

# WHITGIFT SCHOOL

## SAFER RECRUITMENT POLICY

### Colleagues responsible for this policy:

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### 1. Policy Statement

Whitgift School is committed to providing the best possible education and care for its students, to safeguarding and promoting the welfare of young people in their care and to providing a supportive working environment. 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 purpose of this policy is to ensure:

- that the best possible staff are recruited based on their skills, experience, abilities and suitability for the position.
- that all job applicants are considered fairly, equally and consistently.
- no job applicant is treated unfairly on any grounds of a protected characteristic as defined by the Equality Act 2010 including race (incl. colour, nationality, ethnic or national origin), religion or religious belief, sex or sexual orientation, marital or civil partner status, gender, gender reassignment, disability or age.
- compliance with all relevant legislation, recommendations and guidance including the statutory guidance Keeping Children Safe in Education published by the Department for Education (DfE), the Prevent Duty Guidance for England and Wales 2023 (The Prevent Duty Guidance), Education (Independent School Standards) Regulations 2014 and any guidance or code of practice published by the Disclosure and Barring Service (DBS).
- that the School meets its commitment to safeguarding and promoting the welfare of children and young people by creating a culture of safe recruitment where all

necessary pre-employment checks are consistently carried out and recruitment process are conducted in a way which prevents and deters the recruitment of individuals who are unsuitable to work with children.

The policy is published on the School's website and available to all staff on Firefly (the School's internal information portal). Printed copies are also available from the School's Human Resources department upon request.

Employees involved in the recruitment and employment process receive appropriate safer recruitment training and are responsible for familiarising themselves and complying with the provisions of this policy.

Members of the Senior Leadership Team or the School's HR Department are available to provide advice relating to this policy.

## **2. Recruitment and Selection Procedure**

### **2.1 Authority to Recruit**

All appointments to the School require the written approval of the Headmaster or his designated deputy. For the avoidance of doubt, this includes the replacement of staff and newly identified posts on a permanent, fixed-term, temporary or casual basis.

### **2.2 Advertisement**

All posts will, wherever possible, be advertised via the 'Current Vacancies' webpage on the School website. Posts may also be advertised via local and/or national media from where interested candidates will be directed to the School website. All advertisements include a statement of the School's commitment to safeguarding and promoting the welfare of children, equal opportunities and make clear that safeguarding checks will be undertaken in respect of any applicant.

The following information is available from the School's website:

- further details outlining the core competencies and main duties and responsibilities of the post including personal responsibilities (e.g. sharing the School's safeguarding commitment),
- person specification detailing skills, experience, qualifications, relevant knowledge and suitability to work with children,
- a link to the School's Safeguarding and Child Protection Policy,
- a link to the School's Safer Recruitment Policy,
- statement of School's commitment to safeguarding and promoting the welfare of children and completion of all safeguarding checks prior to appointment,
- whether the post is exempt from the Rehabilitation of Offenders ACT (ROA) 1974.

### **2.3 Application**

All external applicants are required to complete the School's online application form asking them to provide the following details:

- personal details, current and former names, current address and national insurance number,
- present (or last) employment and reason for leaving,
- full employment history (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment,
- qualifications, the awarding body and any date of award,
- details of referees/references, and
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

As part of wider safeguarding checks, the School will complete online searches on shortlisted candidates some of which may be performed by a third-party screening provider. In the application form, applicants are required to acknowledge that they understand that such online searches might take place and are asked to provide details of any social media profile names or online presence they might have.

A curriculum vitae will not be accepted in place of a completed application form, but relevant documents or a curriculum vitae may be submitted in addition to the application.

The application pack includes a statement that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

Applications will be assessed on merit and in order of receipt. Therefore, interviews may be arranged at any stage. Incomplete applications will not be shortlisted. Completed applications are acknowledged upon receipt.

If an applicant has any queries on how to complete the application form or any other matter regarding the recruitment process they should contact the HR team.

