



FINTON HOUSE
SCHOOL

**RECRUITMENT, SELECTION & DISCLOSURES
POLICY & PROCEDURES
ISSUE 6 | SEPTMEBER 2024**

OPEN HEARTS A

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1 Policy Availability

A hardcopy of this policy is available to all governors and parents on request from the School Office. It is accessible to all staff electronically (in the Policy folder on the Staff Admin Drive) and a hardcopy held on file in the Head's Office. This policy applies to all at the school including those in Reception (the EYFS).

2 Oversight

Delegated Authority: Bursar

Governorship: Chair of Governors

3 General

Finton House Educational Trust ("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 Nicholas Karelis, Bursar.

An entry will be made on the Single Central Register for all current members of staff at the School, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

All checks will be made in advance of appointment or as soon as practicable after appointment.

4 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. 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.

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. 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.

The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every 3 years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus in line with KCSIE two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and the School carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the governors, and who carries overall responsibility for the day-to-day management and control of the charity. At Finton House School this would be the Head.
- A person who is accountable only to the Head or the governors, and who is responsible for the overall management and control of the charity's finances. At Finton House School this would be the Bursar.

Being disqualified means that a person can't take on, or stay in, a senior manager position – even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. The School will determine the appropriate level of supervision depending on the circumstances.

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

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

5 Roles & Responsibilities

The Bursar is responsible for all safer recruitment matters and records at the School. They are supported by a team of nominated individuals who have received safer recruitment training. The Bursar's records are audited on a termly basis by a nominated governor to ensure this policy is being adhered to.

Responsibility	Individual
Single Central Register & Safer Recruitment	Nicholas Karelis, Bursar
Appointments & Interviews	Ben Freeman, Headmaster Catherine Gomez, Deputy Head Nicholas Karelis, Bursar Katie Cousins – Assessment Coordinator
Administrators	Justine Lavelle, Ops & HR Coordinator Georgina Kennedy, Head's PA Cai Murphy, Systems Manager
Governor	Liz Buckley, Chair of Governors

5.1 Safer Recruitment Process

The school follows a structured recruitment process, with clear roles and responsibilities. A standard checklist exists for all recruitment, which can be found in the location specified below.

Template Name: SAFER RECRUITMENT CHECKLIST - APR 21

Template Location: R:\Recruitment\Application Form paperwork

5.2 SCR Tracker

The School employs the software 'SCR Tracker.' This is an online version of the Single Central Register, with dashboard overview of all safer recruitment and employee checks. Access to this is limited to the Bursar, Operations & HR Coordinator and Systems Manager.

6 Job Description & Person Specification

This school has a standard template for all Job Descriptions & Person Specifications. All documents must include:

- Job Title
- Reporting Structure
- Job Purpose
- Main Duties
- Person Specification, including;
 - Qualifications
 - Experience
 - Personal attributes
 - Safeguarding Statement

Template Name: Job Description & Person Specification 2022

Template Location: R:\Recruitment\Job Descriptions

In addition, the School has a 'Roles & Responsibilities Handbook' outlining all roles and responsibilities across the School. Only the text in this document should be used in the creation of job descriptions.

7 Advertisements

All advertisements are approved by the Head or Bursar before being publicised.

All adverts must include the following wording:

'Finton House Educational Trust is committed to safeguarding and promoting the welfare of children and young people. Applicants must undergo child protection screening, including checks with past employers and Disclosure and Barring Service.'

'This post involves working with children and is exempt from the Rehabilitation of the Offenders Act 1974 and all subsequent amendments. All convictions, police cautions or 'bind-overs', including any that would otherwise be considered 'spent' under the Act must be disclosed, and will be taken into account in deciding whether to make an appointment.'

8 Application Form

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

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. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration

The statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" applies 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 his/her suitability to work

with children must notify the school immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

In line with KCSiE 2022 updated guidance, please be aware that we will undertake online checks, which involve screening of social media profiles

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 Bursar for more details.

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.

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer 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, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer 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.

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.

Template Name: SHORTLISTED CANDIDATES - SELF DECLARATION (DOCUSIGN)

Template Location: R:\Recruitment\Application Form paperwork

9 Shortlisting

Shortlisting must be conducted by at least two individuals, and use the personal specification as a basis for assessing candidates, along with relevant experience etc.

Shortlisted candidates must complete a declaration form, as part of the invite to interview.

