

SAFER RECRUITMENT POLICY

1 Policy Statement

Whitgift School is committed to providing the highest education and care to its students and to safeguarding and promoting the welfare of young people within the School's care. The School recognises that, to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest caliber who share this commitment.

The aims of the School's Safer Recruitment Policy are to ensure:

- that the best staff are recruited based on their skills, experience, abilities and suitability for the position
- that all job applicants are considered equally and consistently
- that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability or age
- compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE) – September 2023, the Prevent Duty Guidance for England and Wales 2023 (The Prevent Duty Guidance), Education (Independent School Standards) Regulations 2014, Independent School Inspectorate (ISI) CCR and any guidance or code published by the Disclosure and Barring Service (DBS)
- that the School meets its commitment to safeguarding and promoting the welfare of children and young people by completing all the necessary pre-employment checks

Employees involved in the recruitment and employment process receive appropriate safer recruitment training and are responsible for familiarising themselves and complying with the provisions of this policy. Members of the Senior Leadership Team or the School's HR Department are available to provide advice relating to this policy.

2 Data Protection

The School is legally required to carry out the pre-employment 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 the Whitgift Foundation Employee Privacy Statement, School's Data Protection Policy and Data Protection Regulations.

3 Authority to Recruit

All appointments to the School without exception require the written approval of the Headmaster or his designated deputy. For the avoidance of doubt this includes the replacement staff and newly identified posts on a permanent, fixed-term, temporary or casual basis.

4 Advertising

All posts will, wherever possible, be advertised internally via the School's website vacancy page. Applications from existing staff are welcomed.

External applications are invited through appropriate local and/or national media via the School's online application process. All advertisements include a statement of the School's commitment to the safeguarding of children, Equal Opportunities and Disclosure and Barring Service clearance requirements. The following information is available from the School's website:

- Further details outlining the core competencies and key responsibilities of the post
- Person specification detailing skills, experience, qualifications, relevant knowledge and suitability to work with children
- Safeguarding Policy
- Safer Recruitment Policy
- A statement of School's commitment to safeguarding and promoting the welfare of children and completion of all safeguarding checks prior to appointment.

5 The Application and Selection Process

5.1 Application and Shortlisting

All external applicants are required to complete the School's online application form containing questions about their academic and employment history and their suitability for the role. In addition, all applicants are required to account for any gaps or discrepancies in employment history. Incomplete applications will not be shortlisted. The full application includes a declaration regarding convictions and working with children and states that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. Relevant documents or curriculum vitae may be attached to support their application. A curriculum vitae will not be accepted in place of a completed application form.

In the application form, applicants are required to acknowledge that online searches might be completed to determine their suitability and are asked to provide details of their online profile, including account names and social media handles so that online searches can be carried out on shortlisted candidates (see section 7.1 for more information).

The School will conduct a shortlisting exercise, which will be performed by two members of staff in order to determine which applicants will be invited for interview. Applications will be assessed on merit and in order of receipt. Therefore, interviews may be arranged at any stage. Any applications received after the closing date may not be included for shortlisting

unless extenuating circumstances apply. Completed applications are acknowledged upon receipt.

References are normally requested for shortlisted applicants (wherever possible) to allow any concerns to be discussed with the candidate at interview.

All shortlisted applicants will be required to complete a 'suitability to work with children self-declaration form' prior to interview in which they will be asked to provide information about their criminal records history, both in the UK and overseas (where relevant), and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview.

The School's HR Department will provide the shortlisting panel with candidate application forms (excluding equal opportunities monitoring data and online search results to reduce the risk of discrimination), supporting documentation and references (if available).

Panel members are responsible for assessing the applicant's qualifications, relevant experience and references against the core competencies and key responsibilities of the post. Appropriate comments on reasons for selection or otherwise will be recorded so that the relevant information is available should the applicant request feedback.

All shortlisting and interviews will include a panel of at least two members of staff as follows:

- a member of the Senior Leadership Team (for teaching and senior posts)
- the Line Manager and Head of Department (for support posts)

This will ensure that a fair and open shortlisting and interview process takes place and that complaints of discrimination are minimised. The panel will be agreed with a member of the Senior Leadership Team. At least one panel member will have attended a Safer Recruitment Training Programme.

5.2 Interviews

Shortlisted applicants will be invited to attend a formal interview, which will be conducted by a panel of two interviewers face-to-face, online (Microsoft Teams) or oral (telephone), at which their skills and experience will be discussed in more detail. All shortlisted applicants will be tested at interview about their suitability to work with children. All interview notes are retained.