## **2.4 Shortlisting**

The School will shortlist applicants based on the evidence provided about the relevance and applicability of their professional attributes and personal qualities to the role. The shortlisting exercise will be performed by at least two members of staff to ensure a fair and open shortlisting process and typically includes:

- a member of the Senior Leadership Team (for teaching and senior posts) or
- the Line Manager and Head of Department (for support posts).

Panel members are responsible for assessing the applicant's qualifications and relevant experience against the core competencies/key responsibilities of the post and will also consider inconsistencies, look for gaps in employment including reasons given for them and explore potential concerns. At least one panel member will have completed safer recruitment training.

Where possible, references will be obtained for shortlisted applicants prior to the interview to allow for any concerns raised to be discussed with the candidate at interview.

All shortlisted applicants will be required to complete a 'suitability to work with children self-

declaration form' prior to interview in which they will be asked to provide information about their criminal records history (both in the UK and overseas where relevant) and other factors relevant to their suitability to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records.

The purpose of a self-declaration is so that applicants have the opportunity to share relevant information and allow this information to be considered and discussed at interview. Applicants will be asked to sign the declaration confirming that the information they provided is true. Where the form was signed electronically, the shortlisted candidate will be asked to physically sign a hard copy of the document at the point of interview.

As part of the shortlisting process, the School will also carry out an online search on the shortlisted candidates. This may help identify any incidents or issues that may have happened, and are publicly available online and can be explored with the shortlisted candidate at interview.

In evaluating any online information for relevance, the School will use the following criteria:

- whether the information is relevant to the position applied for;
- whether the information is relevant to the applicant's suitability to work at the School or in an education setting;
- whether the information could have an impact on the School's reputation;
- whether the information calls into doubt the applicant's willingness or ability to uphold the School's commitment to safeguarding and promoting the welfare of children;
- the length of time since the information became publicly available and whether the applicant's circumstances have changed since the information was published;
- whether the information reveals a pattern of concerning behaviour; and
- the relevant circumstances and the explanation(s) offered by the shortlisted applicant at interview.

Whitgift School will provide shortlisted and interviewed applicants with the outcome of the recruitment process. Where requested, the School aims to provide feedback to interviewed applicants. A high volume of applications received alongside limited resources available means that individualised feedback to applicants not shortlisted will not be provided.

## 2.5 Interviews

Shortlisted applicants will be invited to attend a formal interview, which will be conducted face-to-face, online (Microsoft Teams) or orally (telephone), at which their relevant skills and experience will be discussed in more detail.

The interview process will usually consist of the following unless otherwise authorised by the Headmaster or designate:

Senior leadership posts	<ul style="list-style-type: none"> <li>• Work-related test or presentation</li> <li>• Series of interviews with senior staff</li> <li>• Interview with the Headmaster</li> </ul>
Teaching posts	<ul style="list-style-type: none"> <li>• Supervised teaching lesson</li> <li>• Series of interviews with academic staff</li> </ul>

	<ul style="list-style-type: none"> <li>• Interview with the Headmaster or designate</li> </ul>
Support staff	<ul style="list-style-type: none"> <li>• Work-related test or presentation and/or</li> <li>• Panel interview</li> </ul>
All shortlisted applicants	<ul style="list-style-type: none"> <li>• Safeguarding interview (during which potential areas of concern will be explored and the applicant's suitability to work with children will be determined)</li> <li>• Online search results interview (as appropriate)</li> </ul>

Staff members involved in the interview process will meet before the interview to:

- agree structured questions and the assessment criteria in accordance with the core competencies and key responsibilities of the post.
- consider the issues to be explored (including concerns or discrepancies) based on information provided and who on the panel will ask about each of those issues; a candidate's response to a question about an issue will determine whether and how that is followed up.
- consider the result of online searches, and the questions that need to be asked in relation to the results, where relevant information and results need to be investigated or shared with the applicant.

