



## KEW COLLEGE PREP

### Recruitment and Selection Policy including Safer Recruitment

This policy applies to the whole school including the EYFS

This policy applies to all school employees and adults working with children, including volunteers. This policy is published on the Kew College Prep website and is also available from the School Office upon request.

This policy is written with due regard to the following:

***Disqualification under the Childcare Act 2006***

***The Equality Act (2010)***

***Independent Schools Standards Regulations (ISSRs) (Dec 2019)***

***ISI Handbook for the Inspection of Schools – Commentary on the Regulatory Requirements (Sept 2020)***

***Keeping Children Safe in Education (KCSIE)***

***Working Together to Safeguard Children (Sept 2018)***

See also the School's policies as follows:

***Safeguarding and Child Protection Policy, Internet and Online-safety Policy, Staff Induction Procedure, Staff Procedure Handbook and Whistleblowing Policy and Procedures.***

#### **Definitions or abbreviations used in this policy**

**CV:** Curriculum Vitae

**DBS:** Disclosure and Barring Service checks

**DfE:** Department for Education

**DSL:** Designated Safeguarding Lead – person responsible for safeguarding in school

**EYFS:** Early Years Foundation Stage

**ISI:** Independent Schools Inspectorate

**SCR:** Single Central Register of Appointments

**The School:** Kew College Prep

**TUPE:** Transfer of Undertakings (Protection of Employment) Regulations

#### **At Kew College Prep**

**DSL:** Robyn Hodgson

**Deputy DSL and Head:** Jane Bond

**Deputy DSL:** Stephanie Aird

## 1. INTRODUCTION

Kew College Prep is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. The School pays due regard to Safeguarding and Safer Recruitment and provides all staff with safeguarding training in line

with government guidelines. As part of our culture of safe recruitment, the School adopts recruitment procedures that help deter, reject or identify people who pose a risk of harm to children.

The School's intention is to attract, select and retain employees who will successfully and positively contribute to the Kew College Prep community. A motivated and committed workforce with appropriate knowledge, skills, experience and ability to do the job is critical to the School's performance and fundamental to the delivery of a high quality service.

## **2. PURPOSE OF THIS POLICY**

To ensure that the recruitment of both permanent and temporary staff (including volunteers) is conducted in a safe, fair, effective, cost efficient and transparent manner, with all the necessary professional and safeguarding checks being carried out and found to be satisfactory before an appointment is confirmed.

To achieve this, those responsible for each stage of the recruitment process will, at all times, be expected to demonstrate a professional approach by dealing honestly, efficiently and fairly with all internal and external applicants.

## **3. RESPONSIBILITY**

The ultimate responsibility for recruitment and selection lies with School Governors. School Governors appoint the Head and the Bursar and have delegated the responsibility to the Head for appointing all other staff.

## **4. AIMS AND OBJECTIVES**

- To ensure that the safeguarding and welfare of children and young people
- To ensure a consistent and equitable approach to the appointment of all school staff
- To ensure all relevant legislation is adhered to
- To ensure the most cost effective use is made of resources in the recruitment and selection process.

## **5. PRINCIPLES**

The following principles are encompassed in this policy:

- Safer Recruitment guidance will be followed at all stages of the recruitment process
- All applicants will receive fair treatment in line with current legislation
- A Job Description and Person Specification will be used. The Person Specification will specify the required knowledge, skills and experience needed for the job
- Selection will be based on a minimum of completed application form, shortlisting, interview, relevant skill tests where appropriate, satisfactory completion of all mandatory pre-recruitment checks. Appointments are subject to the receipt of two satisfactory references
- Suitability references will be sought for internal candidates. Internal references may be permissible when appropriate
- The candidates' suitability to work with children will be explored at interview
- The Equality Act (2010) makes it a requirement to make reasonable adjustments to the recruitment process if an applicant makes the employer aware that they have a

disability. This applies to the entire recruitment process, from advertisement to appointment

- All job applicants will be considered solely on their ability to do the job.

## **6. SAFER RECRUITMENT – RECRUITMENT AND SELECTION TRAINING**

It is a requirement of the School that at least one member of the interview panel has successfully completed the Safer Recruitment Training prior to the start of the recruitment process.

