Recruitment Policy and Procedure

Introduction

Davenies is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people whilst offering a supportive and versatile working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The Governing Body is aware of its responsibility for appointing suitably qualified teaching and support staff. The Governing Body has delegated its power to appoint any member of staff at Davenies to the Headmaster and/or the Bursar.

This Policy is made available to all applicants on the '*career opportunities*' page of the School's website. All queries regarding the School's application and recruitment process should be directed to the Bursar.

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 equitably and consistently, and that no job applicant is treated unfairly by reason of a protected characteristic as defined within the *Equality Act 2010* (see *Equality Policy).*
- To ensure compliance with current legislation, the recommendations and guidance of the government and other appropriate authorities such as the Disclosure and Barring Service (DBS), including the statutory guidance published by the Department for Education (DfE) "*Working together to Safeguard Children*" (December 2023) and "*Keeping Children Safe in Education*" (September 2024) ('KCSIE') (together 'the Guidance').
- To ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks (see our *Safeguarding Policy*).
- To adopt recruitment procedures that help deter, reject or identify people who might abuse or pose a threat to children.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this Policy.

Recruitment and Selection Procedure

The following pro forma wording is included in all our recruitment adverts:

> *"*Child Protection is always a top priority at Davenies. Davenies is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people whilst offering a supportive working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment. Child protection screening applies to all staff appointments within the school, including Enhanced DBS Certificate, Barred Lists check, and checks against the Teacher and Management Prohibition Lists.*"*

Job vacancies are advertised on the School's website, and where appropriate, on other suitable recruitment websites e.g. TES. A Job Description and Person Specification will be made available for any job advertised which will include details of the post holder's individual responsibility to safeguard and promote the wellbeing of children, and the qualities we would expect such an individual to hold in order to achieve this. There will also be details of how to access the School's *Safeguarding Policy* and this *Recruitment Policy and Procedure*.

Application

All applicants will be required to complete a standard Teaching Staff or Support Staff Application Form containing questions about academic and employment history, and suitability for the role. The School will only accept applications from candidates completing the relevant Application Form in full, and any incomplete Application Forms will be returned to the Applicant where the deadline has not passed. A Curriculum Vitae will not be accepted in place of the completed Application Form but may be submitted in addition to, unless good reason is provided and approved by the Headmaster or the Bursar.

Within the Application Form applicants are asked to confidentially (on a separate sheet) detail any criminal convictions, cautions or warnings (including pending) and to confirm whether they are disqualified from working with children under the Childcare Act 2006.

The Applicant may then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

As recommended by KCSIE recommendations for potential new staff are advised to be subject to a digital screening at this stage: 'As part of the shortlisting process, schools and colleges should consider carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview'.

Interviews

For child protection reasons, any interview panel will consist of at least two persons. Most members of the Senior Leadership Team (SLT) and the HR Manager have received training in safer recruitment practices. At least one of these individuals will be on any interview panel, together with the Head of the Department the post will be in, Line Manager, or another appropriate member of staff.

Interviews via video link (e.g. *Zoom* or *Teams*) will only take place where the selection process involves stages and the candidate will be interviewed in person if shortlisted to the next stage, or in exceptional circumstances, e.g. time of pandemic lockdowns.

Teaching and Teaching Support Staff

The interview will be conducted by two members of staff, usually a member of the SLT and a Head from the relevant Department. In addition to the interview itself candidates will be asked to partake in other selection techniques which may include: written exercises, team scenario interaction, presentation, role play or supervised activity with children. Teaching Staff will be also required to teach a lesson which will be observed by a senior member of staff with relevant knowledge or experience. A tour of the School will also be given.

Non-Teaching Staff

The interview will usually be conducted by the Bursar with another member of the SLT, or other appropriate member of staff if relevant. In addition to the interview itself candidates may be asked to partake in other selection techniques which may include: written exercises, team scenario interaction, presentation, role play or supervised activity with children. A tour of the School will also be given.

All interviewees are asked to bring with them to interview three forms of identification from the School's *Safer Recruitment Identity Documents* list, along with documents confirming any educational and professional qualifications that are necessary or relevant for the post.

Offer of Employment

The School will act reasonably in making decisions about the suitability of the prospective employee based on checks and evidence, including criminal record checks, barred list checks and prohibition checks with references and interview information.

If the School decides to make an offer of employment following the formal interview, any such offer will be conditional upon:

- receipt of two satisfactory references, if these have not already been obtained prior to interview
- sight of a disclosure certificate following an enhanced DBS check with barred list information (if the latter has not already been obtained individually), the results of which the School is satisfied with
- a check against the Teacher Prohibition Order issued by the Secretary of State
- a check of the Prohibition from Management s.128 direction list
- completion of a *Health Questionnaire* as assurance of health, and physical and mental capacity to undertake their role

See below for further information about these checks

Once an offer is accepted and all the above conditions are met, the Applicant will be issued with a Contract of Employment incorporating the School's standard terms and conditions of employment, as confirmation of appointment.