The interview process will, as a minimum, consist of the following unless otherwise authorised by the Headmaster or designate:

- Senior leadership posts – a work related test or presentation, several interviews with senior staff and an interview with the Headmaster
- Teaching posts – a teaching lesson, a series of interviews with academic staff and interview with the Headmaster or designate
- Support staff – a work related test or presentation and/or panel interview.
- All staff – safeguarding interview

Case-by-case Online search results interview (only required if there is relevant information and results that need to be investigated).

Staff members involved in the interview process will meet before the interviews to:

- agree their assessment criteria in accordance with the core competencies and key responsibilities of the post
- consider the issues to be explored (including concerns or discrepancies) based on information provided and who on the panel will ask about each of those issues; a candidate's response to a question about an issue will determine whether and how that is followed up.
- IF required - HR and SLT panel member to consider the 'Online Searches: Results Record' and the questions that need to be asked in relation to the results.

During the interview the interviewers will:

- explore any gaps in academic or employment history; a written record should be made that the reasons for any gaps are satisfactory
- discuss the applicant's skills and experience relevant to the role
- evaluate the applicant's suitability for the post in relation to attitude towards young people, safeguarding and promoting the safeguarding of children
- offer the candidate the opportunity to declare information in the light of the requirement for an enhanced DBS disclosure and questions which will be or have been put to their referees
- where references have been received, any concerns eg. regarding past disciplinary action or allegations, cautions or convictions disclosed on the application form will be discussed and considered on a case-by-case basis and referred to the Headmaster for final decision as to the suitability of the candidate for the role.
- where online search results are received that include results that do not align with Teaching Standards or the School's values, the results will be discussed in an interview setting with a member of HR and SLT. The candidate's response to the questions about the results will determine whether and how that is followed up, including whether it will be referred to the Headmaster.

During the interview process the above areas will be discussed and notes taken for recruitment records and for feedback to candidates, should they request it.

Candidates are asked to bring proof of identity, right to work in the UK (ie. passport and/or visa or residence permit), proof of address and supporting qualifications as detailed on their application form. An electronic interview pack (including candidate details, job description and any other relevant documents) is available to panel members prior to the interview. Interview expenses will be paid on receipt of appropriate receipts and paid in accordance with the School Expenses Policy.

For interviews that take place online, allowances are made for any technical problems when scheduling the timing of interviews and staff are 'on hand' to resolve any issues. Interview candidates are asked to verify their identity by showing official identification on screen during the interview. Any relevant skills tests, which would normally be administered at the School, are modified accordingly so that an assessment of their skills can be made. In all other respects, the interview process detailed above is followed. The successful candidate

will then be asked to attend the School to present their original documents, including Right to Work.

In accordance with the Equal Opportunities Policy, any disabled person who applies for a position at the School and meets the essential minimum criteria for the post will automatically be given an interview.

6 Offer of Employment

If the School decides to make an offer of employment following the formal interview, any such offer will be conditional on the satisfactory completion of mandatory pre-employment checks as follows:

- the agreement of a mutually acceptable start date and the signing of a contract of employment with the John Whitgift Foundation
- verification of the applicant's identity against official documents (See Appendix 1);
- where an applicant claims to have legally changed his/her name eg. marriage, adoption, or statutory declaration), they will be required to provide documentary evidence of the change
- verification of the applicant's right to work in the UK in accordance with Home Office requirements
- verification of the applicant's employment history
- verification of relevant professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified)
- receipt of two written references (one of which must be from the applicant's most recent employer or an academic reference if this is more relevant) which the School considers to be satisfactory
- the School being satisfied that any information generated through online searches does not make the applicant unsuitable to work at the School
- verification of the applicant's medical fitness to carry out the duties of the role (see *Section 7.5*)
- where the position amounts to 'regulated activity', the receipt of an enhanced disclosure from the Disclosure and Barring Service (DBS) which the School considers to be satisfactory
- where the position amounts to 'regulated activity', confirmation that the applicant is not named on the Children's Barred List*
- any further checks which the School decides are necessary as a result of the applicant having lived or worked outside of the UK for 3 months in the last 10 years; in order to assess their suitability for the role, this will include any of the following from the country or countries applicable:
 - an overseas criminal records check
 - certificate of good conduct
 - additional professional references
 - a letter (via the applicant) from the professional regulating authority 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 reasons why they may be unsuitable to teach or work with children.

- for positions which involve “teaching work” (whether or not they have qualified teacher status):
 - information about whether the applicant has ever been referred to or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (via the Teacher Services’ system), or any predecessor or successor body, or by a regulator of the teaching profession which renders them unsuitable to work at the School
 - for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unsuitable to work at the School
 - information about whether the applicant has ever been or is the subject of any proceedings before a professional conduct panel in the UK or an equivalent body in any other country for any reason which renders them unable or unsuitable to work at the School or which, in the School’s opinion, renders them unsuitable to work at the School
 - information about whether the applicant has ever been or is the subject to a direction under Section 142 of the Education Act 2002 which renders them unsuitable to work at the School
- for management positions:
 - 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 which renders them unable or unsuitable to work at the School; this includes such roles as (but are not limited to) headteacher, deputy/assistant headteachers, governors and trustees who could be considered to be ‘taking part in the management of the School’.

