. The School carries out this check for roles which involve ‘teaching work’. In addition, for appointments where an applicant has carried out teaching work outside of the UK after the age of 18, the School will ask whether they have ever been referred to, or are the subject of a sanction issued by, a regulator of the profession in countries in which they have carried out teaching work. This will include checking for any sanctions issued by regulators of the teaching profession in other countries.
12. Prohibition from management check
- 12.1. 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).
 - 12.2. This check applies to internal and external appointments to the following roles:
 - 12.2.1. Head;

- 12.2.2. teaching posts on the senior leadership team;
 - 12.2.3. teaching posts which carry a departmental head role; and
 - 12.2.4. support staff posts on the senior leadership team.
 - 12.3. It also applies to appointments to the governing body/trustees. It is obtained through the Teacher Services system.
 - 12.4. 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.
13. Staff on seasonal contracts
- 13.1. Some staff, such as sports professionals or holiday club workers do not work all year round at the School and may have a gap of employment from the School of longer than three months although their contract with the School is ongoing. When first joining, the School will carry out all recruitment checks in the same way as a permanent member of staff.
 - 13.2. When returning after a gap of between 3 and 6 months, an update to the member of staff's employment history and medical fitness will be requested.
 - 13.3. Those staff who are likely to be involved in activities with the School on a regular basis may be required to sign up to the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which they participate. Where required, an updated DBS is necessary before staff can commence work at the School. See Appendix 3 for further details.
 - 13.4. After a gap of more than 6 months between activities, all checks will be updated as if the member of staff is new to the School, even if the contract is ongoing.
14. Governors
- 14.1. Checks on School governors/trustees will be carried out and recorded on the SCR. These checks include:
 - 14.1.1. Identity check
 - 14.1.2. Right to work
 - 14.1.3. Enhanced DBS, (with barred list if in regulated activity) and section 128 check
 - 14.1.4. Overseas check
 - 14.1.5. Charity Commission self-declaration checks
15. Supply staff
- 15.1. Teaching staff agencies engaged by the School must complete the same checks on supply teachers that the School is required to complete for its own staff. The School requires confirmation that these checks have been completed before supply teachers can commence work at the School.
 - 15.2. The School will independently verify the identity of teaching supply staff supplied by an agency and will require the provision of the original DBS disclosure certificate before they can commence work at the School.
16. Employees of contractors or third
- 16.1. Contractors and third parties engaged by the School must complete the appropriate checks for their employees. The School requires confirmation that these checks have been completed before employees of the contractor or third party can commence work at the School.

parties and agency staff	<p>16.2. When appointing new buildings and works contractors, the Estates Director will ask for confirmation from the employer that appropriate checks have been completed. Where a contractor is unable to carry out the checks themselves, the School will be able to complete the checks. Contractors likely to work regularly on site during term time will be required to hold an enhanced DBS. Where a contractor is required to work on site in term time but is not checked, a member of the estates department will supervise the contractor at all times. Out of term time, a risk assessment will be undertaken if contractors do not hold an enhanced DBS certificate and if likely to come into contact with children, they will be supervised at all times.</p> <p>16.3. Refer to appendix 2 for details on the procedure for checking employees of third parties.</p> <p>16.4. Agencies who supply staff to the School must also complete the appropriate pre-employment checks. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.</p> <p>16.5. The School will independently verify the identity of staff before they can commence work at the School</p>
17. Trainee/ student teachers	<p>17.1. The School will undertake all the usual checks for a member of new teaching staff for any trainee teacher who is salaried by the School. Where a trainee teacher is fee-funded, the initial teacher training provider will carry out the necessary checks and provide the School with written confirmation that it has carried out all required pre-appointment checks, and judged the individual to be suitable to work with children.</p> <p>17.2. The School will independently verify the identity of staff before they can commence work at the School.</p>
18. Visiting professionals	<p>18.1. From time to time the School will invite individuals who attend the School in connection with the pupils and who have a professional role, i.e. educational psychologists, social workers, support workers or health related professionals.</p> <p>18.2. Before visiting professionals are able to work unsupervised at the School, the member of staff making the arrangements must ensure that they receive written confirmation from the employing body that a clear DBS check has been completed.</p> <p>18.3. The level of DBS check required will depend on the type of work carried out. In most instances the School will ask that an enhanced DBS check is completed. Where the activities include personal care (washing, dressing or health care), a children's barred list check must also be carried out. If visits to the School become regular, the School may ask for additional safeguarding checks to be completed.</p> <p>18.4. When a visiting professional arrives, staff must check their ID to ensure imposters do not gain access to children.</p>
19. Volunteers	<p>19.1. For all volunteers undertaking regulated activity with pupils at or on behalf of the School, the School will request an enhanced DBS disclosure and Children's Barred List information. The definition of regulated activity set out previously will be applied to all volunteers.</p> <p>19.2. The School will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity – where duties are subject to regular, day to day supervision by a</p>