Pre-Employment and Safeguarding Checks

In accordance with the recommendations set out in the Guidance, and the requirements of the Education (Independent School Standards) (England) Regulations 2014, the School carries out a number of pre-employment checks in respect of all prospective employees. The School also maintains a register of these checks as required, the **Staff Central Register** (SCR). With regard to *KCSIE, Part Three: Safer Recruitment* the SCR includes all individuals who work in regular contact with children, including volunteers and those employed by third parties, e.g. contract catering staff.

The School gives regard to the *Protection of Freedoms Act 2012* in ensuring vetting checks are only carried out for those in regulated activity, or where relevant.

All pre-employment and safeguarding checks are carried out by the HR Manager unless stated otherwise. The HR Manager will only share information from these checks with senior members of staff who are involved in the selection process for a position.

Staff: Teaching Staff and Support Staff, including Part-Time and Temporary Staff

Verification of Identity, Address, Right to Work in the UK, Qualifications and Date of Birth

All Applicants who are invited to an interview will be required to bring 3 documents from the School's *Safer Recruitment Identity Documents* list as evidence of identity, address, and right to work in the UK. These ID documents are photocopied and kept on file to be used by the HR Manager in the verification of ID section of the DBS application of the successful candidate (further information can be found within the *DBS ID checking guidelines* on www.gov.uk). Applicants are also required to bring original documents confirming any relevant educational and professional qualifications referred to in their Application Form. Photocopies of these original documents will be taken and kept on the Applicant's file.

The School requests the date of birth of all applicants (and for proof of this by sight of the original birth certificate) in accordance with the Guidance. Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. Davenies does not discriminate on the grounds of age.

References

The School will endeavour to take up references on short listed candidates prior to interview.

All formal offers of employment will be subject to the receipt of a minimum of two written satisfactory references, one of which must be from the Applicant's current employer, to confirm factual and objective information set out in their Application Form to support appointment decisions. If there is no current employer, verification of the most recent period of employment and reasons for leaving will be sought/obtained. For teaching and teaching assistant roles, 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. References should be from a senior person with 'appropriate' authority and neither referee should be a relative or someone known to the Applicant solely as a friend. Whilst the Applicant is asked to provide contact details for two referees on our Application Form, the School reserves the right to contact any previous employer for a reference.

All referees will be asked whether they believe the Applicant is suitable for the job for which they have applied, whether the Applicant has been the subject of any safeguarding concerns and whether they are aware of any reason of have any concern that the applicant may be not suitable to work with children, as a minimum. All referees will be sent a copy of the *Job Description* and *Person Specification* for the role, together with a standard *Reference Request* form either for Teaching Staff or for Support Staff. 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 and duties, reason for leaving, performance and disciplinary record
- Whether the Applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired)
- Whether any allegations or concerns have been raised about the Applicant which relate to the safety and welfare of children or young people or behaviour towards children or young people

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the Applicant. Any information provided directly by the candidate must be verified.

Where a reference confirms only that an individual worked for a certain company between certain dates, this will still be considered to confirm an element of an applicant's employment history and whereabouts for a period. However, such a reference must be supplemented by one or more others to address the suitability question.

If all questions have not been answered or the reference is vague or unspecific, the School will contact the referee to ask them to provide written answers or amplification as appropriate. The School may also contact a referee to confirm the contents of a reference.

The School will verify that any electronic references originate from a legitimate source and that all references are scrutinised against the information given on the application form. Any discrepancies, inconsistencies or concerns in the information will be taken up with the Applicant at interview, or before confirmation of an appointment, including for internal candidates. Any information about past disciplinary action or allegations that are disclosed should be considered carefully when assessing the applicant's suitability for the post.

The School will endeavour to obtain suitability references for internal candidates, where the position would involve a complete change in job role and not just an additional responsibility. In the event of obtaining references for internal candidates, the School may enquire of current colleagues whether they have any suitability concerns, particularly where former colleagues or employers are uncontactable due to passage of time, as recommended under KCSIE.

Safeguarding Checks

Disclosure and Barring Service (DBS)

Owing to the nature of the environment, the School obtains an enhanced disclosure from the DBS in respect of all staff members and governors; and all volunteers who currently assist under the definition of 'Regulated Activity'. Applications are made online by the HR Manager via the Umbrella Body *Atlantic Data Ltd*.

As best practice, the School will commence the application for a DBS check once an offer of appointment has been accepted, and within 3 months of the date employment is due to commence, where possible. Any offer of employment made will be subject to sight of the enhanced DBS certificate.