Template Name: Application Form Current or Continuity of Employment Form July 2020

Template Location: R:\Recruitment\Application Form paperwork

10 Invitation to Interview

The School will short list applicants 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.

All formal interviews will have a panel of at least two people chaired by the Head/Bursar or another designated senior member of staff. It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Bursar's/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 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 must 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 confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The School requests that all candidates invited to interview also bring with them:

1. A current driving licence including a photograph or a passport or 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 applicable, 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.

Template Name: Invite to Interview - Template

Template Location: R:\Recruitment\Application Form paperwork

11 Interviews

Interviews will follow a set pattern, and will include questions establishing suitability for the role and experience. It will also include questions regarding safeguarding, and exploration of any safer recruitment concerns arising from the application form e.g. employment gaps.

The school template has a set format with general questions which can be changed depending on the role (using question banks created by the school). The safeguarding and safer recruitment portion however is fixed.

Main Interview Template

Template Name: Interview Pro-Forma - Apr 21

Template Location: R:\Recruitment\Interview Questions

Question Banks

Template Location: R:\Recruitment\Interview Questions

12 Conditional Offers of Employment – Pre-Employment 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 (if not already received);
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 that that the 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. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- a. Planning and preparing lessons and courses for pupils;
 - b. Delivering and preparing lessons to pupils;
 - c. Assessing the development, progress and attainment of pupils; and
 - d. Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, including Qualified Teacher Status, where appropriate;
 6. Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
 7. Such further checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the 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;
 8. Evidence of satisfactory medical fitness;
 9. Receipt of a signed Staff 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 (July 2018)”;
 10. For a candidate to be employed into a senior management position as set out above under “Scope of this Policy”, receipt of a signed “senior charity manager positions: automatic disqualification declaration” confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities.
 11. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Recruitment Privacy Notice and Data Protection Policy. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, and/or 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.

Template Name: Conditional Offer of Employment - Template

Template Location: R:\Recruitment\Application Form paperwork

13 References

The School will seek the references referred for shortlisted candidates (including internal applicants) and may approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant's current or most recent employer. References must be received by a senior person with appropriate authority. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will ask all referees if the candidate is suitable to work with children.

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. The School will verify all references. Where references are received electronically, the School will ensure they originate from a legitimate source.

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.

Teaching Staff

Template Name: Reference Request Form - Academic Staff

Template Location: R:\Recruitment\References\Reference Request Forms

Non-Teaching Staff

Template Name: Reference Request Form - Non Academic Staff OR Reference Request Form - Gap Year Student

Template Location: R:\Recruitment\References\Reference Request Forms

14 Criminal Records Policy

The School will refer to the Department for Education (“DfE”) document, ‘Keeping Children Safe in Education’ and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:

<https://www.gov.uk/government/publications/dbs-code-of-practice>.

There are limited circumstances where the school will accept a check from another educational institution which are as follows:

This is where the new member of staff (“M”) has worked in: -

- a. A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- b. A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- c. An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

During a period which ended not more than three months before M’s appointment.

In these circumstances the school may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

14.1 DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

The School will pay for an initial DBS Check, but require staff to subscribe to the update service for the purposes of continual checks every 3 years. Should staff fail to keep up the subscription, they may be liable for the cost of a new check after the 3 year period.

14.2 Delayed Disclosures

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, a Head may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but not a requirement that a note is added to the single central register and evidence kept of the measures put in place.

Template Name: FHS Risk Assessment Template (No DBS)

Template Location: R:\Recruitment\Risk Assessments

15 Retention, Security of Records and Data Protection Obligations

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.

16 Recruitment of Governors and Volunteers

16.1 General

Finton House Educational Trust ("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 volunteers and governors that share and understand our commitment to the aims of the School.

All queries on the School's recruitment process must be directed to the Bursar.

16.2 Recruitment of Governors and Trustees

As Trustees of a registered charity, the Governors of the School are responsible for the selection and appointment of new Governors. This is a legal responsibility that cannot be delegated, although we encourage the Head/Bursar, and other senior staff and organisations, such as a former pupil's association, or those who are close to the School, such as parents, to suggest the names of potential candidates. As Charity Trustees we are aware of the importance of identifying the appropriate mixture of skills and experience that we and our successors need to manage the multi-faceted affairs of a modern school which is also a Company Limited by Guarantee (CLBG), a medium sized business and an important local

employer, with some 75 employees. Schools should avoid appointing or retaining trustees who are disqualified from being a trustee, unless the Charity Commission has given a waiver. All potential trustees should complete a charity trustee positions: automatic disqualification declaration before beginning the selection process.