During the interview, a range of selection techniques will be used to identify the most suitable person for the post. They will:

- find out what attracted the candidate to apply for the post and their motivation for working with children/working in a school.
- explore any gaps in academic or employment history.
- discuss the applicant's skills and experience relevant to the role.
- evaluate the applicant's suitability for the post in relation to attitude towards and experience with young people, safeguarding and promoting the safeguarding of children.
- offer the candidate the opportunity to declare information and inform candidates of the requirement for an enhanced DBS disclosure and questions which will be, or have been, put to their referees.
- discuss any concerns (e.g. regarding past disciplinary action or allegations), which will be discussed and considered on a case-by-case basis and referred to the Senior Deputy and/or Headmaster where relevant.
- discuss and consider cautions or convictions disclosed on the application form or Suitability to Work with Children form on a case-by-case basis and referred by the HR Team to the senior member of the Interview Panel as to the suitability of the candidate for the role.
- discuss the results of an online search where these do not align with Teaching Standards or the School's values. The candidate's response to the questions about the results will determine whether and how that is followed up, including whether it will be referred to the Headmaster.

During the interview process clear notes will be taken for decision making and recruitment records as well as to be able to give feedback to candidates, where this is requested.

The School asks all candidates who are invited to an interview to bring with them:

- proof of identity (to include the birth certificate where this is available),
- right to work and reside in the UK (i.e. passport and/or visa or residence permit),
- proof of address (utility bill or financial statement issued within the last three months showing the candidate's current name and address),
- where appropriate any documentation evidencing a change of name, and
- supporting educational and professional qualifications as detailed on their application form.

Originals of the above are required; photocopies or certified copies are not sufficient.

Candidates with a disability who are invited to an interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

Where appropriate, interview expenses will be paid on receipt of appropriate receipts. Expenses are approved at the sole discretion of the school and receipts must be attached to support any approved expense claims.

For interviews that take place online, allowances are made for any technical problems when scheduling the timing of interviews and staff are 'on hand' to resolve any issues. Interview candidates are asked to verify their identity by showing official identification on screen during the interview. Any relevant skills tests, which would normally be administered at the School, are modified accordingly, where feasible, so that an assessment of their skills can be made. In all other respects, the interview process detailed above is followed. The successful candidate will then be asked to attend the School to present their original documents, including their right to work in the UK.

## **2.6 Conditional Offer of Employment**

If the School decides to make an offer of employment following the formal interview, such offer will be conditional on the satisfactory completion of mandatory pre-employment checks as follows:

- the agreement of a mutually acceptable start date and the signing of a contract of employment with the John Whitgift Foundation;
- verification of the applicant's identity against official documents (See Appendix 1);
- where an applicant claims to have legally changed his/her name (e.g. marriage, adoption, or statutory declaration), they will be required to provide documentary evidence of the change;
- verification of the applicant's right to work in the UK in accordance with government requirements;
- verification of the applicant's employment history;
- verification of academic, professional or other qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified) including Qualified Teacher Status (QTS) and successful completion of a statutory induction period, where appropriate;
- receipt of at least two written references (one of which must be from the applicant's most

recent employer or an academic reference if this is their first job) which the School considers to be satisfactory;

- the School being satisfied that any information generated through online searches does not make the applicant unsuitable to work at the School;
- verification of the applicant's mental and physical fitness to carry out the duties of the role;
- the receipt of an enhanced DBS check (including children's barred list information, for those who will be engaging in regulated activity with children);
- any further checks which the School decides are necessary as a result of the applicant having lived or worked outside of the UK for 3 months or more in the last 10 years. In order to assess their suitability for the role, this will include any of the following from the country or countries applicable:
  - an overseas criminal records check
  - certificate of good conduct
  - additional professional references
  - a letter (via the applicant) from the professional regulating authority in the country or countries in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and /or that they are aware of any reasons why they may be unsuitable to teach or work with children.
- for positions which involve 'teaching work' (whether or not they have qualified teacher status):
  - information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (via the Teacher Services' system), or any predecessor or successor body, or by a regulator of the teaching profession which renders them unsuitable to work at the School
  - for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unsuitable to work at the School
  - information about whether the applicant has ever been or is the subject of any proceedings before a professional conduct panel in the UK or an equivalent body in any other country for any reason which renders them unable or unsuitable to work at the School or which, in the School's opinion, renders them unsuitable to work at the School
  - information about whether the applicant has ever been or is the subject to a direction under Section 142 of the Education Act 2002 which renders them unsuitable to work at the School
- for management positions:
  - information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under Section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the School;

All pre-employment checks are carried out as soon as possible after the verbal offer of employment has been accepted and within a reasonable time prior to commencement of employment. A start date is confirmed to the employee upon satisfactory completion of these checks.