As EYFS Providers the School obtains an enhanced DBS Disclosure for every person over 16 who:

- Works directly with the (EYFS) children
- Lives on the premises on which the childcare is provided
- Works on the premises on which the childcare is provided

An enhanced disclosure is a document containing details of a person's criminal record, including convictions (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974), cautions, reprimands or warnings held on the Police National Computer. An enhanced disclosure may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

As the DBS no longer automatically issues a copy of the Applicants DBS certificate to the School via the Umbrella Body, the Applicant will be required to produce the original certificate for photocopying by the School prior to their appointment. Copy DBS certificates will not be retained on file for longer than six months, and will be securely destroyed.

If there is a delay in receiving the results of a DBS check, where the application has been completed and submitted in adequate time, the Headmaster may use his discretion to allow an individual to begin work pending receipt of the disclosure. This will only be permitted where all other checks have been completed, including a separate check of the DBS's Barred Lists, and once appropriate safeguards, e.g. supervision, have been put in place. The HR Manager will complete the school's *Pre-DBS Employment Risk Assessment* pro-forma and pass it to the Headmaster for approval, with a section for completion by the individual. The Risk Assessment will be retained on the individuals file and reviewed every two weeks, and the individual actively managed, until the DBS certificate has been issued and seen by the School. The staff member will be kept informed of the safeguards in place during this time, and a note will be added to the SCR.

Where an Applicant is registered with the **DBS Update Service** the School will, with the permission of the Applicant, carry out an online status check of their certificate and request sight of the original certificate. Provided the result is satisfactory the School may not obtain its own DBS Disclosure for the Applicant.

The School may use its discretion to accept an existing DBS certificate from a new employee under the '3-month rule', e.g. where they have come from another educational establishment with less than 3-months break in employment. The original certificate should be seen by the HR Manager, and a check of the Barred Lists must be conducted. However, as best practice, the School will normally apply for a new disclosure.

Further information about the Disclosure & Barring Service can be found on the government's website.

DBS Applications, including ID verification, are all handled by the HR Manager with the results only being seen by the HR Manager and brought to the attention of the Headmaster and/or the Bursar if necessary.

From January 2018 people who live or work in England will be able to apply online for a **'basic' criminal record check** through the DBS. Such checks may be taken into account by the School in assisting a risk-based decision when allowing individuals for whom more stringent checks are not required onsite, e.g. adhoc workmen who will not have contact with children.

Overseas Staff

An enhanced DBS check will be undertaken for Applicants living (at the time of application) or having lived outside the UK for 3 months or more in the last 5 years (where the individual was over the age of 16). The School will also carry out such further checks as is considered appropriate, with applicants being asked to provide further information, including a Certificate of Good Conduct from their local police force and/or the equivalent (as ascertained from The Home Office) of a DBS check from the individual's country of origin or any other countries in which they have lived for more than 3 months.

From 01 January 2021 UK schools are no longer able to undertake a check with the TRA on EU teaching staff to ascertain if the individual is subject to a prohibition or other restriction on teaching imposed by a country in the EEA. Teachers may be able to provide proof of their past conduct as a teacher, issued by the professional regulating authority in the country in which they worked. Where available, such evidence can be considered alongside other information to help assess their suitability.

Additional references will be requested for applicants from countries which do not provide any form of criminal record check and they will be asked to complete an additional self-disclosure form containing specific questions about criminal convictions, warnings, reprimands and a declaration that there is nothing they are aware of that would make them unsuitable to work with children. Where a successful Applicant has worked in a school in the UK since moving from overseas, without going back overseas, the School is not required to repeat the overseas checks for subsequent appointments under KSCIE. Successful applicants may also require additional supervision during induction at the discretion of the SLT.

Barred List Check

Whilst a check of the Barred List is usually obtained as part of an application for an 'Enhanced' Disclosure, the School will conduct a separate check of the Barred List where:

- A new DBS with barring information is required but has not been received in advance on an individual starting work at the School;
- A pre-existing enhanced DBS check is accepted under the three-month rule (see below); or
- A pre-existing enhanced DBS check without barring information is accepted from an individual who has subscribed to the DBS update service.

The School may also undertake a check of the Barred List prior to interview where an individual will be interacting with pupils, albeit supervised, e.g. an observed lesson at interview. The School has access to the

DfE's Teaching Regulation Agency's (TRA) Employer Access Service, from which the HR Manager can conduct an instant search of the Barred Lists.

