



HEREFORD CATHEDRAL  
SCHOOL

# Safer Recruitment Policy

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This policy applies to Hereford Cathedral School, including Hereford Cathedral Junior School and the Early Years Foundation Stage.

## 1. INTRODUCTION

Safer Recruitment is a vital factor in keeping children safe within the education environment.

It is essential that when Hereford Cathedral School employs staff, uses contractors or engages volunteers to work with children, that it adopts a consistent and rigorous approach in the recruitment and selection process. The aim is to ensure that those recruited are suitable for such an important and responsible role.

The purpose of Safer Recruitment is ultimately to:

- **Deter.** From the beginning of the recruitment process, it is important to send the right message – that the organisation has a rigorous recruitment process and does not tolerate any form of abuse. Wording in adverts and recruitment information must aim to deter potential abusers.
- **Identify and Reject.** It will not always be possible to deter potential abusers. Therefore, careful planning for the interview and selection stage, in terms of asking the right questions, setting appropriate tasks and obtaining the right information can assist in finding out who is suitable for the role and who is not.
- **Prevent and Reject.** There are no guarantees that even the most robust safer recruitment process will prevent an inappropriate appointment. However, this does not mean it is too late to act. Ensuring that comprehensive induction processes are in place, together with appropriate policies and procedures, raising awareness through staff training and generally developing and maintaining a safe culture within the organisation will all help to prevent abuse or identify potential abusers.

The intention of this policy is to ensure that all stages of the recruitment process contain measures to deter, identify, prevent and reject unsuitable people from gaining access to pupils within the School. This policy and the practical implementation of recruitment and selection processes also aim to meet all legislative requirements, any statutory or other guidance that may from time to time be issued in order to keep children safe and safer recruitment in education, as well as principles of general good practice.

In addition, this policy aims:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure 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, disability or age.

## 2. SCOPE

The document contains the protocols for Hereford Cathedral School to follow in order to comply with legal duties, to ensure the recruitment process is transparent and fair and to

ensure that children the welfare of children in the School's care are protected. Everyone within the School community has a responsibility to adhere to it.

### **3. ROLES AND RESPONSIBILITIES**

It is the responsibility of the Governing Body to:

- Ensure the School has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with current guidance and legal requirements.
- Monitor the School's compliance with them.

It is the responsibility of the Headmaster, Bursar and other staff involved in recruitment to:

- Ensure that the School operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the School.
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure. In accordance with the School Staffing Regulations, the Governing Body has delegated responsibility to the Headmaster (teaching staff) and Bursar (support staff) to lead in all appointments. School governors may be involved in staff appointments but the final decision will rest with the Headmaster / Bursar.

### **DBS, Regulated Activity and Frequency**

An Enhanced DBS check is necessary for any person who is working in Regulated Activity with children. 'Regulated Activity' can be defined as follows:

- (i) Unsupervised activities in any setting – including teaching, training, instructing, caring for (see iii) below), supervising, providing advice/guidance on well-being, driving a vehicle only for children
- (ii) Work for a limited range of establishments (specified places) with the opportunity for contact, e.g. schools, Schools, children's homes, children's centres, childcare premises (but not work by supervised volunteers)

Work/activities in (i) and (ii) above must be carried out 'regularly' to be included within regulated activity. 'Regular' means carried out by the same person frequently (once a week or more often) or intensively (on 4 or more days in a 30-day period) or overnight (if carried out – even once - at any time between 2am and 6am and with an opportunity for face-to-face contact with children). Day to day management or supervision on a regular basis of a person providing the above regulated activity for children is also within the definition of regulated activity for children.

- (iii) Relevant personal care or health care by or supervised by a professional, even if done only once. ('Personal care' means helping a child, due to age, illness or disability, with eating, drinking, toileting, washing, bathing or dressing; 'Health care' means care for

children provided by, or under the direction or supervision of, a regulated health care professional).

(iv) Registered child-minding and foster carers.

(Regulated Activity excludes family and personal, non-commercial arrangements).

Other people coming into Hereford Cathedral School (e.g. volunteers) with access to children may not be in regulated activity - if they are 'adequately supervised' when carrying out an activity with children which would be regulated activity when unsupervised. Hereford Cathedral School is responsible for continuing vigilance in relation to staff, workers and any others coming onto the premises, and/or with access or opportunity for contact with the pupils, at all times.