- member of staff. Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils.
- 19.3. It is the School's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the School for three consecutive months or more. Those volunteers who are likely to be involved in activities with the School on a regular basis may be required to sign up to the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.
- 19.4. In addition the School will undertake a written risk assessment based on the nature of the arrangement, and seek to obtain such further suitability information about a volunteer as it considers appropriate. This may include: formal or informal information provided by staff, parents and other volunteers; references from the volunteer's place of work or other relevant source; and an informal safer recruitment interview.
20. Visitors, visiting speakers and the Prevent duty
- 20.1. The School does not have the power to request any checks for visitors (for example pupil relatives or other visitors attending a sports day) or visiting speakers.
- 20.2. The Prevent Duty Guidance requires clear protocols for ensuring that any visiting speakers, whether invited by staff or pupils, are suitable and supervised.
- 20.3. All visiting speakers will be required to sign in and out at reception, wear a visitor badge at all times and be 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 Prevent Duty Guidance and the definition of "extremism" set out in KCSIE.
- 20.4. In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age. The School reserves the right to obtain such information on any person appointed to work for or at the School.
21. Recruitment of ex offenders
- 21.1. 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 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 for gross misconduct. A failure to disclose a previous conviction may amount to a criminal offence.
- 21.2. It is unlawful for the School to employ anyone 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:
- 21.2.1. it receives an application from a barred person;
- 21.2.2. it is provided with false information in, or in support of an applicant's application; or

21.2.3. it has serious concerns about an applicant's suitability to work with children.

21.3. Assessment criteria

21.4. 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:

21.4.1. whether the conviction or matter revealed is relevant to the position in question;

21.4.2. the seriousness of any offence or other matter revealed;

21.4.3. the length of time since the offence or other matter occurred;

21.4.4. whether the applicant has a pattern of offending behaviour or other matters;

21.4.5. whether the applicant's circumstances have changed since the offending behaviour or other matters; and

21.4.6. the circumstances around the offence and explanation(s) offered by the applicant.

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

21.5.1. murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or

21.5.2. serious class A drug related offences, robbery, burglary, theft, deception or fraud.

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

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

21.8. Assessment procedure

21.9. In the event that relevant information 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 above. The assessment form must be signed by the Head or Director of Finance & Operations before a position is offered or confirmed.

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

21.11. Retention and security of disclosure information

21.12. The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. In particular, the School will:

21.12.1. store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, with access restricted to members of the School's HR and senior management team;

21.12.2. not retain disclosure information or associated correspondence for longer than necessary, and for a maximum of six months. The School will keep a record of the date of a disclosure,

the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the decision taken;

21.12.3. ensure that any disclosure information is destroyed securely by shredding; and

21.12.4. prohibit the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates.