**The School is not permitted to check the Children’s Barred List (List 99) unless an individual will be engaged in ‘regulated activity’. The School is required to carry out an enhanced DBS check for all staff, supply staff, governors and volunteers who will be engaging in ‘regulated activity’ unless they do not carry out their duties frequently enough.*

All pre-employment checks are carried out as soon as possible after the offer of employment has been accepted and within a reasonable time prior to commencement of employment. A start date is confirmed to the employee in writing upon satisfactory completion of these checks.

7 Pre-employment Checks

In accordance with the recommendations set out in KCSIE, the requirements of the ISSRs and the National Minimum Standards for Boarding Schools (September 2022) the School carries out a number of pre-employment checks in respect of all prospective employees and volunteers (where applicable). 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 online searches of the applicant.

In fulfilling its obligations to carry out pre-employment checks the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sexual orientation, marital or civil partner status, gender reassignment, disability or age.

7.1 Online searches

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. In accordance with paragraph 221 of KCSIE this might include online searches on shortlisted candidates (online searches).

The School will determine how it approaches online searches on a case-by-case basis and will not be required for all positions. However, for positions that are selected for online checks, all applicants for the role at the School will be treated consistently.

The School will not carry out online searches as part of its initial sift of applications. Online searches may be carried out at the shortlisting stage or after an offer of employment has been made.

The online searches the School carries out will be performed independently by a third-party professional screening provider who is a member of the Professional Background Screening Association (PBSA) and will play no other part in the recruitment process or the appointment decision. Searches may include internet search engines, websites and social media platforms.

Applicants are asked in the application form to provide details of their online profile, including social media handles and website information. This information will be used to assist the thirdparty provider in completing online searches, should the vacancy be selected for online checks. Applicants are not required to provide account passwords or to grant the School access to private social media accounts. In carrying out online searches the School is looking for any publicly available information about an applicant that:

- may be relevant to their suitability to carry out the role for which they have applied;
- may be relevant to their suitability to work at the School or in an education setting;
- is of a safeguarding nature; and / or
- may have an impact on the School's reputation (whether positive or negative)

Results generated by our professional screening provider will be returned in an 'online social profile report' and supporting information will be entered in an 'online search results record' by a member of the HR department. Where online searches are undertaken on shortlisted applicants, any relevant information generated will be provided to an HR and SLT interview panel for discussion with shortlisted applicants at interview. Where online searches are undertaken on a successful applicant, only any relevant information generated will be discussed prior to employment commencing. All offers of employment will be conditional upon the School being satisfied that the successful applicant is suitable to work at the School in light of any information generated from online searches.

In evaluating any online information for relevance, the School will use the following criteria:

- whether the information is relevant to the position applied for;
- whether the information is relevant to the applicant's suitability to work at the School or in an education setting;
- whether the information could have an impact on the School's reputation (whether positive or negative);
- whether the information calls into doubt the applicant's willingness or ability to uphold the School's commitment to safeguarding and promoting the welfare of children;
- the length of time since the information became publicly available and whether the applicant's circumstances have changed since the information was published;
- whether the information reveals a pattern of concerning behaviour; and
- the relevant circumstances and the explanation(s) offered by the applicant.

For successful candidates who have had online searches completed on them, the School will retain information generated through online searches for the duration of the individual's employment and in accordance with its Retention of Records Policy after employment ends.

For unsuccessful candidates, the School retains the information generated from online searches for six months from the date on which they are informed their application was unsuccessful, after which it will be securely destroyed.

7.2 Disclosure and Barring Service Checks

Prior to appointment the School applies for an enhanced disclosure from the Disclosure and Barring Service and a check of the Children's Barred List/List 99 (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). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

Any position undertaken at, or on behalf of, the School (whether paid or unpaid), will amount to 'regulated activity' if it:

- involves teaching, coaching, instructing or supervising children which is carried out on a regular basis for or in the school ie. Where the work gives opportunity for contact with children but excluding supervised volunteers
- involves providing intimate or personal health care
- is carried out frequently, meaning once a week or more often; or
- is carried out overnight, meaning between 2.00am and 6.00am; or
- satisfies the "period condition" meaning four or more days in a 30-day period; or
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

The majority of posts at the School will amount to 'regulated activity'. Where other staff (ie. contractors or supervised volunteers) are not engaged in 'regulated activity', an enhanced DBS check without a Children's Barred List is obtained.