Prohibitions, Directions, Sanctions & Restrictions

Teacher Prohibition Check

From April 2014 the School undertakes an additional check that an individual to be employed as a teacher, or appointed to teach, is not subject to a Prohibition Order (or disciplinary sanction imposed historically by GTCE) issued by the Secretary of State, using the DfE's Teacher Regulation Agency's (TRA) Employer Access Service to which the School is subscribed. A search is undertaken of an alphabetical list of those prohibited, it being irrelevant whether the individual has QTS or a Teacher Reference Number. From 01 September 2016, following a review of procedures and regulations, the School broadened its interpretation of those who teach to include Peripatetic Staff, Teaching Assistants, Sports Coaches, Extra-Curricular Activity Organisers and former teachers now employed as support staff, and from 01 December 2016 the School broadened the scope further to include all staff. These checks are carried out by the HR Manager.

Prohibition from Management Checks

Where the successful candidate will be taking part in the management of the School, there is a requirement for a check to 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, SLT, teaching Heads of Department, and Senior Support Staff. The check is carried out online by the HR Manager via TRA's Employer Access Service by an alphabetical search of the s.128 prohibition list and will also be disclosed as additional information on an enhanced DBS certificate which includes a barred list check. Whilst this check applies to all staff that fall within the above scope of Management and who were appointed on or after 12 August 2015, from 01 December 2016 the School will conduct a check of this list for all new members of staff, and also for existing staff promoted to management positions from September 2018.

Disqualification

KCSIE incorporates the statutory guidance *Disqualification under the Childcare Act* 2006, which relates to staff working in the early years and those involved in childcare for children under eight in before and after school settings ('relevant later years'). All applicants are asked whether they have been disqualified under the *Childcare Act 2006* within the school's template Application Forms, and new staff are asked to complete a Staff Disqualification Declaration as part of the appointment process. In addition, under clause 4 of staff contracts employees are required to inform the Headmaster or Bursar immediately of any circumstances that may impact their suitability to work with children, including but not limited to any disqualifications, convictions, charges or cautions for criminal offences. All staff are also asked to complete an Annual Staff Suitability Declaration via an electronic form, with the request that any staff with something to declare, do so immediately to the Headmaster or Bursar in confidence.

The requirement for checks in relation to Disqualification by Association were removed from September 2018.

Medical Fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at Davenies, **after** an offer of employment has been made but **before** an appointment is confirmed.

It is the School's practice that any Applicant to whom an offer of employment is made must complete a *Health Questionnaire*. The information contained in the *Health Questionnaire* will be reviewed by the HR Manager, and any relevant information will be brought to the attention of the Head, the Bursar, and/or the School Nurse, as deemed appropriate, and processed in accordance with the School's *Data Protection Notice - Staff*. This information will be reviewed against the Job Description and Person Specification for the particular role, together with details of any other physical, mental or emotional requirements of the role, i.e. proposed timetable, extra-curricular activities, layout of the School, etc. If the School Nurse has any concerns about an Applicant's fitness the School will consider reasonable adjustments in consultation with the Applicant. The School may also seek a further medical opinion from a specialist or request that an Applicant undertakes a full medical assessment.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn on the basis of health grounds without first consulting with the Applicant, obtaining medical evidence, and considering reasonable adjustments and/or suitable alternative employment.

Supply Staff

The School retains sufficient numbers of its own staff to provide supply on an urgent and as required basis. On the rare occasion that the School requires external supply staff we undertake only required checks that the agency has not already completed, having requested evidence that other checks have been undertaken, in addition to undertaking certain checks in duplicate for the School's own satisfaction. The School may accept, on sight of, a DBS certificate either acquired by the supply agency within 3 months of the candidates start date where the agency can confirm the individual has moved from one placement to the next without any breaks, or under the '3 month rule' where the individual has not left the education workforce. The School will conduct their own DBS Barred Lists check on all supply staff, and the identity of any supply staff will be checked by the School on the individual presenting themselves for work.

Governors

In line with current regulations, the appointment of a Governor is subject to the following recruitment checks and arrangements which are made before, or as soon as practicable after, a Governor is appointed:

- Identity check
- DBS check
- Right to work in the UK
- s.128 Prohibition from Management check

An enhanced DBS check made for the Chair of Governors must be applied for through the DfE and countersigned by the Secretary of State, this includes where an existing Governor is appointed Chair. Details of how to obtain a countersigned DBS check can be found on the ISI's Commentary on the Regulatory Requirements.

The Chair of Governors is responsible for ensuring that an enhanced DBS check, and all other required checks, are undertaken for all other members of the Governing Body. As Governors do not fall under the scope of Regulated Activity, we are not permitted to undertake a permitted Barred List Check. However, under s.128 we are required to carry out a 'Prohibition from Management' check as part of the DBS application or via TRA's Teacher Services.