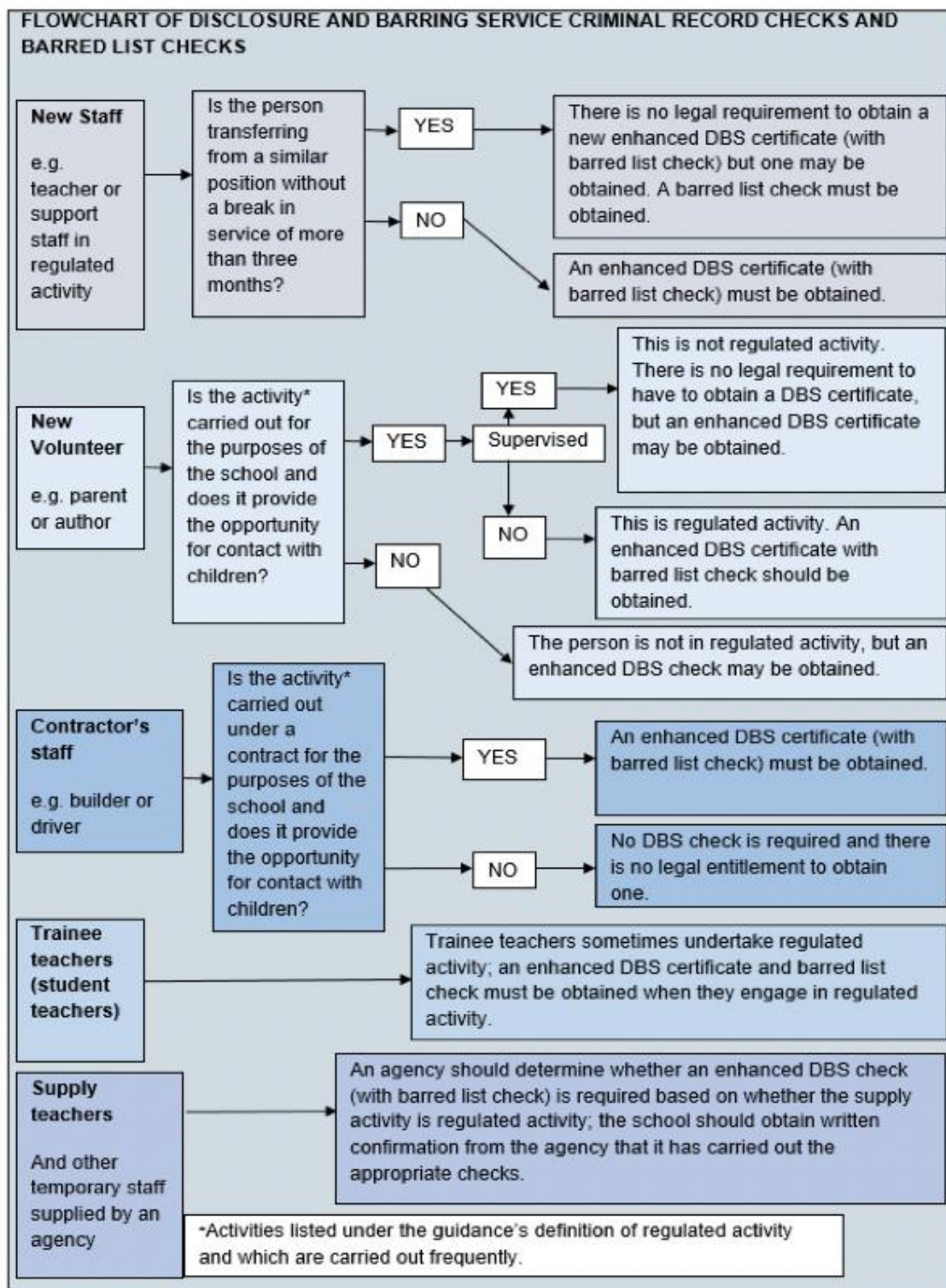
22. Retention of records
- 22.1. The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information will be used to verify the candidate's mental and physical fitness to carry out their work responsibilities, and may be used to help the School to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.
- 22.2. This documentation will be retained during the successful applicant's employment with the School. It will be retained in accordance with the retention of records policy after employment terminates. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.
- 22.3. The same policy applies to any suitability information obtained about volunteers involved with School activities.
23. Whistle-blowing
- 23.1. All staff understand they are expected and encouraged to raise concerns, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the School's policies (including the Whistleblowing Policy, the Safeguarding Policy and the Staff Code of Conduct).
24. Referrals to the DBS and Teacher Regulation Agency (TRA)
- 24.1. This policy is primarily concerned with the promotion of safer recruitment and details the pre employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks, the School also has a legal duty to make a referral to the DBS in circumstances where an individual:
- 24.1.1. has applied to the School despite being barred from working with children; or
- 24.1.2. has been removed by the School from working in regulated activity (paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.
- 24.2. If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the TRA.
25. Responsibilities
- 25.1. All applicants must complete recruitment documentation honestly and completely, declaring any relevant issue as outlined in the policy.
- 25.2. Recruiting managers must ensure that selection processes are fair and effective, seeking advice and support from the HR Director as appropriate.
- 25.3. The HR team have responsibility for undertaking checks on all employees, volunteers and contractors according to the policy, and enforcing the requirements.

- 25.4. Managers appointing contractors or sessional workers must ensure that details are passed to the HR team to process those checks in sufficient time.
- 25.5. The Designated Safeguarding Lead has a responsibility for ensuring that this policy and procedure meets the safeguarding needs of the School.
- 25.6. The Head and Director of Finance & Operations with the HR Director, have a responsibility to fairly and consistently apply the policy and procedure to ensure fair, safe recruitment practices.
- 25.7. The governors have a responsibility to ensure that statutory obligations around employment and safeguarding are reflected in this policy.