It is for the School to decide if a role amounts to 'regulated activity' taking into account all the relevant circumstances. A risk assessment is completed in respect of all teaching and support staff, governors, peripatetic teachers, sports coaches, casual employees, regular contractors and volunteers to establish whether a position amounts to 'regulated activity' and to decide which level of DBS check is appropriate for the post.

The School will obtain an Enhanced DBS with Children's Barred List (List 99) clearance on any person over 16 (not on the roll of the School) who live on the same premises as boarders (since April 2002) but are not employed by the School. This check, along with other relevant checks, will be completed in advance and recorded on the School's Single Central Register of safeguarding checks.

The DBS issues a DBS certificate to the applicant only. It is a condition of employment with the School that the **original** disclosure certificate is provided to the School. Original certificates should not be sent by post. Applicants are asked to bring the original certificate into the School within two weeks of it being received, prior to their start date or no later than the first working day. Employment will remain conditional upon the original certificate being provided and subject to the safeguards below.

If there is a delay in receiving a DBS check and there is a requirement for the individual to start work, the Headmaster or designate has the discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks (including a clear check of the Children's Barred List (List 99) where the position amounts to 'regulated activity'), has been completed. Appropriate supervision arrangements by a member of staff will be put in place during this interim period and documented until the DBS disclosure certificate is provided. The individual is informed of these safeguards and signs an agreement to accept these arrangements. Temporary supervision arrangements are reviewed to establish the appropriateness of these arrangements every two weeks.

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 conduct a risk assessment meeting with the individual to assess:

- the seriousness and relevance of the disclosure to the post they have applied for
- how long ago the offence occurred, whether it was a one-off offence or one of other historical events
- the circumstances around the incident(s)
- whether the individual has accepted responsibility and shows remorse
- the level of risk to students and staff
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- any adjustments or considerations to be made and relevant timescale.

The Headmaster (or designated Deputy) will assess the facts and whether or not to continue with the appointment.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. Where these applicants have lived or

worked overseas for 3 months or more in the last 10 years, they will also be asked to provide further information, including a criminal record check from the relevant jurisdiction(s), a Certificate of Good Conduct and/or additional professional references from any employment held or Overseas Police Checks. If they are unable to provide an Overseas Police check, the School will complete this check independently prior to their start date. It is not currently possible to carry out checks on anyone under the age of 16 years of age who has spent any time overseas prior to this age.

The School recognises that formal checks are not available from some countries, that they can be significantly delayed or that a response may not be provided. In such circumstances the School will seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country. If no information is available from a particular country the School may allow an applicant to commence work if they are considered suitable based on all of the information that has been obtained during the recruitment process. The School will take proportionate risk based decisions on a person's suitability in these circumstances and all suitability assessments are documented and retained on file.

Where an applicant has subscribed to the DBS Update Service (providing a portable disclosure) the School will request sight of their original DBS certificate and (with their permission) complete a 'status check' prior to their start date to establish whether their DBS certificate is at the enhanced level and remains current with no additional criminal records, convictions, cautions reprimands and warnings held on the Police National Computer.

7.3 Prohibition from Teaching

The School checks whether staff who carry out "teaching work" are prohibited from doing so (whether or not they have qualified teacher status). 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. The School recognises that a prohibition from teaching order may not last indefinitely.

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

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

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 students;
- delivering lessons to students;

- assessing the development, progress and attainment of students; and
- reporting on the development, progress and attainment of students.

The above activities do not amount to “teaching work” if they are supervised by a qualified teacher or other person nominated by the Headmaster or designate. 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.

These checks apply to appointments made after 1 April 2012 (completed retrospectively following the availability of the Teaching Regulation Agency Teacher Services system in April 2014).

As from 1 January 2021 the regulators of the teaching profession in the EEA (EU, Iceland Liechtenstein and Norway) cease to share information with the Teaching Regulation Agency about sanctions imposed on teachers and therefore this check ceases to be a requirement from this date. The School will continue to carry out additional overseas checks on teaching applicants who have worked in a teaching role outside the UK. Wherever possible, the School will obtain a letter of professional standing issued by the professional regulatory authority in the country in which the applicant has worked. This will confirm whether an individual has ever been referred to, or are the subject of a sanction, restriction or prohibition issued by a regulator of the teaching profession.

If no information is available from a particular country, the School will carry out an assessment of whether the applicant is suitable to work at the School based on all other suitability information that has been obtained. The School will take proportionate risk-based decisions on a person's suitability in such circumstances. All suitability assessments will be documented and retained on file.

7.4 Prohibition from Management

The School checks 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*). This check applies to appointments to the following positions made on or after 12 August 2015 and applies to the following roles:

- Headmaster/Headmistress
- teaching posts on the Senior Leadership Team (SLT)
- teaching posts which carry a departmental head role;
- internal promotions when promoted to a management position;
- support staff posts (ie. non-teaching staff) on the senior leadership team; and
- appointments to the governing body.