Please see Appendix 2 for a flow chart to establish if an activity is regulated and needs a DBS.

#### **4. THE RECRUITMENT PROCESS**

Recruitment panel members will be appropriately trained or briefed. In accordance with statutory requirements, at least one member of the panel will have successfully completed safer recruitment training. The Panel will include at least one member who has been 'Safer Recruitment' trained.

#### **5. JOB DESCRIPTIONS AND PERSON SPECIFICATIONS**

##### **5.1 Job Analysis**

When a vacancy arises due to an employee leaving or moving to a different role, it cannot be assumed that a 'like for like' replacement is required. A review of the job description may highlight the fact that the existing role no longer meets current needs. Therefore, the requirements for any replacement or new role will be analysed prior to drawing up the Job Description and Person Specification which define the role.

##### **5.2 Job Descriptions and Person Specifications**

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role. The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

In general, all job descriptions will normally contain:

- The post title
- The main purpose of the job
- Who the person reports to
- If the person has reportees
- The main tasks or duties to be carried out
- The scope of the job to indicate its position within the organisation

- General statements relevant to all positions, such as requirements relating to equal opportunities and health and safety

As all work at Hereford Cathedral School involves responsibility for the safeguarding of children, the job description will also make clear that the post holder may have direct or indirect contact with children and young people and as well as commitment to foster the health, safety and welfare of children they also have a general responsibility for safeguarding.

Person specifications drawn up may include:

- Any qualifications required for the post
- Knowledge, skills and abilities required to carry out the duties of the post
- Any specific training requirements
- The need for awareness of, and commitment to, equal opportunities issues
- The need for commitment to the promotion of health and safety at work and to the protection and safeguarding of children.

The person specification should indicate whether the stated criteria are:

- Essential – relating only to those areas without which the job cannot be performed; or
- Desirable – not essential to carrying out the duties, but which would be valuable. They may assist in the final selection process if several candidates all meet the essential criteria.

It will also indicate how the criteria will be tested, i.e. on the application form, at interview and/or through a task set as part of the selection process.

## **6. APPLICATION FORMS**

A suitably-structured, pre-defined application form will be used for recruitment to all posts including volunteers. CVs in isolation will not be accepted because CVs are left to the discretion of individual applicants and contain only information that they choose to provide whereas application forms are employer-led, requiring specific information from all applicants. The use of application forms will help to ensure that detailed information, critical to the recruitment process, can be gathered from all applicants in a consistent format.

Application forms to be used for all recruitment will include as a minimum:

- Personal details including name, former names, date of birth, current address, NI number and, for teachers, teacher reference number
- Qualifications
- Present (or last) employment and reason for leaving
- Full history since leaving school - education, employment and any voluntary work, as well as an explanation of any gaps which can be investigated
- Request for details of appropriate referees (see also 'References' below)

- The requirement for a personal statement addressing the criteria set out in the job description and person specification
- Explanation that the post is exempt from the provisions of Section 4 (2) of the Rehabilitation of Offenders Act 1974 by virtue of the Rehabilitation of Offenders Act 1974 (exceptions) Order 1975 and the requirement for a 'self-disclosure' – a signed declaration of any unspent and spent criminal offences.
- Opportunity to declare if they have ever been the subject of an investigation or inquiry into abuse or other inappropriate behaviour.
- The requirement for a signed declaration that all information provided is true. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

## **7. ADVERTISING**

To ensure equality of opportunity, the School will normally advertise all vacant posts to encourage as wide a field of applicant as possible. This normally entails an external advertisement. All documentation relating to applicants will be treated confidentially in accordance with the GDPR.

### **Safeguarding**

The job advertisement provides potential applicants with their first impression of Hereford Cathedral School. An important part of the message of the advert is to inform anyone viewing it that the School is fully committed to safeguarding and protecting the welfare of children and young people.

In these circumstances, all advertisements will include a statement to the effect that:

*"Hereford Cathedral School is committed to safeguarding and promoting the welfare of children and young people. Therefore, we expect all workers and employees to share this commitment".*

Other general statements applicable to all posts may also be included in the wording of advertisements, e.g.