Following return of the completed disqualification declaration, all Governors complete a selection process, which requires the submission of a CV and completion of an interview with the Nominations Committee. Every Governor has an enhanced DBS check unless they will be undertaking a regulated activity, in which case they will undertake an enhanced DBS check with a barred list check. Each appointment is ratified by the full Board for a period of 5 years. The School arranges for all new Governors to receive a thorough induction in child protection and in the compliance and fiduciary duties of governance. New Governors spend a day at the School in order to meet the key personalities and to gain an insight into the curriculum and to meet groups of pupils.

16.3 Governor's Selection Process

16.3.1 The Initial Stage

When a potential Governor has been identified, who has expressed an interest; he or she will be invited to visit the School and to meet the Head informally, and to have a tour of the school with the Bursar. If the Chairman of Governors is not present at that stage, s/he will probably arrange a separate informal meeting, perhaps in the company of another, experienced Governor. At that meeting, we will briefly describe our strategic vision for the next 5 years and the direction in which the Governors see the school moving. Our aim at the informal meeting is to ensure that every prospective Governor has a clear understanding of the commitment expected of him or her, in terms of time and attendance and is given sufficient material about the School that is in the public domain (prospectus, latest ISI Inspection Report, Statutory Accounts and Annual Return for the previous year) to allow a well-informed judgement to be made before committing themselves to the appointment process. At the informal meeting, we also brief all potential candidates about the range of statutory checks that are required as part of the appointment process.

16.3.2 The appointment process

The second step is to invite the prospective Governor to submit a copy of his/her CV under a covering letter to the Nomination Committee. Prospective Governors are interviewed by the Nomination Committee, who recommends all appointments to the full Governing Body. Care is taken to select Governors who are prepared to serve for a minimum of three, and preferably, four years (which is the normal length of a term of appointment), and to be prepared to commit the time necessary to get to know the school.

All new appointments are formally recorded in the minutes of the Board, and a formal letter of appointment is sent by the Chairman, which specifies the term of the appointment, the total tenure for a Governor, and, if appropriate, the sub-Committee(s) to which the new Governor has been appointed.

16.3.3 Safer recruitment checks

The Bursar (in his/her role as Clerk to Governors) at the School will obtain the following from the new potential governor before their appointment is confirmed:

- a. an enhanced DBS certificate;
- b. if the Governor will be undertaking a regulated activity, a barred list check;
- c. evidence of their entitlement to work in the UK, where relevant;
- d. confirmation that they are not disqualified from acting as a Charity Trustee or Company Director, for example by virtue of an undischarged bankruptcy;
- e. evidence that the Governor has not been prohibited from participating in the management of independent schools;

- f. [a declaration that they are not disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)” ;
- g. if the new Governor is also to be appointed as a Company Director, a completed Form AP01 will be sent to Companies House to register the appointment.

All the paperwork is handled by the Bursar, Head’s PA and Clerk to the Governors.

16.3.4 Checks regarding the Proprietor and Chair of Governors

If the Proprietor or Chairman of Governors, is to change, the school will ensure that the DfE obtains an enhanced criminal records check, and checks both the individual’s identity and right to work in the UK before he or she takes up the appointment. Further overseas checks are required if the person lives or has lived outside the UK. The Chairman’s disclosure application has to be made by the DfE; the school cannot handle it as they would for all other Governors. So, even if a Governor, whom the school has already checked, becomes Chairman, the DfE has to make yet another check.

16.3.5 Induction of Governors and Trustees

As well as access to the various school policies Governors, once in post, will be provided access to the following training modules:

- Child Protection in Education
- Safeguarding Young People
- The Prevent Duty
- Health and Safety in Education: Senior Leadership & Management
- A Guide to UK Data Protection: Education

These courses are run through the Educare module run by the TES.

16.3.6 Data Protection

The School will comply with its obligations under the relevant data protection legislation. Governors’ attention should be drawn to the Staff Privacy Notice and Data Protection Policy which sets out details of how the School will process Governors’ personal data.

16.4 The Recruitment of Other Volunteers

16.4.1 General

Volunteers at our school bring with them a range of skills and experience that can enhance the learning opportunities of pupils. The Board of Governors therefore, welcomes and encourages volunteers from the local community to assist in its day to day running. The kinds of activities that volunteers may assist with are hearing pupils read, working with small groups of pupils to assist them in their learning, working alongside individual pupils, as an additional tutor, or accompanying school visits.

