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| <b>Safer Recruitment Policy</b>                         |
| This policy covers the Senior and Prep Schools and EYFS |

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| Governors' Committee normally reviewing policy | Governing Body |
| Date policy formally approved by Governors     | June 2021      |
| Period of review                               | 1 Year         |
| Last review date                               | August 2026    |
| Next review date                               | August 2027    |

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| Person responsible for monitoring implementation and effectiveness of the policy | Head                  |
| Other relevant policies                                                          | Safeguarding Policies |

Kingsley School Bideford is owned and operated by KSI Schools Group Limited, which is the School's Proprietary Body ("the Proprietor").

Any reference in this policy to the Governors or Governing Body means the School's local body of governors, which operates as a local advisory board on behalf of the Proprietor. The local governing body does not constitute the Proprietary Body of the School.

The Proprietor has ultimate responsibility for ensuring that the School meets its statutory and regulatory obligations and for ensuring that this policy is appropriate, effective and implemented in accordance with those requirements.

The Governors provide local oversight and scrutiny on behalf of the Proprietor and undertake appropriate review and monitoring to satisfy themselves that this policy is being implemented effectively. They advise and make recommendations to the Proprietor and the School's leadership as appropriate.

The core principle that guides everything we do is **Putting Students First**.

## **General**

Kingsley School Bideford ("the School") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the School's application form and recruitment process must be directed to the Head.

The School maintains a Single Central Record of all recruitment checks undertaken.

This policy refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

*Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.*

## **Scope of this Policy**

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. Staff are defined as:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks.

Any staff who TUPE transfer into the School's staff, will be required to undertake the statutory requirements with regard to safer recruitment checks.

## **Agency & Contract Workers**

In the case of agency or contract workers, the School obtains written confirmation from the agency or company that it has carried out the appropriate checks. The school conducts identity checks on agency and contract workers on arrival in school and, in the case of agency workers which includes supply staff, the school must be provided with a copy of the DBS check for such staff.

Where applicants for initial teacher training are salaried by the school or college, the school or college must ensure that all necessary checks are carried out. As trainee teachers are likely to be engaging in regulated activity, an enhanced DBS certificate (including barred list information) must be obtained. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks and give written confirmation to the school that they have done so.

## **Visitors in a professional capacity**

For visitors who are here in a professional capacity, the schools will check ID and be assured that the visitor has had the appropriate DBS check depending on the activity they are there to carry out (or that the visitor's employers have confirmed that their staff have appropriate checks. The School will not ask to see the certificate in these circumstances). Where a visitor will have no contact with children, it is unlikely that a DBS check will be required.

## **Self-employed workers**

If an individual working at the school is self-employed, the school will either obtain the DBS check, or request to see the certificate if the self-employed person has obtained their own check and ensure that the DBS check is at the level required by the school.

## **Volunteers**

Any person volunteering in the school in a role that involves teaching, training, instructing or supervising children frequently or on more than 3 days in a 30-day period or overnight is in regulated activity. Where this applies, the schools will obtain an enhanced DBS check with children's barred list information.

Where an individual meets the period condition (more than 3 days in a 30-day period) by volunteering at multiple settings, the school will work with the other settings to decide who should apply for the enhanced DBS check with barred list information, and that information should then be supplied by the individual to each setting.

Volunteers on whom no checks have been obtained will not be allowed to work in regulated activity with children of the School. Volunteers who work with children unsupervised are in regulated activity, and the School will obtain an enhanced DBS certificate (including barred list information) and all other relevant recruitment checks.

If the School becomes concerned of an existing staff member's suitability to work with children, the School will carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the School from a post that was not regulated activity into work which is a considered to be a regulated activity, the relevant checks for the regulated activity will be carried out.

In compliance with legal duty, the School will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child where:

- The harm test is satisfied in respect of that individual;
- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and
- The individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed if they had not left.

## **Application Form**

Applications will only be accepted from candidates completing the relevant application form in full. CVs will not be accepted in substitution for completed application forms. All applicants will receive a job description.

Candidates should be aware that all the 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.

As all roles involve substantial opportunity for access to children it is important that legally accurate answers are provided. Upfront disclosure of a criminal record may not debar from appointment, the nature of the offence, how long ago and at what age it was committed, and any other relevant factors will be taken into consideration. The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the post. Where the applicant subscribes to the DBS Update Service, the applicant must give consent to the school to check there have been no changes since the issue of a disclosure certificate. A Barred list check will still be obtained. Additionally, successful applicants should be aware that they are required to notify the School immediately if there are any reasons why they should not be working with children.

This includes any staff who are disqualified from childcare or registration under the Childcare (Disqualification) Regulations 2018 which apply to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The School takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect their suitability to work with children must notify the School immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings they may receive.

Staff and/or successful candidates who are disqualified from childcare or registration, may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed.

Please speak to the Head for more details.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify the candidate from appointment or result in summary dismissal if the discrepancy comes to light subsequently.

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, the Prevent duty will be taken into consideration at every stage and employment will be subject to Prevent duty induction and training.