*"All appointments are subject to satisfactory pre-employment checks, including a satisfactory Enhanced criminal records with Barred List check through the Disclosure and Barring Service (DBS)."*

AND

*"CVs alone will not be accepted."*

Prospective applicants for posts will receive the following materials in recruitment packs:

- Application Pack (including Application form, Job Description, Person Specification and guidance to the application process)

- Safer Recruitment Policy (this document) or relevant information from it – for example, completion of application forms, references, interviews/tasks and pre-employment checks etc., as relevant and appropriate
- Code of Conduct
- Any other relevant details or documentation.

### **Equal opportunities**

Each advert will contain a statement similar to the following:

*"Hereford Cathedral School is committed to being an equal opportunity employer and is determined to ensure that no applicant or employee receives less favourable treatment on the grounds of gender, age, disability, religion, belief, sexual orientation, marital status, or race, or is disadvantaged by conditions or requirements which cannot be shown to be justifiable."*

### **8. SHORTLISTING**

To support safer recruitment and to ensure fairness in the process, the recruitment panel should take adequate time to properly scrutinise the applications.

- For consistency it is recommended to assess each application against the criteria, including criteria specific to working with children through the use of a checklist
- Consider whether each application is fully completed – if not, it may be returned to the applicant or discarded from the process
- Highlight any gaps (in employment etc.) to be explored further at interview should the candidate be long/shortlisted
- Look for evidence provided against the criteria set out in the person specification and the job description
- Normally only shortlist those applications that meet all the essential criteria set out in the person specification. However, if this is not clear in relation to any applications, it may be decided to shortlist and explore the issues further at interview.

If a greater than anticipated number of applicants all meet the essential criteria for the post, it may be decided to use any specified desirable criteria to make a selection for the shortlist.

### **9. INVITATION TO INTERVIEW**

Interview invitations to long/shortlisted candidates will normally include the following:

- Details of date, time, venue
- Direction and/or map, together with details of parking arrangements
- Where to report on arrival
- Likely length of the interview and information about any tests or exercise to be included in the process

- Details of the scope of the interview (to be based on the person specification and to include exploration of each candidate's suitability to work with children, together with any issues arising from the application form or references)
- Details of documents that candidates will need to bring with them, e.g. proof of identity, documents for the Immigration, Asylum and Nationality check, qualification certificates.
- A request that candidates let the School know should they have any special requirements, or need any adaptations, to enable them to access the interview and selection process.
- A request that candidates inform the School of their intention to attend, or otherwise, together with the necessary contact details.

## **10. INTERVIEWS**

The recruitment and selection process, in particular interviews, will normally be carried out by two or more people. A set of the same basic questions to ask all shortlisted candidates should be prepared in advance. However, additional follow-up questions are likely to be needed at the interview itself as a means of probing for additional information. These questions will depend upon initial responses given by individual candidates.

Interviews will be used to:

- (i) Focus on the requirements to carry out the duties of the job, as described
- (ii) Explore issues relating to the safeguarding and promoting the welfare of children, including:
  - Motivation to work with children and young people
  - To test attitudes, awareness and understanding of safeguarding
  - Ability to form and maintain appropriate relationships and personal boundaries with children and young people
  - Emotional resilience in working with challenging behaviours
  - Attitudes to use of authority and maintaining discipline.

A specific Safeguarding question will be asked to check the candidate's understanding of Safeguarding. This question will be asked by a panel member who is 'Safer Recruitment' trained.

(iii) Be used to explore any relevant issues arising from references received prior to interview.

(iv) To investigate any gaps in employment, which will require the applicant's date of birth to be able to do this effectively.

Profiles for volunteer roles will also be drawn up according to the principles set out above.



Other assessment and selection methods, in addition to an interview, may also be used. The nature of these additional tools will depend upon the type and level of the post. Other assessment methods may include, for example:

- Presentations
- Role plays
- Group exercises
- Pupil panels
- Observation (of teaching or activity with a class or group of pupils)
- Written tests
- Other data analysis exercises, in-tray exercises etc.

Only in exceptional circumstances will feedback be provided for unsuccessful applicants.

### **Outcomes of the Application and Recruitment Process**

Where the following apply, the school will report the facts to the Police and/or the Disclosure and Barring Service:

- The candidate is found to be on the Barred List, or the DBS Disclosure shows s/he has been disqualified from working with children by a Court; or
- The candidate is found to have been prohibited from the teaching profession
- A candidate has provided false information in, or in support of, his or her application; or
- There are serious concerns about a candidate's suitability to work with children

### **11. DBS CHECKS**

All employees, paid workers and volunteers at Hereford Cathedral School who are in regulated activity will have an Enhanced DBS with Barred List check carried out. This will include all categories of staff and workers, even if not directly involved in teaching or supervising children, as all will have the opportunity for contact. This will also normally include Agency supply workers. For visiting staff/workers, such as supply workers, it is for the providing organisation to carry out checks - the School then obtains written confirmation for the Single Central Register (SCR).