The School is committed to maintaining a minimum of two people with relevant, current training that will be regularly updated.

## **7. PRE-RECRUITMENT PROCESS**

The objective of the recruitment process is to attract, select and retain staff who will contribute positively and successfully to the future development of the School. The first experience an individual has is important; therefore the recruitment experience should be positive and all those responsible for recruiting will:

- Give successful applicants a clear understanding of the post and what is expected of them
- Seek to leave a positive image with unsuccessful applicants.

### **7.1. Job Description and Person Specification**

An accurate Job Description is required for all posts. A Person Specification, which is a profile of the necessary requirements for the post together with other desirable criteria and the assessment method, is also required for all positions. It should also include mention of the individual's responsibility for promoting and safeguarding the welfare of the children he/she/they is/are responsible for or comes into contact with.

### **7.2. Advertisement**

Statement of the School's commitment to safeguarding and promoting the welfare of children, and the need for the successful applicant to be DBS checked at the enhanced level. Short advertisements will not include the full statement but will refer applicants to the School's website where the full statement will be included on the Jobs page.

### **7.3. Information for Applicants**

This includes a copy of:

- The application form and notes for applicants which includes relevant information about the School and the recruitment process
- The Job Description and Person Specification
- A statement confirming the School's commitment to safeguarding
- It will also inform them that the School will carry out all relevant recruitment checks

### **7.4. Application Form**

A standard application form will be used to obtain a common set of core data from all applicants including full employment and education history and a Rehabilitation of Offender's Act Declaration Form.

## 8. INTERVIEWS

The interview will assess the merits of each candidate against the job requirements, and explore their suitability to work with children and young people. The selection process for people who will work with children will always include a face-to-face interview.

### Invitation to interview

The invitation to interview gives details about the arrangements for interviews, including time and place, directions to the venue and name of the interviewer(s).

The invitation will also detail any tasks the candidate is required to carry out for example:

- For teaching staff this will always include teaching an observed lesson
- For teaching assistants and admin staff this will be a suitable task
- For middle and senior managers, tasks will be appropriate to the position, such as preparing and delivering a presentation and undertaking intray-exercises

**All** candidates should be instructed to bring with them documentary evidence of their identity and of their right to work in the UK eg. a passport.

### Interview Panel

The candidate will be interviewed by a minimum of two interviewers, one of whom will have the necessary authority to make decisions about appointments. At least one member of the panel will have completed Safer Recruitment Training. Before the interviews, the interviewers will meet to decide on the interview content, questions and methods of assessment and the minimum required standard for the role. Interviewers will ensure that there is no conflict of interest and that equal opportunities principles are adhered to. Interview questions will not be of an unlawful discriminatory nature.

Interview notes will be kept on all candidates and lesson observation notes on teaching applicants. For unsuccessful candidates, these will be kept for a minimum of three months and no more than twelve months after the decision has been made. For successful candidates the interview notes are added to the individual's personnel file.

### Scope of the Interview

In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel will also explore:

- The candidate's attitude toward children
- Their ability to support the School's agenda for safeguarding and promoting the welfare of children
- Gaps in the candidate's employment history
- Concerns or discrepancies arising from the information provided by the candidate and/or a referee.

Unless references are obtained before the interview, the candidate will also be asked at interview if there is anything they wish to declare/discuss in light of the questions that have been (or will be) put to their referees.

## 9. PRE APPOINTMENT CHECKS

Current ISI Guidelines are used to determine whether the successful applicant will be engaged in *regulated activity* or not, and therefore which checks are appropriate.

The School adheres to the regulations and KCSIE, which provide a detailed list of the checks which are required for each new member of staff.

The following are included in 'staff': teachers, peripatetic teachers and coaches, part-time staff, students, administrative staff, caretakers and other ancillary staff, staff appointed from overseas, pupils paid to work at the School (for example as after-school carers).

The DfE permits schools to exercise professional discretion as to when self-employed people should be treated as 'staff' or as 'contractors'. As a rule of thumb, if the person is in regulated activity in the school they are treated as 'staff'. For a contractor where this is not clear a risk based decision will be made and a note recorded as evidence (eg a brief note on the SCR). *For further information on 'contractors' see section 17 below.*

### (i) Barred List

All candidates who are to be engaged in regulated activity **must** have a satisfactory Barred List check **before** they can begin regulated activity. Barring information is obtained as part of an enhanced criminal record check via the DBS.