If the candidate is currently working with children, on either a paid or voluntary basis, their current employer will be asked about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, that previous employer will be asked about those issues. Where neither the candidate's current nor previous employment has involved working with children, their current employer will still be asked about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

The candidate should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

### **Invitation to Interview**

Applicants will be short-listed according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. At this stage online searches will be conducted.

All formal interviews will have a panel of people chaired by a designated senior member of staff. At least one member of the panel will have undertaken Safer Recruitment training. The Chair of Governors should chair the panel for the Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should therefore withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children.

All candidates invited to interview should bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written details of the relevant qualifications will be requested. Candidates should also bring evidence of any other qualifications they have declared on their application form, even if these are not directly relevant to the post being applied for.

All candidates invited to interview should also bring with them:

1. A current driving licence, a passport, a full birth certificate;
2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

***Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.***

Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

### **Conditional Offer of Appointment: Pre-Appointment Checks**

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed as a teacher, a check will be made that the candidate is not subject to a prohibition order issued by the Secretary of State, any teacher sanction or restriction;
5. Verification of professional qualifications and where applicable verification of successful completion of a statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999);
6. Where the successful candidate has worked or been resident overseas, such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered;
7. Satisfactory medical fitness;
8. Acknowledgement of receipt of information about Staff Suitability Declaration form showing that the candidate is not disqualified from providing childcare under the Childcare (Disqualification) Regulations (2018);and
9. If the candidate is undertaking a leadership role, evidence that they have not been prohibited from participating in the management of independent schools.

It is the School's practice that a successful candidate must complete a preemployment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence. This information will be reviewed against the Job Description for the particular

role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extracurricular activities, and layout of the School.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

## **References**

The School will ask for written information about previous employment history and check that information is not contradictory or incomplete. The purpose of seeking references is to allow the School to obtain objective and factual information to support appointment decisions.

Where possible references will be requested from a candidate's current employer. Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving should be obtained.

References will be scrutinised and any concerns should be resolved before appointment is confirmed, including for any internal candidate. The School may approach previous employers for information before interview to allow any concerns to be raised. If a candidate does not wish the School to take up references in advance of the interview, they should mark their application form appropriately. Where electronic references are received, the School will ensure they originate from a legitimate source.

All referees will be asked if the candidate is suitable to work with children.

The School will compare any information provided by the referee with that provided by the candidate on the application form. Any inconsistencies will be discussed with the candidate. Referees should be either the head-teacher of the candidate's current school or if not employed in a school, the senior manager or human resources manager. Referees must be from two different sources/organisations/companies wherever possible, though volunteers, casual workers and peripatetic need only to supply one reference.

## **Criminal Records Policy**

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education 2021' and comply with the provisions of the DBS Code of Practice in carrying out the necessary required DBS checks.

If a DBS check has not been received by the time a person starts work at Kingsley school, a risk assessment will be written by the line manager in conjunction with the post holder. All terms of the risk assessment must be adhered to by the post holder until confirmation of the receipt of the DBS check has been received.

Visiting speakers are expected to hold an up to date DBS certificate, preferably registered with the Update Service. If a speaker or visitor has not been in school for 6 months or more we expect a new DBS to be provided.

## **Retention and Security of Records**

The School will comply with its obligations regarding the retention and security of records in accordance with regulations and GDPR (Copies of DBS certificates will not be retained for more than 6 months).

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

As mentioned above, the School will not unfairly discriminate against any candidate 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 individual has a criminal record this will not

automatically bar them from employment within the School. Instead, each case will be decided on its merits in accordance with objective assessment criteria.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Childcare (Disqualification) Regulations 2018.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the Police and/or the DBS if:

- The School receives an application from a disqualified person;
- Is provided with false information in, or in support of an applicant's application

or

- The School has serious concerns about an applicant's suitability to work with children.

In the event that the 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;
- In the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the school's normal policy to consider it a high risk to employ anybody who has been convicted at any time of the following offences: murder, manslaughter, rape, any other serious sexual offences, grievous bodily harm, or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

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

If the post requires driving responsibilities it is the school's normal policy to consider it a high risk to employ anybody who has been convicted of any drink / drug related offence.

### **Safeguarding Training for New Staff**

For the purposes of these training requirements, all staff are considered to be in contact with students and are therefore considered to be in regulated activity.

The following training must be completed post-appointment and within one week of employment beginning;

- 1) National College online Safeguarding course
- 2) Read the latest version of Working Together to Safeguard Children
- 3) Read the latest version of Keeping Children Safe in Education Part 1 and Annex B
- 4) Read the School's current Safeguarding & Child Protection Policy
- 5) Read the School's Staff Code of Conduct
- 6) Read the School's Acceptable Use of IT Policy

After starting employment, the following training must be completed;

- 7) Safeguarding at Kingsley training delivered by a DSL
- 8) Electronic Socrative assessment of safeguarding understanding
- 9) A safeguarding refresher training session at least once a year throughout the employment

Staff must sign annual declarations to confirm that they understand the content of the above safeguarding policies and agree to abide by them.

All teaching staff and staff working in Houses must complete online Prevent training.

A record of the above training will be maintained in the School Office and in SharePoint.

Peripatetic staff and volunteers must complete the above training, and will be paid for the time this takes.

Staff supplied by a third party and working under a service agreement must complete training 2-9 above.

**RJ Pavis**

**Head**