Governors must also meet the Charity Commission's eligibility criteria for Trustees: Trustees must be at least 18 years old to be a charity trustee; Trustees must not be disqualified by law from acting as charity trustees. Subject to waiver provisions, this includes anyone who:

- has an unspent conviction for an offence involving dishonesty or deception;
- is currently declared bankrupt (or is subject to bankruptcy restrictions or an interim order) or has an individual voluntary agreement (IVA) with creditors;
- is disqualified from being a company director;
- has previously been removed as a trustee by either the commission or the High Court due to misconduct or mismanagement.

It is normally an offence to act as a trustee while disqualified unless the commission has given a waiver.

Individuals falling outside the definitions of Staff, Supply Staff and Governors

Staff not in Regulated Activity

Some staff, e.g. the PAC Sound and Lighting Technician, comes onto site on an infrequent basis and does not meet the definition of regulated activity. Such staff are supervised by suitably checked school staff and the full range of checks is therefore not required. However, they are still covered by KCSIE and therefore certain checks must still be undertaken. These arrangements and supervision are reviewed frequently to test their effectiveness in practice.

Volunteers

In the first instance the School will refer to the *Vetting Checks on Volunteers* table (see Appendix C) as provided within the ISI's Commentary on the Regulatory Requirements at Appendix 3.

Volunteers in Regulated Activity

In line with current regulations, where a volunteer provides a service that falls under the definition of "Regulated Activity" (as set out in Schedule 4 of the *Safeguarding Vulnerable Groups Act 2006* as amended by the *Protection of Freedoms Act 2012* – and defined at para. 117 of KCSIE, they will be required to undergo certain recruitment checks and arrangements, which are:

- Identity check
- Enhanced DBS check with barred list information
- Right to work in the UK
- 2 References
- Informal Interview

Volunteers not in Regulated Activity

Where volunteers are supervised in accordance with DfE guidance, the School does not consider them to fall within the definition of 'Regulated Activity' and so they would not require the same checks as above. However, they may still require other checks as required by DfE guidance and in particular KCSIE, and the School will use its professional judgement and experience when deciding which checks to seek. All such decisions must be recorded by way of a risk assessment and the School may choose to carry out an enhanced DBS check without barred list information in certain circumstances.

Where a parent volunteers to accompany a one-off daytime educational visit, or assists with a one-off activity within the school premises, both of which must fall under the supervision of the school's staff, the School will not normally undertake any checks or obtain an enhanced DBS certificate. However, such volunteers should not be left unsupervised nor undertake any kind of personal care of pupils. For the purposes of this category, supervision should be realistic. In deciding levels of supervision the School will have regard to statutory guidance (KCSIE) issued by the Secretary of State and will record details of any such risk assessment.

Work Experience

Young people on work experience are treated as supervised volunteers, and are not subject to vetting requirements as they will not be involved in regulated activity. However the school may undertake vetting checks on individuals over the age of 16. Please see the School's guide: *Work Experience @ Davenies* for further information.

Contract Staff

In accordance with DfE policy, the School exercises its professional discretion as to when other people 'employed' in School should be treated as 'staff' or as 'contractors', which typically depends on whether the individual is involved in 'Regulated Activity', but will be judged on a risk-based approach. The School will also give regard to the flowchart provided at page 60 of KCSIE – *see Appendix B*.

Where a service or activity falls under the supervision or management of our own school staff, e.g. **Peripatetic Staff** (music and LAMDA), any contract staff will be appointed using the School's protocol for staff appointments.

Self-employed people who are arranged by or are private employees of parents permitted to enter the School by agreement, are considered 'otherwise than under a contract'. The School will request sight of ID on their arrival, but parents are responsible for undertaking any vetting checks on the individual. Such individuals will only be permitted unsupervised access to the child of those parents, and must be supervised around any other pupils.

Where a regular service or activity falls under the supervision or management of a contract company (the Contractor), the Contractor must complete the same checks for their employees (contract staff) that the School is required to complete for its own staff. The School requires the Contractor to complete the school's forms: a *Safeguarding Agreement for Third Party Providers* form and a *Confirmation of Pre-Employment Safeguarding Checks* form as written confirmation by the Contractor that these checks have been completed before contract staff can commence work at the School. The School will check individual's photographic identity on arrival. Contractors falling under this category include:

- Catering – Thomas Franks ltd
- Cleaning – BBCS Ltd
- IT – CST Ltd

Extra-curricular activity staff can either be self-employed, or their employment is with a Contractor, which determines which checks the School undertakes. Self-employed individuals will be appointed using the School's protocol for staff appointments, whereas Contractors will complete checks on their own contract staff.

The School ensures that any building or maintenance work being undertaken on the school site either takes place during the school holidays, or is segregated from the day-to-day school activities and that workers do not come into contact with any pupils. Where emergency repair work is carried out, in accordance with KCSIE, the School will determine an appropriate level of supervision of unchecked workers.