New DBS checks will be completed when:

- A person moves to a new role which gives greater access to children or has more responsibility
- The person has a break for more than three months
- There are concerns about the person, which may affect his or her suitability

Generally, **contractors** are not checked by their employers so must be supervised at all times. Where a contract exists with a company for regular contract workers or where contract

workers or supply teachers are in regulated activity, an agreement will be made between the contracting company and the contractor for them to carry out adequate ID and security checks including enhanced DBS checks for any regular contractors.

On occasion it may be necessary to utilise workers provided by an external **agency**, for example to cover short to medium-term absences or vacancies. In order to ensure the safety and welfare of children and young persons, when using agencies Hereford Cathedral School will also adopt the same robust recruitment and vetting procedures that minimise the risk of employing people who may abuse their position of trust or who are otherwise unsuited to such work. In these circumstances, agencies will be required to provide written assurances about their recruitment and selection practices and, in particular, that workers supplied by them have been subject to similar checks and safeguards in place for new employees and workers taken on directly by the School.

Agencies will be required to confirm in writing they have confirmation that all necessary pre-employment checks are carried out before their workers are deployed and will include all essential areas of the checking process, i.e. relating to Enhanced DBS and Barred List checks, Prohibition Order checks, identity and Immigration, Asylum and Nationality Act checks, overseas (including EEA checks) as well as checks of medical fitness, qualifications, references, reasons for leaving previous positions, pay and conditions, Employer's Liability, equal opportunities and compliance with Agency Worker Regulations. The School will check the identity of the person presenting themselves for work on arrival.

It is now mandatory for **Governors** to have an enhanced DBS and these will be treated in the same way as employees. Governors will be required to be checked for Prohibition from Leadership and Management.

As **trainee teachers** can undertake regulated activity, sometimes unsupervised, an enhanced DBS certificate and Barred List check must be obtained. Where trainees are salaried (employed) this is the responsibility of Hereford Cathedral School. Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks.

**Visiting music teachers, peripatetic staff and coaches** will be engaged in RA and will therefore be required to have an enhanced DBS.

**Supervised volunteers, including OHs etc.** are not normally in RA. However, it is for Hereford Cathedral School to decide and it will depend upon whether they are being 'adequately supervised' in accordance with statutory supervision guidance published by the DfE. If such persons are adequately supervised when carrying out an activity that would fall within RA if not so supervised, then they will not be in RA. Otherwise, if not adequately supervised, they are in RA and will require an Enhanced DBS. For volunteers and others who are not in RA, a DBS check without a Barred List check may be obtained. (There is no entitlement to ask for a Barred List check for volunteers who are not in RA).

No DBS or Barred List checks will be carried out for those who are one-off volunteers for School events or trips. Proof of ID will be checked and the volunteer will be supervised at all times.

Hereford Cathedral School will not request DBS or Barred List checks on **visitors** (e.g. children's relatives or other visitors attending a sports day, open day or picking up from school). A professional judgement will be made at the relevant time about the need to escort or supervise them. Where possible names of visitors will be attained in advance and identification checked by reception.

Current legislation and guidance on DBS and Disclosure of Convictions is at Appendix 1.

### **Vetting Check Exemptions**

In line with the DfE Regulatory Requirements, the School will not conduct vetting checks on the following:

- Visitors to the Head/other staff
- Those who have only brief contact with children in the presence of a teacher
- Pupils aged under 16 on work experience or similar
- Those on the school site when pupils are not present
- Visitors carrying out repairs or servicing equipment
- The School does not re-check staff returning from maternity leave, sabbaticals or similar

## **12. DBS CERTIFICATES**

The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the School. Except in exceptional circumstances, it is a condition of employment with the School that the original disclosure certificate is presented to the School within two weeks of it being received by the applicant. Applicants who are unable to attend at the School to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to the HR Officer. Where a certified copy is sent, the original disclosure certificate must still be presented prior to the first day of work or on the first working day. Employment will remain conditional upon the original certificate being presented and it being considered satisfactory by the School.