### (ii) Enhanced DBS

A DBS certificate is a document containing details of a person's criminal record, including convictions, cautions, reprimands and warnings held on the Police National Computer. An enhanced disclosure may also contain details of information held on local police records which the police consider to be relevant to the workforce in which the person is applying for work.

The School carries out Enhanced DBS checks according to the table below and must always have sight of the original enhanced disclosure certificate, which will have been supplied to the applicant. (see DBS certificates not available). The School does not retain copies of DBS certificates for longer than 6 months.

In accordance with The Police Act 1997 no unauthorised disclosure of DBS certificates is allowed, including to a third party or a school inspector.

When a DBS check is required, the School may apply once an appointment has been made, even if that is more than 3 months before the applicant will start work. However, the School will adopt best practice and apply for a new enhanced disclosure within 3 months of the candidate taking up regulated activity.

### (iii) Identity checks for DBS

Photographic identity checks are made against an official document such as a passport or driving licence. Evidence of address is also required (for example, a utility bill, bank statement or similar).

#### **(iv) Medical fitness**

The School's Medical fitness form allows the School to satisfy itself of the medical fitness of staff to carry out the duties of the post applied for, and includes both physical and mental health.

The School is committed to make reasonable adjustments for any member of staff with disabilities.

#### **(v) Previous employment history/CV/References**

At least two written references will always be sought directly from the referees who should ideally be a senior person with appropriate authority (in a position to be aware of issues), not usually just a colleague. One reference should be from the candidate's current employer and, if applicable, the last educational establishment for whom they worked. The second reference may be a character reference where a second employment reference is not forthcoming or applicable. Where there is no current employer, verification of the most recent period of employment and reasons for leaving should be obtained. Such references will be supplemented by one or more others to address the suitability question. (ie: whether they are aware of any reason or have any concern that the applicant may be not suitable to work with children.)

References are sought on all successful candidates prior to taking up position. The references include a request for any reason why the applicant should not be employed for work with children and are checked on receipt to ensure that all specific questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate, for example if the answers are vague or if insufficient information is provided. Written references will also be compared for consistency with the information provided by the candidate on their application form. Any discrepancies will be taken up with the candidate and should be resolved satisfactorily, before the appointment is confirmed.

Checks of previous employment history should ascertain satisfactory reasons for any gaps in employment. The information provided by the candidate is checked against references subsequently received, and any discrepancies taken up with the candidate. Application Forms are also scrutinised for any time when the candidate has lived or worked overseas. If this is the case the procedures in (vii) will apply.

References should be addressed to the School. Open references, for example in the form of 'to whom it may concern' testimonials, are not acceptable nor will the School only rely on information provided by the candidate as part of the application process without verifying that the information is correct.

References not received in good time before appointment are chased and alternative referees approached if needed. For minimum compliance purposes, written references should be received before the person starts work. Should this not be practicable, for example, for an appointment made at short notice, the Head may give permission for a reference to be taken over the telephone by a suitably senior member of staff. If a reference

is taken over the telephone, for evidential purposes detailed notes must be taken, dated and signed, and make clear who was spoken to. Confirmation must be given and recorded that there is no reason why the candidate should not work with children. Unless there is good reason not to, a written and signed reference from the referee should still be sought.

The School verifies that electronic references originate from a legitimate source.

Extra references are requested for applicants from countries which do not provide criminal record checks.

**(vi) Qualifications, where appropriate**

Where an appointment is dependent on an applicant's qualifications, such qualifications will be checked in advance of appointment.

**(vii) Overseas checks, where appropriate**

If, because of a person 'living or having lived' outside of the UK, a DBS check is not considered sufficient to establish suitability to work in a school, the School will carry out 'such further checks as considered appropriate, having regard to any guidance issued by the [DfE]'. Such checks must be completed before the person starts work. This applies where relevant both to foreign nationals and UK nationals returning from overseas.

The School will check those who have lived or worked overseas for 3 months or more (whether continuously or in total) in the last 5 years where reasonably possible.

In the absence of a response from official sources overseas before the person starts work, the School will seek alternative "further checks" before the person starts work, eg. additional references .