Visiting Professionals

Individuals working at the School but employed by third parties, e.g. psychologists, therapists, sports referees and equivalent professionals are checked by their employing organisation. The School asks these individuals to provide photographic identification upon arrival. Where such individuals are working more closely with individual pupils, under arrangements between the specialist and the parents, e.g. psychologists, physiotherapists and therapists, the School may also request evidence of status or qualifications and sight of their most recent DBS certificate which they should hold given their professional capacity. The HR Manager keeps a record of information seen by the School.

Visiting Speakers and Organisations

Channel is a key element of the *Prevent* strategy. It is a multi-agency approach to protect people at risk from radicalisation. Channel is about safeguarding children and adults from being drawn into committing terrorist-related activity and is part of the Counter-Terrorism and Security Act 2015. It is about early intervention to protect and divert people away from the risk they face before illegality occurs. Through its schemes of work and extra-curricular activities, Davenies seek to provide balanced view points, providing its pupils with the necessary tools with which to make up their own minds about religious and political matters. We teach pupils to respect the rights of others.

Staff organising the visits of speakers, workshop leaders or organisations from outside the School take care, through on-line research and other means, in ensuring such visitors do not promote partisan or political views aimed at altering Government policy or the laws of this or another country. A form for visiting speakers or workshop leaders (*Prevent Duty – Visitor Form*) needs to be completed by the organising staff member, and checked and signed by a Designated Safeguarding Lead, at least two weeks before a visit is due. Forms must then be lodged with the HR Manager and kept on file.

On arrival at School they will be asked to show photographic identification as well as their most recent DBS certificate which they should hold given the nature of their work.

Those who do not require vetting checks

In accordance with ISI regulations and guidance, the School does not undertake vetting checks on:

- visitors to the Headmaster and other staff, or those who have only brief contact with children in the presence of a teacher
- visitors carrying out repairs or servicing equipment
- secondary school pupils (under 16) on work experience or similar
- supervised volunteers, unless undertaking person care
- those on the school site when pupils are not present
- individuals returning from maternity leave, sabbaticals or similar (e.g. furlough during times of pandemic) where continuity of employment is maintained (although the School may choose to renew checks)
- staff with zero-hours contracts that have continuity of service between periods of work

Re-Appointment of Staff

Where the school re-appointments an individual to a position within the school, whilst DBS, Barred Lists and other prohibition checks will need to be refreshed, the school will use a risk-based approach to deciding which other checks to renew, which will include consideration of the following:

- the passage of time since the previous appointment
- the role and nature of their work
- what is known about their whereabouts and activity during their time away
- previous disciplinary record and any concerns

In all cases the individual will be required to complete a *Return to Davenies Declaration* form.

Retention, Security of Records and Data Protection Obligations

Staff Central Register

In accordance with the *Education (Independent School Standards) Regulations 2014*, the School maintains a Staff Central Register (SCR) which records the appointment and all vetting checks carried out on all staff (including Governors and Volunteers) who work at Davenies. Electronic records of leaving staff are retained from the date of departure until the next inspection, after which they are removed.

Disclosure Information

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, but is under no obligation to do so.

In particular, the School will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to the Headmaster, the Bursar and the HR Manager;
- not retain DBS documentation or any associated correspondence for longer than is necessary: currently no longer than six months;
- ensure that any disclosure information destroyed is done so by suitably secure means such as shredding;
- prohibit the unnecessary printing, photocopying or scanning of any disclosure information.

The School complies with the provisions of the DBS Code of Practice, a copy of which is available on the DBS page of the Governments website.

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

The School will adhere to its legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, in line with KCSIE. Please see the School's *Safeguarding Policy* for further information on reporting staff.

For further information, see the School's *Data Protection Policy* and *Privacy Notice – Staff*.

Retention of Records

The School adheres to the *Education (Independent School Standards) (England) Regulations 2014* and GDPR (May 2018) for details of records that must be retained.

Under the requirements of KCSIE the School retains copies of identity documents, right to work, and qualification for all employees. The Immigration (Restrictions on Employment) Order 2007 requires the School to check and retain copies of passports, or alternatively birth/adoption certificates, belonging to employees appointed on or after 29 February 2008.

Where an Applicant is successful, the School will retain all recruitment information on his/her HR file. Staff files are kept for a minimum retention period of six years from the end of employment in accordance with current ISBA guidance.

Where an application is unsuccessful, all documentation relating to the application will be confidentially destroyed unless the Applicant has requested that the School keep their details on file for a period of six months.

Other Policies & Documentation

This Policy should be considered in conjunction with those policies and documentation already referred to within this document, and in particular with the School's *Safeguarding Policy*.