Enhanced DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants will also be asked to provide further information, including a criminal records check from the relevant jurisdiction(s). Where a DBS check shows a disclosure, a risk assessment will be carried out to decide whether the applicant should be appointed or not.

It will be emphasised that the Enhanced check includes a check on Barred Lists of those considered to be unsuitable to work with children or other vulnerable people, as relevant, in regulated activity. The candidate will be asked if s/he subscribes to the DBS Update Service, in which case, following sight of the certificate and with his/her express permission, a real-time

check online will normally be made to ascertain whether or not his/her status has changed. A prospective employee's current Enhanced DBS certificate may be ported in exceptional cases where the person is currently working in regulated activity with children and is able to present a recent (less than 1 year) Enhanced DBS certificate applied for through that regulated activity and there has been no gap in employment and where there are no other cause for concern. A new application for an Enhanced DBS through Hereford Cathedral School will be requested in addition to this.

Copies of DBS Certificates will be kept on file for a maximum of 6 months.

### **13. PROHIBITION ORDERS**

The School will check that anyone employed to carry out teaching work is not subject to a **Prohibition Order** issued by the Secretary of State. The check is completed using the Employer Online service, and can be undertaken on individuals who do not have QTS by searching by name. This applies to those appointed to teach on or after 1 April 2012.

Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- Planning and preparing lessons and courses for pupils
- Delivering and preparing lessons to pupils
- Assessing the development, progress and attainment of pupils
- Reporting on the development, progress and attainment of pupils

The School will therefore decide on a case by case basis, in the light of its own practice, the extent to which such roles as teaching assistants, sports coaches and similar posts fall under these regulations.

Prohibition from Management of Independent Schools Check ("section 128 direction")

The school will check whether staff appointed to certain management positions are subject to a **section 128 direction**. The posts which would fall under this definition are:

- Headteacher
- Senior Leadership Team staff (including non- teaching staff)
- Positions with Head of Department or Head of Year status
- Governors
- Internal promotions to roles which fit the above definition.

The check is completed by requesting as part of the enhanced DBS check or in the case of promotions the check can be completed using the Employer Online service by searching by name.

### **14. DISQUALIFICATION FROM CHILDCARE DECLARATION**

Under Section 75 of the Childcare Act, 2006 individuals are disqualified from childcare provision if they have committed certain specified offences. This applies to any member of

staff employed in early years childcare (up to the age of 5) or later years childcare (up to the age of 8) in nursery, primary or secondary school settings or the management of such settings. This will apply to those members of staff who work in or manage the school's EYFS provision and those who care for pupils up to the age of eight either in before- or afterschool provision.

The Head of the Junior School is responsible for ensuring that Hereford Cathedral School discharges its responsibilities in regard to the Regulations.

This is achieved by:

- Ensuring that any relevant staff are asked at interview to confirm that they have not been disqualified from childcare.
- Ensuring that any relevant member of staff fills in a declaration form declaring that they have not been disqualified from childcare provision and have not committed the other relevant offences before employment starts. (Since October 2019, the date this declaration is made is recorded on the Single Central Register).
- Auditing the staff each year to ensure that all those who are covered by this requirement are made aware of the legislation and sign a declaration to confirm that they have not been disqualified from childcare provision and have not committed any of the listed offences.
- Keeping records of the annual audit and of all written declarations made by staff.

At Hereford Cathedral School the following staff are considered to be covered by the legislation:

- Management: The Headmaster, the Bursar, the Head of the Junior School, The Deputy Head of the Junior School, HR Officer, Head of EFYS, Nursery Leader, Registrar, School Secretary and Head of Junior School Learning Support.
- All those who teach or care for Reception and Nursery pupils.