Volunteers will be recruited and vetted via the process set out below. Volunteers who take part in a regulated activity will be subject to safer recruitment checks.

The above does not apply for a volunteer gaining work experience but if they are here once a week or more often, or on four or more days in a 30-day period the above checks apply. The above does not apply to any accompanying teachers and pupils on a day outing or helping with a school play, as that person does not meet the above criteria and they are not left alone and unsupervised (not in regulated activity) in charge of children or a child. However, if they wish to volunteer for more than four days the school must follow the full

procedure. Under no circumstances would the volunteer in respect of whom no checks have been obtained be left unsupervised by a person in regulated activity or allowed to work in regulated activity.

16.4.2 Recruitment

Volunteers will be subject to an informal recruitment process which will involve a meeting with the Deputy Head to discuss the requirements of the School and the skills of the volunteer. The purpose of this meeting will be to understand whether the prospective volunteer has any previous relevant experience and find out whether the expectations and requirements of each party meet and whether there is a volunteering opportunity at the School.

Any volunteering placement may be offered subject to the following checks, if relevant:

- a. an enhanced DBS certificate;
- b. if the volunteer will be undertaking a regulated activity, a barred list check;
- c. evidence of their entitlement to work in the UK, where relevant;
- d. confirmation that the volunteer has not been disqualified from participating in the management of independent schools;
- e. if the successful candidate will be undertaking a regulated activity and 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;
- f. a declaration that they are not disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)”;
- g. depending on the nature of the role, the volunteer may also be asked to sign a confidentiality statement; and
- h. references may also be required.

16.4.3 Induction

Volunteers will be provided with training on the following matters once the volunteering placement commences:

- Child Protection Policy and safeguarding obligations
- Policy for induction of new staff, governors and volunteers in child protection
- Staff Behaviour Policy
- Health and Safety
- Confidentiality obligations
- Supervision
- Data Protection

16.4.4 Data Protection

The School will comply with its obligations under the relevant data protection legislation. Volunteers’ attention should be drawn to the Staff Privacy Notice and Data Protection Policy which sets out details of how the School will process volunteers’ personal data.

17 Third Parties

17.1 Contractors

Any contractor who requires regular access to the school for the purposes of their contract e.g. catering staff, club providers must submit a Safer Recruitment Declaration for each employee working on school premises.

For avoidance of doubt, this is only available to contractors who are legitimate Limited or PLC companies where contractors are PAYE employees. Any other arrangement should be treated at Self Employed Contractors.

These are then filed by the Systems Manager and the data entered onto SCR Tracker. The contractor is not permitted to be unsupervised at the school until SCR Tracker is 100% completed.

Template Name: External Contractors - Safer Recruitment Declaration

Template Location: R:\Recruitment\Application Form paperwork

Where contractors are employed by the School specifically to provide a service (i.e. clubs), the following contract paperwork must be exchanged per engagement, which is usually per term. If contracts are engaged for estates work under other contracts then this is not necessary.

Template Name: 6. DOCUSIGN - External Contractors Safer Recruitment Declaration 2021

Template Location: H:\Templates\Contract Templates

17.2 Supply Staff

All supply teachers in the school, including those employed via agencies, require a completed enhanced DBS check. Before taking on supply staff provided by a supply agency, the agency must complete the same declaration as for Contractors (Employed). The enhanced DBS check must be obtained not less than 3 months previously.

17.3 Self-Employed Contractors

Any contractor who requires regular access to the school for the purposes of their contract e.g. club providers who are self-employed or peripatetic teachers must complete the standard school application form and go through the full employment process detailed earlier in this document.

In addition, they must submit a self-employed declaration form to confirm their tax payer status.

Template Name: Self-employed Declaration

Template Location: R:\Recruitment\Application Form paperwork

With regards to their employment, the following contract paperwork must be exchanged (per engagement for fixed term, or on engagement (for peripatetic teachers).

Template Name: FHET - Agreement for Consultancy Services Template - Feb 2021

Template Location: H:\Templates\Contract Templates

18 Existing Staff

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

We recognise that we have a legal duty to refer to the Disclosure & Barring Service anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

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

19 Policy on the Recruitment of Ex-Offenders

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 him/her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

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 statutory guidance "Disqualification under the Childcare Act 2006 (July 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 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;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- 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 anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

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

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