Updated: **September 2024 HR Manager**
Review: **September 2025, HR Manager**

APPENDIX A

Policy on Recruitment of Ex-Offenders

The School will not unfairly discriminate against any Applicant on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an Applicant has a criminal record this will not automatically bar him/her from employment within the School, unless the record resulted in the Applicant being placed on the DBS's barred lists. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All Applicants must therefore declare all previous convictions, including those which would normally be considered "spent", when applying for a position at the School. Failure to disclose a previous conviction may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of misconduct. Failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the School. The School will make a report to the DBS and to the Police, if:

- it receives an application from a barred person;
- it is provided with false information in or in support of an Applicant's application; or
- it has serious concerns about an Applicant's suitability to work with children.

Assessment Criteria & Procedure

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 DBS check, the School will consider the following factors before reaching a recruitment decision:

- Whether the conviction or other matter revealed is relevant to the position in question
- 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
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person

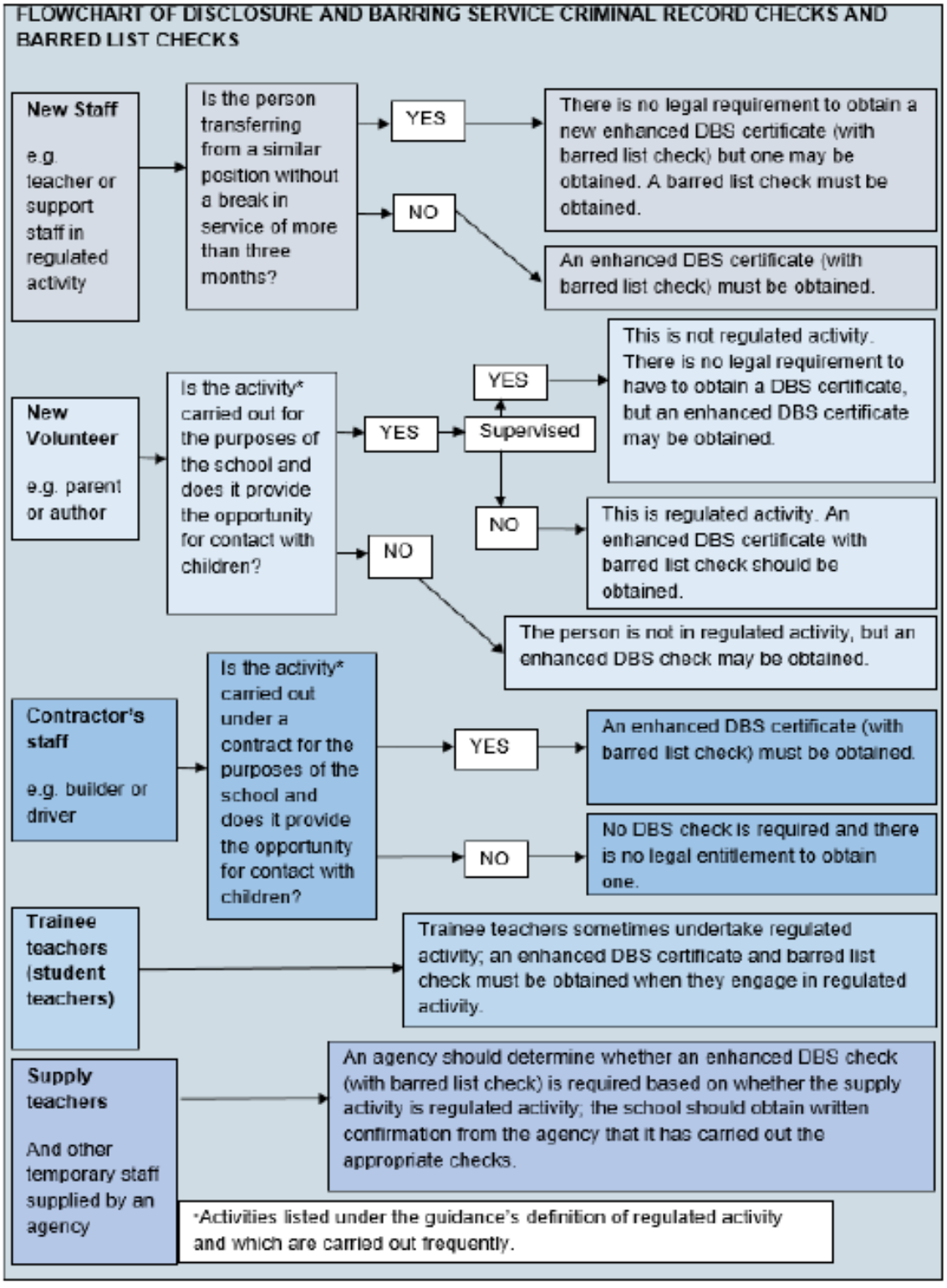
The School will then carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headmaster and the Bursar before a position is offered.