All who are involved in after school care and breakfast club. Reference: Disqualification under the Childcare Act 2006 (Statutory Guidance, updated 31 August 2008)

## **15. OFFERS OF EMPLOYMENT**

### **15.1 Conditional to relevant criteria**

Any job offer made must be conditional as it will be subject to a variety of pre-employment checks and other conditions. Some checks will apply to all potential new employees, others will apply only to certain categories of employee. Receipt of completion of the following will, therefore, be required in some or all cases:

- Two satisfactory references, one of which should be the current or most recent employer,
- A satisfactory medical assessment,
- Where the position amounts to regulated activity, confirmation that the applicant is not named on the Children's Barred List (formerly List 99). The prospective employee not at any time being barred, either totally or to a limited extent, from employment or work involving regular contact with children, young persons or other vulnerable people, nor to any other relevant prohibition or restriction being applied to your employment; for teachers / NQTs / trainee teachers only - the prospective employee not being subject to a prohibition order or interim prohibition order by the Secretary of State, pre-existing General Teaching Council for England or any other authorised Body (ascertained by looking at the prohibited list held by DfE,
- Proof of identity,
- Receipt of evidence to meet the requirements of the Immigration, Asylum and Nationality Act 2006 if applicable; valid Home Office (UK Visas and Immigration) permission to work in the post,
- A satisfactory Enhanced with Barred List check through the Disclosure and Barring Service (DBS) for the existence and content of any criminal record.
- For teachers only (other than where appointed specifically as an unqualified teacher) - initial and continued recognition as a qualified teacher (original copies of all relevant certificates will be required, including confirmation of the award of Qualified Teacher Status, as issued by the Department for Education (DfE) or other authorised Body; OR confirmation of the award of Qualified Teacher Learning and Skills status and membership of the Institute for Learning, as appropriate). We can check that a new member of staff holds QTS using the Employer Online service. A copy is taken and retained on the personnel file,
- Verification of professional qualifications, where appropriate which will include further verification if there is concern about their validity. Where qualifications are a requirement or relevant for the post, successful applicants are asked for originals of the qualification document. If these are not available candidates will be required to obtain written confirmation of qualifications from the awarding body,
- Successful completion of the Statutory Induction period for Newly Qualified Teachers (*teachers*) or completion of a successful probation and assessment period (*support staff*),
- For a Head teacher or Deputy Head teacher, or SMT position it must be recommended to the full Governing Body for appointment and an offer will not be made until they have approved the appointment,
- A check that the candidate is not disqualified under the Childcare (Disqualification) Regulations,

- Where the staff will be living on site and where they will have resident family members over the age of 16, the family members will be also required to:
  - Undergo security checks (Enhanced DBS, overseas checks);
  - Have safeguarding training;
  - Read and understand the KCSIE guidance and sign a declaration;
  - Sign a spouse agreement (if applicable),
- Where any appointment/internal promotion or current staff move is made for a position of Leadership, the Enhanced DBS must also include confirmation that the applicant does not commence work in contravention of a direction under section 142 of the Education Act 2002 or section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from teaching or being involved in the management of an independent school. Prohibited from Management or Leadership check, done by inserting the following wording into the 'role' box of the DBS application form: 'Independent School – Child Workforce',
- Any further checks which are necessary as a result of the applicant having lived or worked overseas or outside of the UK as the School may require in accordance with statutory guidance e.g. Overseas Checks, including new requirements for schools to identify teacher restrictions imposed by all EEA authorities; (overseas authorities) will be completed for prospective employees who have lived or worked overseas in their last posts as well as the same checks as all others.

If there is a delay in receiving a DBS disclosure the Head or Bursar have discretion in exceptional circumstances, 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 (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place along with a full risk assessment with risk management measures in place. The School is under a specific duty not to allow a barred person to work in regulated activity.

### **15.2 Conditional offer letters will include the following**

- Job title/role and mutually agreed start date
- Relevant details relating to the position, e.g. type of contract and hours, if fixed term details of expiry date and/or circumstances/conditions
- Pay and conditions of service applicable
- Payment arrangements and a request for account details, P45 and National Insurance number
- Pre-employment checks that need to be satisfactorily carried out before the offer can be finally confirmed (see above)
- Any other relevant action to be taken or information to be provided.

In circumstances where any of the pre-employment checks prove to be unsatisfactory, a conditional offer will be withdrawn where the School considers it appropriate to do so.