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.

The relevant information is obtained through the Teaching Regulation Agency Teacher Services system. Alternatively it is contained in the enhanced DBS disclosure certificate

(which the School obtains for all posts at the School that amount to regulated activity). The School will use either or both methods to obtain this information. The School is aware that the existence of any relevant information is not necessarily a bar to employment with the school.

In addition the School asks all shortlisted applicants to declare 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.

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

7.5 References

References will be taken up in writing, in a timely manner, by the School on shortlisted internal and external candidates prior to interview wherever possible and appropriate.

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 be provided with a job description and person specification for the role for which the applicant has applied. Information is requested in the following areas:

- dates of employment, salary, job title, duties, reason for leaving, key strengths, performance and disciplinary record (employment reference);
- dates of study/known to you, character and key strengths (academic and character reference);
- whether the applicant has been the subject of disciplinary procedures involving issues related to the safety and welfare of children or young people or behaviour towards children and young people (including any in which the disciplinary sanction has expired, but not where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated or malicious);
- whether the applicant could be considered to be involved in 'extremism'*

** as defined in the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance)*

Offers of employment are conditional on receipt of a minimum of two written references, which are considered to be satisfactory by the School. The individual should know the referees, either through employment or in a professional or academic capacity for at least two years. Neither referee should be a relative or someone known to the applicant solely

on a personal basis. Further references may be obtained, including character references, at the discretion of the school.

If the current or most recent employment does not involve working with children but a previous one does, then the second reference should be from that employer.

Where telephone references are requested, detailed notes will be taken using the questions in the School's Reference Request Form, dated and signed.

The School will only accept references obtained directly from the referee and it will not solely rely on references or testimonials provided by the applicant or on open references or testimonials.

The School will check that all reference questions have been answered and compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant or the relevant referee before any appointment is confirmed.

If factual references are received i.e. those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage an applicant, although additional references may be sought before an appointment can be confirmed.

Where references have not been received in good time before appointment, the references will be followed up and alternative referees approached if needed.

The School, may at its discretion, make telephone or email contact with any referee to verify the details of the written reference provided. It also verifies the source of references which have been provided electronically.

The School treats all references given or received as confidential which means that the applicant will not usually be provided with a copy.

7.6 Medical Fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School **after** an offer of employment has been made but **before** the appointment can be confirmed. A self-declaration of medical fitness is contained within the contract of employment, confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If the contract of employment has not been signed prior to their start date the individual is asked to sign a Medical Declaration.

Candidates are asked to complete a confidential pre-employment Occupational Health questionnaire. This information will be reviewed against the job description and personal specification for the role, together with details of any other physical or mental requirements for the role. An Occupational Health Advisor and (where applicable) the Whitgift Foundation's Health & Safety Advisor will advise the School of any reasonable adjustments that are required. The School will also make reasonable adjustments to enable disabled people to carry out their duties effectively. The School may also seek further medical

opinion from a specialist or a request that the applicant undertakes a full medical assessment for suitability to the post.

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

7.7 Staff Files

A summary of completed pre-employment checks is recorded on staff files.

7.8 Single Central Register

An electronic copy of the Single Central Register of all current members of staff at the School is maintained for the academic year in accordance with the Education (Independent School Standards) Regulations 2014 requirements. This document details all Governors, teaching and support staff, staff appointed from overseas, peripatetic music teachers, sports coaches, casual employees, students paid to work at the School, volunteers, and supply staff (agency staff), and regular contractors and those employed by third party organisations in regular contact with children, where they are not covered by a written confirmation by their employment business that the relevant checks have been carried out and appropriate certificates received. The Single Central Register records the date that all the pre-employment checks are undertaken and the person who has completed them.

A designated member of the School's Senior Leadership Team and designated Governor is responsible for auditing the Single Central Register and reporting his/her findings to the full Governing Body.

8 Recruitment of Ex-offenders

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

All positions within the School that are considered to be 'regulated activity' 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". **However, applicants are not required to disclose a caution or conviction for an offence committed in the UK if it has been filtered in accordance with the DBS filtering rules (See Appendix 2).** 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. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions and these are detailed in the Equal Opportunities Policy.

It is unlawful for the School to employ anyone in 'regulated activity' who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the 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.