### 3. Pre-Employment Checks

In accordance with DfE Keeping Children Safe in Education (KCSIE), the requirements of the Education (Independent School Standards) Regulations 2014 and the [National Minimum Standards for Boarding Schools](#) (September 2022), the School carries out a number of pre-employment checks in respect of all prospective employees and volunteers (where applicable). The School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work with children at the School. These checks are seen as part of the wider whole School approach to safeguarding and will continue following appointment. In fulfilling its obligations to carry out pre-employment checks, the School does not discriminate on the grounds of race (including colour, nationality, ethnic or national origin), religion or religious belief, sexual orientation, marital or civil partner status, gender reassignment, disability or age.

The School's single central register (SCR) is used to record the checks undertaken. A summary of completed pre-employment checks is recorded in the staff files.

#### 3.1.1 Verification of Identity, Address, Right to Work and Qualifications

All applicants invited to an interview will be required to bring with them original documents which evidence identity, birth certificate (if available), right to work in the UK, verification of current address and any qualifications relevant to the role (see 2.5 'Interviews').

Where an applicant has changed their name from the documentation provided by any means (e.g. marriage, adoption), they will be required to provide documentary evidence of the change.

In accordance with KCSIE, the School asks for the date of birth of all applicants (and proof of this). Proof of the date of birth is necessary so that the School may verify the applicant's identity, and check for any unexplained discrepancies in their employment and education history. The School does not discriminate on the grounds of age.

#### 3.2 Disclosure and Barring Service Checks (DBS)

Prior to appointment, the School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an enhanced check for 'regulated activity') in respect of all positions at the School which amount to 'regulated activity' as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended by the Protection of Freedoms Act 2012). The purpose of carrying out an enhanced check for regulated activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

Any position undertaken at, or on behalf of, the School (whether paid or unpaid), will amount to 'regulated activity' if it:

- involves regular teaching, training, instructing, caring for or supervising children if the person is unsupervised, providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;

- where the work gives opportunity for contact with children but excluding supervised volunteers;
- involves providing intimate, personal care or healthcare;
- is carried out frequently by the same person;
- is carried out overnight, meaning between 2.00am and 6.00am, even if this happens only once;
- satisfies the 'period condition' meaning four or more days in a 30-day period.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

It is for the School to decide if a role amounts to regulated activity taking into account all the relevant circumstances. The majority of posts at the School will amount to regulated activity. Where other staff (i.e. contractors or supervised volunteers) are not engaged in 'regulated activity', an enhanced DBS check without a Children's Barred List is obtained. Barred list information must not be requested on any person who is not engaging in or seeking to engage in regulated activity.

The School will obtain an Enhanced DBS with Children's Barred List clearance on any person over 16 who live on the same premises as boarders but are not employed by the School. This check, along with other relevant checks, will be completed in advance and recorded on the School's Single Central Register of safeguarding checks.

The DBS issues a DBS certificate to the applicant only, rather than the School. It is a condition of employment with the School that the **original** disclosure certificate is provided to the School. Applicants are asked to bring the original certificate into the School within two weeks of it being received, prior to their start date or no later than the first working day. Original certificates should not be sent by post. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

If there is a delay in receiving a DBS check and there is a requirement for the individual to start work, the Headmaster or designate has the discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks (including a clear check of the Children's Barred List where the position amounts to 'regulated activity'), have been completed. Appropriate supervision arrangements by a member of staff must be put in place during this interim period and documented until the DBS certificate is provided. The individual is informed of these safeguards and signs a supervision agreement to accept these arrangements. Temporary supervision arrangements are reviewed to establish the appropriateness of these arrangements every two weeks.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. See Section 3.5 below for further details of overseas checks.