**(viii) Right to work in the UK**

All candidates have their right to work in the UK checked before they take up appointment. Should the applicant be on a visa, the details and length of the visa will be checked carefully.

**(ix) Prohibition from teaching orders**

The School will always check Qualified Teacher Status or equivalent for teaching positions. The School policy is to check that anyone employed to carry out teaching work is not subject to a Prohibition Order issued by the Secretary of State.

Teaching Assistants may also need Prohibition Checks as it is likely that there will be occasions when they cover for a colleague and are unsupervised. The School will therefore decide on a case by case basis, in the light of their own practice relating to Teaching Assistants, whether these assistants require Prohibition Checks. Similar reasoning would also apply to those employed as sports coaches and similar posts.

**(x) Prohibition from Management of independent schools directions (also known as "section 128 directions")**

Staff appointed, both internally and externally, to management positions are checked against s.128 direction. The following staff are considered to be in management positions for the purpose of this check:

- Heads
- All staff on the Senior Leadership Team (including non-teaching staff)

- Teaching positions with departmental leadership positions
- Governors

#### **(xi) Disqualification under the Childcare Act 2006**

This Act relates to staff working in the Early Years (EYFS) and those involved in childcare for children under the age of eight in before and after-school settings. At Kew College Prep, all staff could potentially work with EYFS children.

We ask for declarations from any member of staff who we believe could potentially be asked to work with children in EYFS and any clubs providers who will be operating clubs for children under the age of 8 to self-declare that they are not “disqualified” from childcare. The declaration will be held with the safeguarding training records where consent to retain the declaration is obtained.

#### **(xii) Transfer of employees under TUPE**

If there is continuous employment under TUPE arrangements (e.g. through a change of cleaning company) there is a requirement for information to be passed on to the new owner. If the details are fully in order, the School as the new employer enters them on the SCR, including the number and the date of the DBS checks, and adds a note to the register that the details have been accepted under the TUPE arrangements. There must have been less than a three month break in employment. However, if the information is incomplete, it is necessary to undertake a new DBS check and to include all the other necessary checks.

### **8. DBS CERTIFICATE NOT AVAILABLE BEFORE THE EMPLOYEE COMMENCES WORK**

If the DBS certificate is not yet available before the person starts in regulated activity, the Head has the discretion to allow a member of staff to commence work if;

- The Barred List check has been undertaken and is satisfactory
- All other relevant checks have been completed satisfactorily
- The DBS application has been made in advance
- Appropriate safeguards, which are determined through risk assessment are taken (eg loose supervision) and the matter will be reviewed every two weeks.

### **9. RECORDING OF CHECKS**

Progress of the pre-appointment checks for each appointment is tracked.

All required checks will be:-

- documented
- recorded on the Single Central Register of Appointments (other than (xi) and (xii), and
- followed up where they are unsatisfactory or there are discrepancies in the information provided.

Checks (iv) – (viii) and check (xii) will be retained on the personnel file and check (xi) will be retained with the safeguarding training records.



**NB:** The facts must be reported to the police and/or the Independent Safeguarding Authority where:

- the DBS disclosure shows they have been disqualified from working with children by a court or
- an applicant has provided materially false information in, or in support of, their application or
- there are serious concerns about an applicant's suitability to work with children.

## **10. HANDLING AND SAFEKEEPING OF DBS CERTIFICATE INFORMATION**

The School's policy is to observe the guidance issued or supported by the DBS on the correct use, storage, retention and disposal of certificates and certificate information. The School does not retain copies of the DBS certificate once a decision has been made whether or not to appoint and the relevant information has been recorded on the SCR (see 11 below).

The School will only use certificate information for the specific purpose for which it was requested and:

- ensure that any disclosure information is shredded and
- prohibit the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates.

## **11. SINGLE CENTRAL REGISTER OF APPOINTMENTS**

Kew College Prep maintains a Single Central Register (SCR) with an entry for all those engaged in Regulated Activity (see 9 above) at the School. In addition, an entry is made for all Governors.