9 Governors

Governors of the School are required to undergo the relevant checks as soon as practicable after their appointment is confirmed. A check of their identity, confirmation of their address and right to work in the UK is made in order that a DBS Enhanced clearance check can be submitted. Governors who are not engaged in 'regulated activity' will not require a Children's Barred List check. A risk assessment is completed to identify which check is appropriate. The DBS check includes Section 128 of the Education and Skills Act 2008 which prohibits any barred individual from taking part in independent school leadership or management. This check can also be completed via the Teaching Regulation Agency (TRA) Teacher Services system. If the Governor has lived or worked outside of the UK for 3 months in the last 10 years, further checks of good conduct or an Overseas Police check of the relevant country or countries will be undertaken. A record of the checks completed is made on the School's Single Central Register. If the Governor is likely to participate in teaching, a prohibition from teaching check will be completed via the TRA. Checks for Court Governors are completed by the John Whitgift Foundation and included on the School's Central Register.

Upon joining, all Governors are invited to attend an approved online training programme on safeguarding with refresher courses arranged either face-to-face or online every two years.

10 Contractors, Service Providers and Supply Agency Staff

Contractors, service providers and supply agency staff from third party organisations engaged by the School undertaking regulated activity, must complete the same checks for their employees that the School is required to complete for its own staff. The School requests confirmation from regular contractors in writing annually that all appropriate checks have been completed before an employee of the third-party organisation carries out work at the School. 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. Confirmation of these checks is maintained separately or included in the School's Central Register of safeguarding checks (where appropriate).

Agencies who supply staff to the School must complete the pre-employment checks which the School would otherwise complete for its staff, including DBS. The School requires confirmation that these checks have been completed before an individual can commence work and are recorded on the School's Single Central Register.

If an individual working at the school is a self-employed contractor, the School will obtain a DBS enhanced check where they are not able to make an application to the DBS on their own account.

Student teachers (unless employed by the School) are checked by the supplying teacher training provider. Written confirmations of checks are obtained prior to placement and DBS Enhanced certificates and photo identity is requested on their first day.

The School will independently verify the identity of individuals supplied by contractors or an agency and sight of the original DBS Enhanced clearance certificate of staff supplied by agencies or contractors, service providers and student teachers before those individuals can commence work at the School.

11 Volunteers

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with students at or on behalf of the School.

A risk assessment is completed to establish whether a position amounts to 'regulated activity', as defined in Safeguarding Vulnerable Groups Act (2006), and to identify which level of DBS check is appropriate. Where the volunteer is in 'regulated' activity, a DBS with Children's Barred List is obtained.

The School will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day-to-day supervision by a fully checked member of staff or by a volunteer who the School has deemed appropriate to supervise and ensure the safety of those students in their care.

If the volunteer is supervised daily and not in 'regulated activity', a DBS without Children's Barred List is obtained. Appropriate regular, day-to-day supervision arrangements by a member of vetted staff will be put in place during the period of voluntary work and supervision arrangements documented. The individual is informed of these safeguards and signs an agreement to accept these arrangements. The supervision arrangements are reviewed by the supervisor or manager to establish the appropriateness of these arrangements every two weeks. All the necessary checks are completed prior to commencement.

Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with students.

The School will also seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- obtains formal or informal information provided by staff, parents and other volunteers.
- obtains two satisfactory employment, academic or character references

- an informal safer recruitment interview.

12 Induction Training

All teaching, support, casual, temporary, self-employed, volunteer staff, regular contractors, student teachers on placement and supply (agency) staff attend staff induction training on their first day and prior to any contact with students of the school. The training includes safeguarding and child protection policy and procedures (updated regularly) and Fire Awareness training for all staff, General Data Protection Regulation and Risk Assessment training (where relevant) Photo sheets of the DSL, the safeguarding contacts and Senior Leadership Team are provided.

An electronic policy pack including the following information is provided to permanent hires, who are asked to sign indicating receipt of these documents:

- Department for Education: Keeping Children Safe in Education – Part 1
- Department for Education: Keeping Children Safe in Education – Annex A
- Safeguarding Children Policy (*including safeguarding contacts*)
- Staff Handbook (*school staff only*)
- Behaviour, Discipline and Exclusions Policy
- Anti-Bullying Policy
- Staff Code of Conduct
- Online Safety
- Fire and Emergency Procedures

School staff have access electronic copy of the Staff Handbook on Firefly which includes job descriptions of the executive and management teams and the role of the Designated Safeguarding Lead

Staff in a teaching or coaching role also receive training in:

- students' learning
- pastoral care and general professional standards
- safeguarding and e-safety
- discipline, rewards and sanctions
- co-curricular programme at the School
- IT and digital learning.

School photo identity badges are issued and worn by all individuals working regularly on the school site.

13 Visiting Speakers

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

Where visiting speakers are invited to the School, the staff in charge of the event will carry out informal checks on their suitability, including their appropriateness in terms of risk of extremism and radicalisation. Reasonable background information is obtained in advance to decide whether to invite and/or permit a speaker to attend the School. Informal checks may include, for example, checking their website, reviewing the nature of materials used by the speakers or suitability established through a personal acquaintance. Recommendations from schools that have used the speaker may also be sought.