### **3.2.1 DBS Update Service**

Prior to appointment, where an applicant has subscribed to the DBS Update Service and holds the appropriate level of DBS check, the School will obtain consent from the applicant to carry out an online check to view the status of an existing DBS check and to ensure that there have not been any changes since the issue of the disclosure certificate.

For this check to be valid, the School also requests sight of the original DBS certificate.

### **3.3 Prohibition from Teaching**

The School is required to check whether staff who carry out teaching work, as defined in the Teachers' Disciplinary (England) Regulations 2012<sup>1</sup>, are prohibited from doing so (whether or not they have qualified teacher status). The School uses the Teaching Regulation Agency (TRA) system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency (TRA). If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches and technicians.

In addition, the School asks all applicants for roles which involve 'teaching work' to declare whether they have ever been referred to, or have been the subject of a sanction, restriction or prohibition issued by, the Teaching Regulation Agency or other equivalent body in the UK.

It is recognised that a prohibition from teaching order may not last indefinitely and the School notes that professional conduct panels do not always impose sanctions on the subject of a hearing. However, in order to fully assess the suitability of an applicant, the School considers it important that all such information is made available during the recruitment process. Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the Teaching Regulation Agency (or other equivalent body), whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

Where an applicant has carried out teaching work outside of the UK, the School may ask the applicant to provide proof of their past conduct as a teacher by obtaining a letter of professional standing issued by the professional regulatory authority of the teaching profession in each country in which the applicant has worked as a teacher. The School will ask the applicant (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by a regulator of the teaching profession in the countries in which they have carried out teaching work.

If no information is available from a particular country, the School will carry out an assessment of whether the applicant is suitable to work at the School based on all other suitability information that has been obtained. The School will take proportionate risk-based decisions on a person's suitability in such circumstances. All suitability assessments will be documented and retained on file.

### **3.4 Prohibition from Management (Section 128 Direction)**

The School checks whether any applicant for a management position is subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits or restricts them from

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<sup>1</sup> The Teachers' Disciplinary (England) Regulations 2012 amount the following activities to 'teaching work': planning and preparing lessons and courses for students, delivering lessons to students, assessing the development, progress and attainment of students and reporting on the development, progress and attainment of students.

being involved in the management of an independent school. This check applies to appointments and internal promotions to the following posts:

- Headmaster/Headmistress
- teaching and support staff posts on the Senior Leadership Team (SLT)
- teaching and support staff posts which carry a departmental head/deputy head role
- appointments to the Governing Body
- other teaching and support staff posts that lead a department within the school. These are often named 'Head of' or 'Director', but may in some circumstances carry the title of 'manager' or similar.

The School will assess on a case-by-case basis whether the check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities. Consideration will be given to whether the role is responsible for the running of a defined department within the School, including line management or a budget associated with the operations of that department.

Where a person is not eligible for a children's barred list check but will be working in a management position at the School, a section 128 check will be carried out using the TRA's Employer Access service.

In addition, the School asks all shortlisted applicants to declare whether they have ever been the subject of a referral to the Department for Education or are subject to a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body, whether or not that resulted in the imposition of a section 128 direction or other sanction, or where a section 128 direction or other sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

### **3.5 Overseas Checks**

Where applicants have lived or worked overseas for 3 months or more in the last 10 years, they will be asked to provide further information as appropriate, including:

- a criminal record check from the relevant jurisdiction(s)
- a certificate of good conduct
- additional professional references from any employment held
- a letter (via the applicant) from the professional regulating authority in the country or countries in which the applicant has worked confirming that they have not imposed any sanctions or restrictions, and /or that they are aware of any reasons why they may be unsuitable to teach or work with children.

The School recognises that formal checks are not available from some countries, that they can be significantly delayed or that a response may not be provided. The nature and detail of criminal record information provided can also vary from country to country and the School is mindful that the criteria for disclosing offences in other countries often have a different threshold than those in the UK. The School will refer to Home Office guidance in such

circumstances.

If no information is available from a particular country the School will carry out a risk assessment of whether the applicant is suitable to work at the School based on all of the information that has been obtained during the recruitment process. The School will take proportionate risk-based decisions on a person's suitability in these circumstances and all suitability assessments will be documented and retained on file.