For those in Regulated Activity, the Single Central Register shows the date of the following checks and the initials of the checker where applicable. In relation to every person in Regulated Activity appointed on or after 1 May 2007, the following is entered in the SCR:

- Identity check
- Barred List check
- Prohibition Order check
- Prohibition for Management check where appropriate
- Qualifications where appropriate
- Enhanced DBS check (number and date actual certificate seen)
- Right to work in the UK
- Overseas checks where appropriate

The SCR notes the date on which each check was completed.

In addition, the following checks, whilst not obliged to be recorded on the SCR, are recorded by the School:

- Application form or CV
- Medical declaration
- References

**Transfers under TUPE** will also be recorded on the SCR to enable a note of all checks to be recorded in one place.

For **School Governors**, the SCR contains the following information:

- Enhanced disclosure
- Barred List check for those in regulated activity
- Identity
- Right to work in the UK
- Prohibition from management of independent schools (from Aug 2015).

(NB. Neither the prohibition from teaching check nor the overseas check are applicable for School Governors).

See also **Supply Staff and Contractors** (below)

See also **Visiting Speakers** (below)

The SCR contains an entry for all current members of **staff** at the school but also retains the record of those who may have left since the start of the academic year. At the end of each academic year, the details of staff leavers is archived and retained until no more than 3 years after the next inspection.

For the Chair of Governors, the procedures detailed in the current ISI Handbook for the Inspection of Schools are followed, and the DBS clearance will be countersigned by the Secretary of State.

Should the School renew any checks these must not overwrite the original entry but comment may be entered under the 'notes' section and copies (where permitted) kept in personnel files. The reason for a new check may be for a member of staff who subscribes to the DBS update service, when a staff role changes or on review of the SCR.

## 12. PRIOR TO START DATE

The Head will see the new employee's staff file and the SCR to ensure that all the requisite checks (i) – (xii) above have been received. All such checks except the Enhanced DBS certificate must have been received before any employee can start work. Should the DBS certificate or a second reference not have been received the Head may allow the employee to start work providing the arrangements in paragraph 8 are followed.

For employees of contractors and visiting speakers, see below.

## 13. POST APPOINTMENT INDUCTION

There will be an induction programme for all staff newly appointed to the School, regardless of previous experience. See **Staff Induction Procedure**.

## 14. SUPPLY STAFF

Kew College Prep occasionally uses supply agencies to provide teaching and non-teaching staff. The School will only use a reputable supply agency which has rigorous employment procedures.

The School confirms with the relevant supply agency that the required checks have been carried out to the extent relevant to that person. The SCR must contain the same entries for supply staff as it does for the School's own employees as set out in paragraph 13 above. The SCR will record the date that the confirmation of each check was received from the supply agency.

On arrival at the School for the first time, the supply staff member must show a photographic identity document and a copy of the enhanced DBS certificate.

The School is not required to retain a copy of identity documents on file but should retain the information from the supply agency until after the next inspection.

## 15. CONTRACTORS

### **This applies to contractors working in school whilst children are on the premises**

#### **(i) Employees of contractors**

Employees of contractors who are working at the School on a long term basis while children are present (caterers, cleaners, et al) will be subject to the same checks as School staff with written confirmation supplied by the employing organisation. The School must check identity on arrival and must carry out a Barred List check immediately before the start date.

Where the employees of contractors such as builders will have access to areas where unsupervised contact with children is possible, the School has arrangements in place to ensure that DBS checks are undertaken by the contractor. Before a new individual starts work, the School should receive confirmation from the company that the required checks have been undertaken. The School will carry out a Barred List check and check photographic identification on arrival at the School. The School will keep records of the confirmations from the contractor, to be checked on inspection as part of the School having regard to safeguarding guidance.

Where an external contractor does not have access to the necessary databases to do the relevant checks, the School will undertake the missing check(s) themselves, such as prohibition from teaching, where it applies.

Employees of a contractor who provides after school activities to pupils are in regulated activity and the same pre recruitment checks need to have been undertaken before they are employed at the school as for teaching staff. Their employer needs to confirm in writing that their identity, qualifications, right to work in the UK, employment record including living or working overseas, references and medical fitness have been checked. They will also need a prohibition from teaching check that the school may undertake if necessary. The School will require sight of their photographic ID and DBS clearance, including any equivalent clearance from overseas, and will run a barred list check.