26. Related documents

- 26.1. Safeguarding and Child Protection Policy
- 26.2. Disciplinary Procedure

Appendix 1: DBS Flowchart



Appendix 2: Checks for employees of contractors / third parties

To comply with Keeping Children Safe in Education (September 2022) and The Education (Independent Schools Standards) Regulations (2014) and its related guidance, the School must carry out checks on anyone who works for the School. No employee of third parties can start work at Danes Hill School without the relevant safeguarding checks being completed.

Where HR is not involved in the recruitment process, on appointment Heads of Department must:

- Inform HR and provide:
 - Contact details for employer
 - Contact details for employee who will be working at the School
 - Date individual will first work at School
 - Description of schedule / length of service (as far as known)
 - Details of any qualifications required for the role
- HR will contact the employer and request specific checks are confirmed.

Type of check	How / By whom
Appropriate level of DBS check* and whether clear / information included	Written confirmation from employer
Barred list check for regulated activity	Written confirmation from employer
Role-specific checks (e.g. qualifications)	Written confirmation from employer

*In most cases this will be an enhanced DBS

- Where a DBS certificate is not clear – HR will carry out a risk assessment
- Once the employer has confirmed the checks, HR will confirm with the Head of Department that the individual can start work
- On arrival, the individual must visit HR for final checks. (Where the first day is a weekend, they must come in beforehand)

Type of check	How / By whom
Identity	By the School on arrival

Appendix 3: Checks for staff on short term / seasonal contracts

To comply with Keeping Children Safe in Education (September 2022) and The Education (Independent Schools Standards) Regulations (2014) and its related guidance, the School must carry out checks on anyone who works for the School. No individual can start work at Danes Hill School without the relevant safeguarding checks being completed.

New staff

Where HR is not involved in the recruitment process, on appointment Heads of Department must:

- Inform HR and provide:
 - Contact details for individual
 - Date individual will first work at School
 - Description of schedule / length of service (as far as known)
 - Any qualifications required to carry out the role
- HR will contact the individual to carry out the same safeguarding checks as a permanent member of staff.
- Once the checks have been completed, HR will confirm with the Head of Department that the individual can start work

Returning staff

When an individual has an ongoing contract of employment or contract for services, and has previously worked at Danes Hill School (not in the past 3 months but within 6 months) they will be treated as returning staff. On a returning appointment Heads of Department must:

- Inform HR and provide:
 - Contact details for individual
 - Confirm individual has previously worked at School
 - Date individual will first work at School
 - Description of schedule / length of service (as far as known)
- HR will contact the individual to ask them to complete a short form (and DBS if required).
- Once the checks have been completed, HR will confirm with the Head of Department that the individual can start work

DBS checks for returning staff

Returning staff are strongly encouraged to sign up to the DBS Update Service as this allows a quick online check to be carried out each year rather than a new DBS application. Where an individual has worked in a school in the past three months, the School may accept their existing DBS. In both of the scenarios above, the individual must visit HR before their start date to show their original DBS certificate and identity (Passport or Driving Licence). Where the first day is a weekend, they must come in beforehand.

ⁱ A person will be considered to be engaging in regulated activity if, as a result of their work, they: will be responsible, on a regular basis in a School for teaching, training, instructing, caring for or supervising children; will carry out paid or unsupervised unpaid work regularly in a School where that work provides an opportunity

for contact with children; or engage in intimate or personal care or overnight activity, even if this only happens once.

ii The School is not permitted to check the Children's Barred List unless an individual will be engaging in 'regulated activity'. The School is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. The School can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently. Each position must therefore be considered by the School in order to decide which checks are appropriate. It is however likely that in nearly all cases the School will be able to carry out an enhanced DBS check and a Children's Barred List check.

iii The DBS and Home Office have developed filtering rules for spent old/minor convictions as follows:

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

An adult conviction for an offence committed in the United Kingdom will be removed from a DBS disclosure if:

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

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

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

For those aged under 18 at the time of an offence

A conviction for an offence committed in the United Kingdom will be removed from a DBS disclosure if:

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

Again, the conviction will not be removed under any circumstances if it appears on the list of 'specified offences', or if a person has more than one offence on their criminal record.

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

iv <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

v The Teachers' Disciplinary (England) Regulations 2012 state that the following activities amount to 'teaching work':

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

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