### **3.6 References and Employment History**

The School asks for written information about a candidate's previous employment history in order to support appointment decisions. Wherever possible, references on shortlisted candidates will be taken up prior to the interview where permission was given to do so at the time of application. Offers of employment are conditional on receipt of a minimum of two written references, which are considered to be satisfactory by the School.

The individual should know the referees, either through employment or in a professional or academic capacity for at least two years. Neither referee should be a relative or someone known to the applicant solely on a personal basis. Further references may be obtained, including character references, at the discretion of the School.

One of the references will be obtained from the candidate's current or most recent employer. If the current or most recent employment does not involve working with children but a previous one does, then the second reference will be obtained from the employer that employed the applicant when they last worked with children (where possible).

Where the candidate is out of work, verification of the most recent period of employment and the reasons for leaving will be sought. If the candidate has no previous employment history, the School may request character references (e.g. from the candidate's school or university).

Suitability references will be sought for internal candidates (e.g. from a current senior colleague or line manager).

The School will conduct due diligence and ensure that all references are appropriately scrutinised and verified and any concerns resolved satisfactorily. This may include:

- contacting the referee to verify any information given and to request further clarification, especially where information is vague or insufficient.
- verifying the source of references which have been provided electronically.
- checking that all reference questions have been answered and compare the detail provided with the information given on the candidate's application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant or the relevant referee before any appointment is confirmed.
- careful consideration of any disclosed information about past disciplinary action or allegation when assessing the applicant's suitability for the post.

Where telephone references are requested, detailed notes of the conversation including who was spoken to will be taken for evidential purposes; the questions in the School's Reference Request Form should be used as a guide and the dated telephone reference will be saved as a file note.

The School will only accept references obtained directly from the referee and preferably from a senior person with appropriate authority. It will not solely rely on references/testimonials provided by the applicant or on open references/testimonials. References received from a school must be confirmed by the headteacher/principal as accurate in respect of any disciplinary investigations.

The School will seek information relevant and proportionate to the prominence of the role applied for. All referees will be asked:

- whether they believe the applicant is suitable for the job for which they have applied and
- whether they have any reason to believe that the applicant may be unsuitable to work with children.

Referees will be provided with a job description and person specification for the role for which the applicant has applied and will be asked to confirm the following:

- dates of employment, salary, current job title, key duties undertaken, reason for leaving, key strengths, performance and disciplinary record (employment reference);
- dates of study/known to you, character and key strengths (academic and character reference);
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children or young people or behaviour towards children and young people (including any in which the dry sanction has expired, but not where the issues were deemed to have resulted from allegations which were found to be unfounded, false, unsubstantiated or malicious);
- whether the applicant could be considered to be involved in 'extremism'<sup>2</sup>.

No questions will be asked about sickness and absence rated or medical fitness prior to any offer of employment being made.

If factual references are received (e.g. those which contain limited information such as job title and dates of employment), this will not necessarily disadvantage an applicant, although additional references may be sought before an appointment can be confirmed.

Where references have not been received in good time before appointment, the references will be followed up and alternative referees approached if needed.

The School treats all references given or received as confidential which means that the applicant will not usually be provided with a copy.

### 3.7 Verification of Medical Fitness

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

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<sup>2</sup> Extremism is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. (KCSIE, September 2024)

A self-declaration of medical fitness is contained within the contract of employment, confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If the contract of employment has not been signed prior to their start date, the individual is asked to sign a medical declaration.

Candidates are asked to complete a confidential pre-employment occupational health questionnaire. This information will be reviewed against the job description and personal specification for the role, together with details of any other physical or mental requirements for the role. Where applicable, the School's Occupational Health Advisor will advise of any reasonable adjustments that may be required. The School may also seek further medical opinion from a specialist or a request that the applicant undertakes a full medical assessment for suitability to the post.