## **16. REFERENCES**

- Where possible, references will be taken up on short-listed candidates prior to interview for all staff.
- All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children (assuming that the applicant has previously worked with children). If a candidate for a teaching post is not currently employed as a teacher, the School reserves the right to check with the school, School or local authority at which they were most recently employed, to confirm details of their employment and their reason for leaving. Neither referee should be a relative or someone known to the applicant solely as a friend.
- All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job description (and person specification if one has been written) for the role for which the applicant has applied for.
- 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 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 and the relevant referee before any appointment is confirmed.
- References will be verbally verified on receipt to ascertain the validity of the referee and the reference contents as well as to explore any vague comments or concerns that may arise from the reference. Hereford Cathedral School will take reasonable steps to ensure that the provided referee's contact details are legitimate.
- Sometimes, a referee may not be willing to complete a standard reference questionnaire. This may be because a particular organisation has a policy of providing references only in a certain format, or because a standard reference has been agreed as part of a settlement (previously known as compromise) agreement. In these circumstances, it is at the discretion of the School to decide whether to accept this situation or to not proceed any further with the application. This may depend upon other information received or other checks that can be carried out.

If the referee is a current or previous employer, they will also be asked to confirm the following:

- The applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness and disciplinary record;
- Whether the applicant has ever been the subject of disciplinary procedures or investigations involving issues related to the safety and welfare of children (including



any in which the disciplinary sanction has expired) except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated or malicious;

- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated or malicious.

## **17. MEDICAL AND HEALTH RELATED QUESTIONS**

It should be noted that the Equality Act 2010 limits the circumstances in which a prospective employer can ask health-related questions of either a referee or the applicant before a conditional job offer is made. Questions may only be asked at an early stage to help to:

- Decide whether any reasonable adjustments need to be made for the applicant to be able to participate in the selection process
- Decide whether an applicant can carry out a function that is essential (intrinsic) to the job in terms of both mental and physical fitness
- Monitor diversity among people making applications for jobs
- Take positive action to assist disabled people
- Clarify that a candidate does have a disability where the job genuinely requires the jobholder to have a disability.

## **18. SINGLE CENTRAL REGISTER (SCR) OF CHECKS**

The School will ensure that it complies with statutory requirements for information to be recorded and retained on its SCR of pre-employment checks carried out in relation to employees and workers employed or engaged directly, as well as others who work in regular contact with children, including volunteers.

Generally, the information that will be recorded on these persons is whether or not the following checks have been carried out or certificates obtained, and the date on which the checks were completed:

- an identity check;
- a Barred List check;
- an enhanced DBS check;
- a check to establish the person's right to work in the United Kingdom.
- a prohibition from teaching check;
- a check of professional qualifications;
- overseas checks (including EEA);
- additional checks on people living or working outside the UK;
- confirmation of other criteria

There is no requirement to keep copies of DBS certificates in order to fulfil the duty of maintaining the single central record. However, where the School, with an individual's

express permission, may choose to retain a copy this will not be retained for longer than six months. A copy of the other documents used to verify the successful candidate's identity, right to work and required qualifications will be kept for the personnel file.

## **19. PERSONNEL FILES AND RETENTION OF PERSONAL DATA**

Data relating to all recruitment and selection processes will be retained for a specified period of time in accordance with the School's record management policy and data protection policy.

This information forms part of the successful individual's personal record and on-going employment history.

The personnel file will normally contain the following information:

- Application form
- CV (if available)
- Advert and application pack
- Other paperwork related to the recruitment process, i.e. Interview and other notes, letters forming part of the process etc.
- Offer letter
- Pre-employment vetting documents, i.e. photographic identification, documentation to meet the requirements of the Immigration, Asylum and Nationality Act, Disclosure details (not the full certificate – but potentially short-term retention), evidence of right to work and remain in the UK, as applicable
- Copies of original vocational or academic qualification certificates, as applicable
- Two satisfactory and verified references
- Confirmation of satisfactory medical assessment
- Copy of contract
- Other relevant employment documentation throughout the individual's period of service.
- Other relevant safeguarding documentation e.g. Disqualification self-suitability questionnaire, Keeping Children Safe in Education (KCSIE) declaration, license agreement, spouse agreement etc.
- Details of any allegation(s) against an employee if found to be malicious will be removed from the personnel record. However, information relating to any other allegation(s) will be retained in accordance with statutory guidance issued by the DfE.

## **20. INDUCTION**

Induction is an extension of the recruitment process. Good recruitment and selection procedures help to ensure that the best person is appointed to the role, but it is equally important to induct him or her properly on commencement.

