



## ***St. Francis' College Safer Recruitment Policy and Procedures***

### **Introduction**

The 'College' refers to all the staff and pupils of the Prep department and Senior School which includes Early Years Foundation stage (EYFS), Pre-prep (Key Stage 1), Prep (Key Stage 2), and Senior School (Key Stages 3-5).

### **Rationale**

St Francis' College recognises that the welfare of its pupils is paramount and takes seriously its responsibility to safeguard and promote the welfare of the children and young people in its care. The College pays full regard to 'Keeping Children Safe in Education' DfE September 2022 and the ISI handbook for the Inspection of Schools – Regulatory Requirements September 2022 (National Minimum Standards for Boarding 14).

All children have the right to be safeguarded from harm or exploitation. College Governors, staff and volunteers understand the importance of working in partnership with pupils, their parents/carers and other agencies in order to promote children's welfare.

The purpose of this policy is to:

- afford protection for the pupils at St Francis' College;
- enable staff and volunteers to safeguard and promote the welfare of pupils; and
- promote a culture which makes the College a safer place to learn.

This policy applies to the Governors, Head, all staff (including supply and peripatetic staff), volunteers and anyone working on behalf of St Francis' College.

The College is committed to safeguarding children and young people. The College:

- values them, listens to and respects them;
- makes sure all staff and volunteers are aware of and committed to the Safeguarding Policy and Procedures;
- shares information about concerns with agencies who need to know and involving children and their parents/carers appropriately;
- recruits staff and volunteers safely, ensuring all necessary checks are made;
- has adopted a code of conduct for all staff and volunteers;

- has appointed a Designated Safeguarding Lead (DSL) and Deputy Designated Safeguarding Lead to have status and authority to take responsibility for child protection matters;
- provides effective management through induction, support and training and through ongoing, day-to-day management;
- ensures staff and volunteers understand about ‘whistle blowing’; and
- deals appropriately with allegations/concerns about staff or volunteers, in accordance with Government guidance and procedures.

Furthermore, Inspired Learning Group of which St Francis’ College is a part, has a nominated person with responsibility for child protection and safeguarding: Carrie Askew. The Head reports to the Board at least annually on child protection issues at the College.

### **Scope of this Policy**

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the College. In the Education (Independent School Standards) (England) Regulations 2016, 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 College shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. The College conducts identity checks on agency and contract workers on arrival in College and, in the case of agency workers, the College must be provided with a copy of the DBS check for such staff.

Any staff who TUPE transfer into the College’s staff, will be required to undertake the statutory requirements with regards to safer recruitment checks. If staff are transferred under TUPE (gap of three months or less and information is 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.

### **Safer Recruitment and Selection**

The College 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 concerning the College’s Application Form and recruitment process must be directed to the Human Resources Officer.

The College is committed to applying all appropriate measures to everyone who works in the College who is likely to be perceived by the pupils as a safe and trustworthy adult. Safer recruitment practice includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining and verifying professional references, checking previous employment history (including accounting for gaps in employment) and ensuring candidates have the health and physical capacity for the job. It also includes undertaking interviews and obtaining and Disclosure and Barring Service (DBS) check and completing a Staff Disqualification Declaration form. All procedures follow the recommendations of KCSIE (September 2022).

The barring side of the DBS provides expert caseworkers who process referrals about individuals who have harmed or pose a risk of harm to children and/or vulnerable groups. A barred person will not be engaged by the College to carry out any regulated activity and a referral will be made to DBS if the College believes a person has caused harm or poses a future risk of harm to children. In addition, the College (from 3 April 2014) will now check that teachers are not subject to a Prohibition Order issued by the DfE. This check will be undertaken using employer Access Online. The College will confirm that this check has been carried out and noted on the single central register.

The College is committed to keep an up-to-date, single, central record of recruitment detailing a range of checks carried out on staff. All current members of staff at the College, members of the Governing Board and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

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

The following have undertaken certified Safer Recruitment in Education training:

- Mr J Sample
- Mr J Nichols
- Ms C Eames

One of the above will be involved in all staff and volunteer appointments.

Authorised By	B Goulding
Effective From	September 2022
Next Review Due	September 2023

## **Appendix 1**

### **Procedures**

#### **Application Form**

The College 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 College will make candidates aware that all posts in the College 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.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the College with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the College shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Head or Bursar. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Head or Bursar for advice.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the College. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position. Additionally, successful applicants should be aware that they are required to notify the College 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.

<https://www.gov.uk/government/publications/dbs-application-forms-guide-for-applicants>

The Disqualification under the Childcare Act 2006 (Regulations 2018) apply to those providing early years childcare or later years' childcare, including before College and after College 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 College 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 College immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

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

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

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made the offer will be subject to a Prevent duty risk assessment [more guidance for schools from the DfE on this can be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)

If the candidate is currently working with children, on either a paid or voluntary basis, the College 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 College will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the College will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the College may request character references which may include references from the candidate's College 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 College if they have been appointed, and a possible referral to the police and/or DBS.

Please be aware that the College may undertake online searches as part of our due diligence on shortlisted candidates.

### **Invitation to Interview**

The College will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. At least two people will carry out the short-listing process. 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 or 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 College 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 College of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

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

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
4. A separate barred list check if an individual will start work in regulated activity before the DBS certificate is available.
5. All applicants (for any role) who have lived or worked in any country overseas (since the age of 16) must have all the checks as for other staff (including a UK DBS check) plus any additional checks the school considers appropriate. In accordance with Keeping Children Safe in Education (2021), these additional checks could include where available an overseas criminal record check. In addition, for those who are taking teaching roles, the additional checks could include a letter of professional standing. Where the successful candidate has worked or been resident overseas such further checks and confirmations as the College may consider appropriate so that the relevant outside the UK can be considered. This will include the candidate providing proof of their past conduct as a teacher in the form of a letter of professional standing from the regulatory authority in the country in which they have worked.
6. Satisfactory medical fitness.
7. Verification of Professional Qualifications as appropriate. The Teachers' Services system will be used to verify QTS (Qualified Teachers Status) and the completions of induction or probation.
8. Confirmation from you that you are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2018 or a receipt of a signed Staff Suitability Declaration form showing that you are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2018.

9. Where the successful candidate will be taking part in the management of the College, 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 College'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 College in strictest confidence. 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, layout of the College.

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

## **References**

The College will seek the references referred to in section 1 above for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. If the candidate does not wish the College to take up references in advance of the interview, they should notify the College at the time of applying.

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

The College 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.

## **Criminal Records Policy**

The College 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 College 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 College will accept a check from another educational institution which are as follows:

Where the new member of staff ("M") has worked in: -

- (a) A College or a maintained College in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained College 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.

During a period which ended not more than 3 months before 'M's appointment.

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

#### DBS Update Service

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

#### *If disclosure is delayed*

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, 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, supervision);
- Safeguards reviewed at least every two weeks;
- The person in question is informed what these safeguards are;
- 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.

#### **Retention and Security of Records**

The College 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 and GDPR. Copies of DBS certificates will not be retained for longer than 6 months.

The College will comply with its data protection obligations in respect of the processing of criminal records information.



## Appendix 2

### Policy on the Recruitment of Ex-Offenders

The College will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The College 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 College. 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 College 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 College 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 College to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Childcare (Disqualification) Regulations 2006 (June 2016).

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

- the College receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- the College 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 College will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the College'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 College'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 College's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.