Where a visiting speaker or other professionals performing a similar function in School are in 'regulated activity', full checks are completed as with staff (including credentials, professional qualifications and a Disclosure and Barring Service Check with Children's Barred List check).

All visiting speakers and visiting professionals will be required to sign in and out at reception, are asked for official identification on arrival, issued with a visitor badge and supervised by a vetted member of staff whilst on site.

The School reserves the right to obtain such information on any other person appointed to work for or at the School.

""Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

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, gender reassignment, disability or age.

14 Host Families and 'Homestay' Arrangements Abroad

The School will often arrange for students to have learning experiences by participating in foreign language exchange visits or sports tours where, for short periods (of less than 28 days), the exchange visit students may be provided with care and accommodation by a host family in the UK (to whom they are not related). The School has a duty to safeguard and promote children's welfare and minimise any risk of harm to the visiting students.

The School completes an assessment of suitability of the adults in the respective families who will be responsible for the visiting child during the stay. To assist this assessment, the School obtains a Volunteer DBS Enhanced clearance with Children's Barred List check to establish whether the adults are barred from engaging in 'regulated activity' with children. Where criminal record information is disclosed, this information, alongside all other information obtained, allows the School to establish whether the adults are a suitable host for a child.

The School liaises with partner schools abroad, to establish a shared understanding of, and agreement to, the arrangements in place for the visit of our students and to satisfy ourselves that the arrangements are appropriate and sufficient to safeguard students who will take part in the exchange. Parents are made aware of the homestay arrangements at

an early stage of the exchange trip preparations. Students are given emergency contact information (staff on the exchange trip and also staff contacts at School) for the duration of the exchange trip in case an emergency should occur, or a situation arises which makes the student feel uncomfortable.

15 Retention and Security of Disclosure Information

The School's policy is to observe the guidance issued by the DBS on the use of disclosure information, and to act in accordance with the Data Protection Act and the General Data Protection Regulation. The School will:

- store disclosure information and confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's Senior Leadership Team and members of the HR Department
- not retain disclosure information or any associated correspondence for longer than is necessary, and for no longer than twelve months after which time it is securely shredded
- prohibit the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates.

16 Retention of Staff Records

Where an applicant is successful, the School will retain any relevant information provided as part of the application process on their staff file. This will include copies of documents used to verify identity, right to work in the UK, medical fitness, online search results (if applicable) and qualifications (where applicable). Medical information may be used to discharge its obligations as an employer eg. consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issues.

Staff records are retained by the School for the duration of the staff member's employment with the School and for a minimum period of seven years after employment terminates (in case any legal process requires them) and then securely shredded (as per Chartered Institute of Personnel and Development guidelines).

If an applicant is unsuccessful, all personal data verifying their ID, address and qualifications are securely shredded. All other documentation relating to their application will be securely shredded within twelve months. The same applies to any suitability information obtained about volunteers involved in school activities.

17 Whistleblowing and Exit Interviews

All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of students, the conduct of staff or other matters, during their employment in accordance with the School's policies (including the Whistleblowing Policy, the Safeguarding Policy and the Staff Code of Conduct). Safeguarding children is at the center of the School's culture and is accordingly considered formally during staff performance management reviews and finally at exit interview which are optionally offered to all leavers (where appropriate).

18 Referrals to the DBS and Teaching Regulation Agency

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. The School also has a legal duty to make a referral to the DBS as soon as possible in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children; and / or
- has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.
- Has received a caution or conviction for a relevant offence.

The DBS will consider whether to impose sanctions on that individual which may restrict or prevent them from working with children in future.

In addition, if a teacher is dismissed because they are found to have committed serious misconduct, or they have breached the Teachers' Standards, or they resign prior to dismissal on such grounds, the School will make a referral to the Teaching Regulation Agency.

The Teaching Regulation Agency will consider whether to impose a prohibition from teaching order.

19 Ongoing Vigilance

The Governors of the School create a culture that safeguards and promotes the welfare of children at the School. To support this, the School's Senior Leadership Team promote continuing commitment from all staff to ensure that the safety and welfare of children and staff is embedded in all of the School's processes and procedures. All staff attend safeguarding training or update training as part of the annual Inset Training programme.

20 Queries

If an applicant has any queries on how to apply for a post at the School they should contact the dedicated HR department at the School.

21 Safer Recruitment Policy

The School's Safer Recruitment Policy is available on the School's website and available to all staff on Firefly (the School's internal Information Portal). Printed copies are also available from the School's Human Resources Department.

Reviewed by:

HR Recruitment and Compliance Manager, Deputy Head (Pastoral) and Senior Deputy:
September 2023

Next review: September 2024

Appendix 1 List of Valid Identity Documents

All applicants who are invited to interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications, in compliance with the DBS identity check guidelines:

- **one document** from Group 1, and
- **two further documents** from either Group 1 and Group 2a or Group 2b, one of which must verify the applicant's current address.