#### **(ii) Self-employed contractors**

Self-employed contractors should generally be checked by their professional associations. This is because it is not possible for self-employed people to check themselves but professional associations usually assist, to enable their members to access work. If the self-employed person subscribes to the DBS update service, the School will check identity, view the original certificate and check online for updated information.

**(iii) Occasional/temporary contractors**

The Protection of Freedoms Act 2012 carved out an exception to the definition of regulated activity for occasional and temporary contractors who are not involved in teaching/training etc or personal care. The exception is intended to enable schools to employ emergency workmen but has been used also for professional musicians at Christmas, for example.

KCSIE advises that in the absence of statutory definitions, it is for the School to determine when contractors are occasional or temporary, and therefore whether or not they are working in regulated activity. Such decisions should always be referred to the Head. If the Head decides the workers are not in regulated activity a Barred List check will not be required, but if their work gives them opportunity for regular contact with children, KCSIE stipulates that an enhanced DBS check without Barred List information will be required. Where workers are not frequent or regular, the School risk assesses whether a DBS check is necessary and proceeds accordingly.

If it is not possible to find workers at short notice who have already been checked, the discretion permitted in relation to occasional or temporary contractors must be exercised in good faith. This will entail the issue being considered at the time of the work and the School will retain a note of the basis of a decision not to carry out checks which will form part of the audit-trail for inspectors.

**(iv) Supervision of contractors.**

It is recognised that it is not normally practicable for the School to provide supervision of contractors making emergency repairs by a qualified person at the same level as for volunteers. KCSIE clarifies that while unchecked contractors should under no circumstances be allowed to work unsupervised, schools are responsible for determining the appropriate level of supervision depending on the circumstances. The School will endeavour to find contractors where staff have been checked.

As outlined above, the School ensures where there is a need for checks that the written confirmation of checks by the contractor company should contain some detail in terms of names of employees, checks and dates; an un-particularised assertion that 'we check all staff' would not suffice.

**16. VOLUNTEERS**

There is no set formula for the vetting of volunteers, unless they **are in regulated activity**. The arrangements for volunteers will vary by individual and activity. The School must, therefore, assess whether the individual will be in regulated activity.

When volunteers are supervised, they do not fall within the definition of regulated activity and so Barred List checks would not be available or required. This is so no matter how frequently or regularly an individual is a volunteer. The exception would be for volunteers carrying out 'personal care'; 'personal care' is always regulated activity. Even where a volunteer is not in regulated activity we will carry out additional checks if deemed necessary.

**An unsupervised volunteer, whose presence is frequent and regular, is in regulated activity** and the School will obtain an enhanced DBS certificate with Barred List information.

If in doubt the current ISI Handbook on Regulatory Requirements should be consulted or a direct enquiry to ISI made.

'One-off' volunteers, for day outings, school concerts and such would not require vetting checks but they should not be unsupervised or must not undertake any kind of personal care.

Existing volunteers (prior to April 2014) should have been checked as required at the time of appointment. The School will consider obtaining new checks if there are concerns.

## 17. WORK EXPERIENCE

Occasionally past pupils or others come to the School on Work Experience. KCSIE suggests that Barred List checks by the DBS might be required on some people who supervise a child under the age of sixteen on Work Experience Placement. All staff at Kew College Prep who supervise children on Work Experience are in regulated employment and consequently no further checks are required. All Work Experience Placements involving children of school age are risk assessed for the benefit of the child on Work Experience.

In addition, all persons on work experience who are still themselves of school age are fully supervised during their work experience placement and as such do not require a DBS. For other persons on Work Experience Placements, please see "Volunteers" on section 17 above.

## 18. VISITING SPEAKERS

The *Prevent* statutory guidance requires that the School has clear protocols for ensuring that any visiting speakers who might fall within the scope of the *Prevent* duty, whether invited by staff or pupils, are suitable and appropriately supervised. At Kew College Prep, **Speakers are always supervised.**

Before the visit occurs, identity checks are carried out and the School keeps a record as to how the individual and/or organisation were selected.

Should these checks give rise to any concerns, the Head and the DSL must be informed immediately.

<b>Approved by:</b>	<b>Updated by:</b>
Name: Jane Bond	Name: Margaret Panayi
Title: Head	Title: HR Manager
Date: 10 Oct 2022	Date: 10 Oct 2022