If an Applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS direct. In cases where the Applicant would otherwise be offered a position were it not for the disputed information, the School will, where practicable, defer a final decision about the appointment until the Applicant has had a reasonable opportunity to challenge the disclosure information.

APPENDIX B

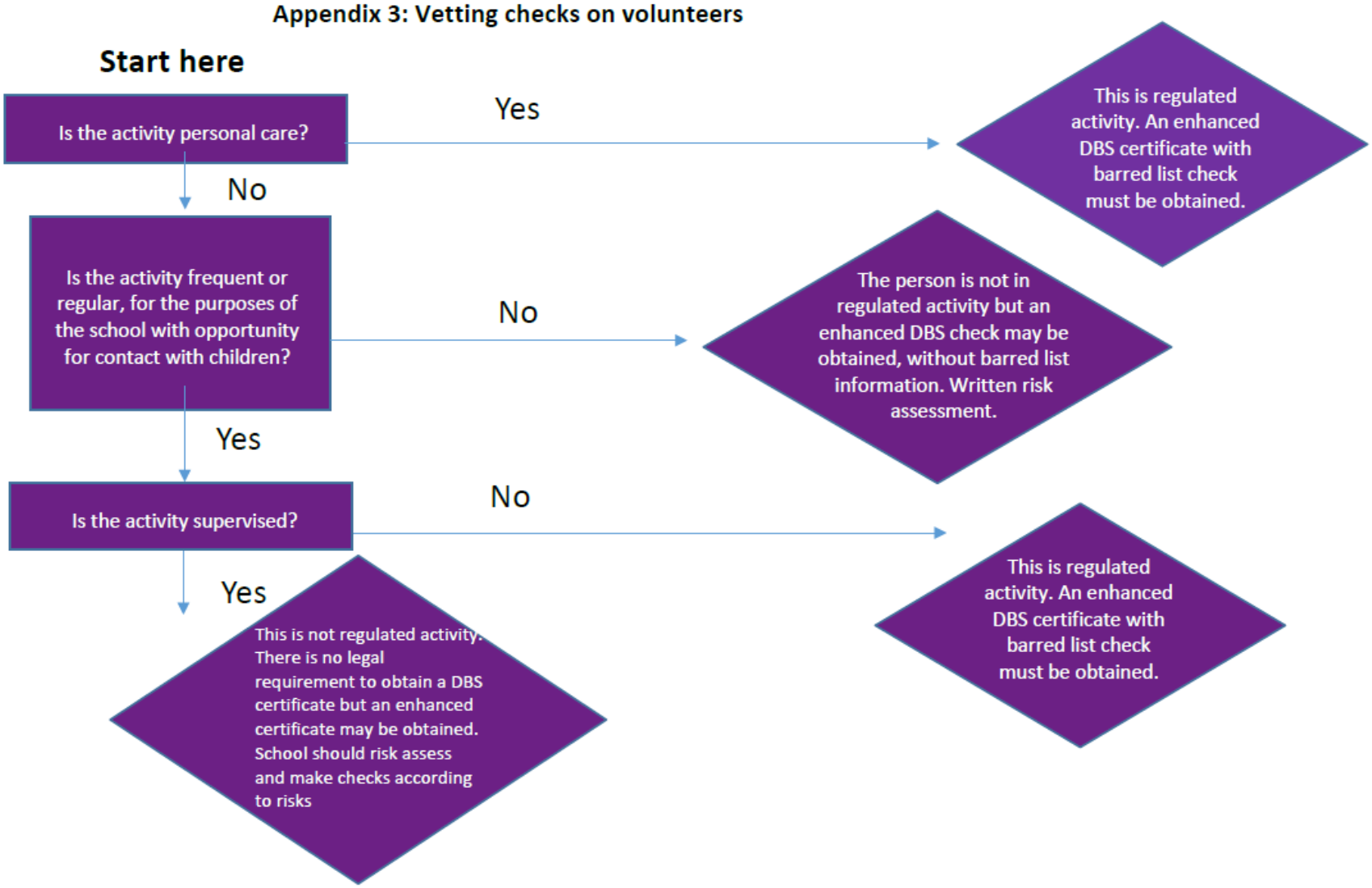
Flowchart of Disclosure and Barring Service
Criminal Record Checks and Barred List Checks
P.60, KCSIE (Sept 2024)

DAVENIES



APPENDIX C

Vetting Checks on Volunteers

From ISI Commentary on the Regulatory Requirements, Appendix 3 (Sept 2019)

DAVENIES