Where an applicant has changed their name by deed pole or any other means (eg. marriage, adoption, or statutory declaration) they will be required to provide documentary evidence of the change.

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

Group 1: Primary Trusted Identity Credentials

- Current valid passport
- Biometric residence permit (UK)
- Current driving license photocard, full or provisional (UK, Isle of Man, Channel Islands and EEA)
- Birth certificate issued within 12 months of birth (UK, Isle of Man & Channel Islands including those issued by the authorities overseas (eg. Embassies, High Commissions and HM Forces)
- Adoption Certificate (UK and Channel Islands)

Group 2a: Trusted Government/State Issued Documents

- Current driving license photocard – full or provisional (all countries outside the UK excluding Isle of Man and Channel Islands)
- Current driving license paper version if issued before 1998 - full or provisional (UK / Isle of Man and Channel Islands)
- 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 UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non UK country in which the role is based)
- HM Forces ID card (UK)
- Firearms license (UK, Isle of Man and Channel Islands)

All driving licenses must be valid

Group 2b: Financial/Social History Documents

- Mortgage statement (UK)**
- Bank/building society statement (UK and Channel Islands)*
- Bank/building society statement (countries outside the UK)*
- Bank/building society account opening confirmation letter (UK)*
- Credit card statements (UK)*
- Financial statement eg. Pension, endowment, ISA (UK)**
- P45/P60 statement (UK and Channel Islands)**
- Council tax statement (UK and Channel Islands)**
- Letter of sponsorship from future employment provider (non-UK only; valid for applicants residing outside the UK at the time of application and which must be valid at time of application)
- Utility bill (UK) - not mobile telephone*
- Benefits statement (UK) eg. child benefit, pension*
- A document from central or local government, government agency, local council giving an entitlement eg. from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs, Job Centre, Job Centre Plus, Social Security (UK and Channel Islands)*
- EEA National ID card (must be valid at time of application)
- Irish passport card (cannot be used with an Irish Passport and must be valid at the time of application)
- Cards carrying the PASS accreditation logo (UK and Channel Islands; must be valid at time of the application)
- Letter from the Head or College Principal for 16-19-year-old students in full time education. This is only used in exceptional circumstances if other documents cannot be provided; must be valid at time of application.

Note: If a document in the list of valid identity documents is:

Denoted with * it should be less than three months old

Denoted with ** it should be less than 12 months old

Appendix 2 Criminal Records Check (DBS)

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

With effect from 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The filtering rules developed by the DBS and the Home Office designate certain spent convictions and cautions as "protected". "Protected" convictions and cautions are not included in a DBS certificate and job applicants are not required to disclose them during the recruitment process. It is unlawful for an employer to take into account a conviction or caution that should not have been disclosed. If a protected conviction or caution is inadvertently disclosed to the School during the recruitment process it must be disregarded when making a recruitment decision.

A conviction will always be disclosable if it was imposed for a "specified offence" committed at any age. A caution issued for a "specified offence" committed over the age of 18 will always be disclosable. However, a caution issued for a "specified offence" committed under the age of 18 is never disclosable. "Specified offences" are usually of a serious violent or sexual nature or are relevant for safeguarding children and vulnerable adults. The list of "specified offences" can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

The filtering rules have recently been updated and work as follows:

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

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

- (a) eleven years have elapsed since the date of the conviction;
- (b) it did not result in a custodial sentence; and
- (c) it was not imposed for a "specified offence".

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

- (d) six years have elapsed since the date it was issued; and
- (e) it was not issued for a "specified offence".

For those aged under 18 at the time of an offence

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

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

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

Appendix 3 Legislation and Safer Recruitment Regulatory Framework

Richard Inquiry Report 2004

Data Protection Act 2018

Department for Education (DfE): The Independent School Standards – Guidance for Independent Schools (GIS) - September 2019

Disclosure and Barring Service (DBS) Employer Guide

Education (Independent School Standards) (England) Regulations: 2014 – *effective January 2015*

Equality Act 2010

General Data Protection Regulation: May 2018

Immigration Asylum and Nationality Act 2006

ISI Commentary on the Regulatory Requirements - September 2023

Keeping Children Safe in Education (KCSIE) - September 2023

National Minimum Standards for Boarding Schools (NMS): 2022

Protection of Children Act 1999

Protection of Freedoms Act 2012

Rehabilitation of Offenders Act 1974

Safeguarding Vulnerable Groups Act 2006

The Prevent Duty (DfE) Departmental Advice for Schools and Child Care Providers: June 2015 (*The Prevent Duty Guidance*)