A general Induction Programme is required for all new recruits, including those already within the organisation but appointed to new roles. This should be seen as additional to the more formal induction or probationary periods also required in relation to certain new appointments, as summarised below:

- Newly Qualified Teachers (NQTs) are required to satisfactorily complete a statutory Induction period. Where applicable, the induction period will be applied in accordance with the relevant Regulations and statutory guidance issued by the DfE.
- Support staff and teachers who are 'new employees' will be subject to a 'Probationary Period' for this purpose include:

A more general induction applicable to all will include a variety of arrangements and areas. The specific arrangements put in place will reflect the differing needs of individuals and job roles, e.g. whether already employed in a different role, whether full time, part time, fixed term, employee or volunteer, type and seniority of the post and level of contact or involvement with pupils.

The general induction programme will also include, for all, information on professional standards and boundaries in respect of child protection and safeguarding and promoting the health, safety and welfare of pupils. Reference will be made to relevant statutory requirements and/or local guidance in these areas. Statutory guidance includes, in particular, the DfE documents:

*'Keeping Children Safe in Education' - all staff will be required to read (and in conjunction with KCSIE guidance) and to understand at least 'Part One - Safeguarding Information for All Staff'*

The importance of adhering to School policies and procedures in these and all other areas will also be emphasised. Care will be taken to ensure that all new employees, including those in new roles, are aware of and understand School policies, procedures and practices and are clear about their responsibilities in following them at all times. All employees and workers will be required to read and adhere to the Code of Conduct.

Supply teachers and other supply workers, including agency workers, as well as volunteers, will receive all necessary information and guidance to enable them to carry out their temporary role effectively and in accordance with statutory requirements, as well as the establishment's policies, procedures and practices. This will include in relation to child protection and safeguarding arrangements, the Code of Conduct and any other relevant protocols essential to their role.

## **21. A SAFE CULTURE AND ON-GOING VIGILANCE**

It is never sufficient to assume that a safer recruitment and selection process and robust induction arrangements are enough to ensure that the pupils are safe and that there is no risk to them within the educational environment. Creation of a safe culture, with on-going vigilance is essential.

The School will continue to strive to create and maintain a safer culture by:

- Having in place, and putting into practice, clear policies and procedures and ensuring that all employees and workers are aware of and understand them
- Setting acceptable standards of behaviour
- Having in place clear procedures for reporting concerns, ensuring that all employees and workers know what the procedures are and their responsibility for following them
- Taking concerns seriously and providing support to individuals raising them
- Taking appropriate action in relation to concerns raised
- Having in place robust and appropriate induction arrangements
- Ensuring that all employees and workers undertake child protection and other relevant training on a regular basis
- Keeping the commitment to safeguarding and child protection on the agenda through regular discussion and/or reminders at staff meetings, training sessions etc.
- Learning from experience
- Never thinking that enough has been done to ensure a safe culture.

## APPENDIX 1

### **DBS and Disclosure of Convictions**

#### **For those 18 or over at the time of the offence**

An adult conviction will be removed from a DBS certificate if:

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

Even then, it will only be removed if it does not appear on the [list of offences which will never be filtered from a certificate](#). If a person has more than one offence, then details of all their convictions will always be included.

An adult caution will be removed after 6 years have elapsed since the date of the caution – and if it does not appear on the list of offences relevant to safeguarding.

#### **For those under 18 at the time of the offence**

The same rules apply as for adult convictions, except that the elapsed time period is 5.5 years

The same rules apply as for adult cautions, except that the elapsed time period is 2 years.

#### **Further information**

The term 'Caution' includes reprimands and warnings.

A conviction is a determination of guilt by a court in relation to a specific offence. Multiple offences, whether arising from different occasions or from a single event, and in relation to which a court on one or more occasions reaches a determination of guilt, are to be treated as multiple convictions for filtering purposes.

or those aged 18 or over at the time of an offence, an adult conviction will be removed from a DBS disclosure if:

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

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

A caution received when a person was aged 18 or over will not be disclosed if six years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

For those aged under 18 at the time of an offence, a conviction will removed from a DBS disclosure if:

- five and a half years have elapsed since the date of conviction; and

- it is the person's only offence; and
- it did not result in a custodial sentence.

Again, the conviction will not be removed under any circumstances if it appears on the list of "specified offences", or if a person has more than one offence on their criminal record. A caution received when a person was aged under 18 will not be disclosed if two years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

### **The list of "specified offences" which must always be disclosed**

This contains a large number of offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record.

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>

### Who needs a DBS Check

Regulated Activity relating to Children (post September 2012 definition)