The School is aware of its duties under the Equality Act 2010 and is committed to supporting individuals with disabilities that may affect them at work. A disability or health problem does not preclude consideration of employment. No job offer will be withdrawn without first consulting the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment. The School will make reasonable adjustments to enable disabled people to carry out their duties effectively.

#### **4. Governors**

Potential governors of the School are required to undergo the following recruitment checks before their appointment is confirmed:

- a check of their identity;
- confirmation of their address;
- evidence of their right to work in the UK;
- evidence that the individual is not prohibited from participating in the management of independent schools (section 128 check);
- enhanced DBS check (either including or not including barred list information as appropriate);
- overseas check (as required).

If the Governor is likely to participate in teaching, a prohibition from teaching check will be completed via the TRA. Checks for Court Governors are completed by the John Whitgift Foundation and included on the School's Central Register.

A record of the checks completed is made on the School's Single Central Register. All Governors undertake regular safeguarding training.

If the Chair of Governors is to change, the School will ensure that the DfE obtains an enhanced criminal records check, and checks both the individual's identity and right to work in the UK before they take up the appointment. Further overseas checks are required if the individual lives or has lived outside the UK. The disclosure application must be performed by the DfE.

## **5. Contractors, Service Providers and Self-Employed Contractors**

In all cases, where the School uses contractors to provide services to the School, the safeguarding requirements pertaining to the staff will be stipulated in the contract.

The School will determine the level of checks appropriate to the nature of the work the individual will be carrying out. At a minimum this will include:

- If contractors are engaged to undertake regulated activity, the same checks must be completed that the School would be required to complete for their own staff (enhanced DBS check including Children's Barred List information).
- If the contractor is not engaged in regulated activity, but whose work provides an opportunity for regular contact with children, an enhanced DBS check without Children's Barred List information will be required.
- If the contractor does not have the opportunity for regular contact with children, a basic DBS certificate will be required.

The School requests written confirmation from regular contractors that all appropriate checks have been completed before an employee of the third-party organisation carries out work at the School.

Under no circumstances will a contractor on whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity relating to children. The appropriate level of supervision will be determined depending on the circumstances.

If an individual working at the school is a self-employed contractor, the School will obtain an enhanced DBS check where they are not able to make an application to the DBS on their own account.

The School will check the identity of contractors on arrival at the School.

## **6. Agency and Supply Staff**

Supply staff are staff supplied by an employment business (agency) to work under the control of the school. Agencies who supply staff to the School must complete the pre-employment checks which the School would otherwise complete for its own staff. The School requires written confirmation that these checks have been completed before an individual can commence work at the School. The details are recorded on the School's Single Central Register.

The school will independently verify the identity of staff supplied by an agency upon arrival at the School and also require the provision of the original DBS disclosure certificate before the individual can commence work at the school.

## **7. Trainee/Student Teachers**

Trainee/student teachers (unless employed by the School) are checked by the initial teacher training provider. Written confirmation that all necessary pre-appointment checks were carried out and that the individual has been judged by the provider to be suitable to work with

children will be obtained prior to placement.

The DBS enhanced certificate and photo identity is requested on their first day.

## **8. Volunteers**

As the nature of voluntary roles vary, the School undertakes a written risk assessment and uses professional judgement and experience when deciding what checks for volunteers are required. The risk assessment considers:

- the nature of the work with children, especially if it constitutes regulated activity, including the level of supervision.
- what the school knows about the volunteer, including formal and informal information offered by staff, parents and other volunteers.
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on their suitability.
- whether the role is eligible for a DBS check, and if it is, the level of check, for volunteer roles that are not in regulated activity.

The School will seek to obtain further suitability information about a volunteer it considers appropriate in the circumstances. This may include (but is not limited to) two satisfactory employment, academic or character references and an informal safer recruitment interview.

The School will obtain an enhanced DBS check and Children's Barred List information on all volunteers undertaking regulated activity with students at or on behalf of the School. The School will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity.

Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with students. Unchecked volunteers are subject to appropriate supervision arrangements as for any other visitor.

The School may obtain a new DBS check at the level appropriate to the volunteering role if the School has any concern about an existing volunteer.

## **9. Visiting Speakers**

Whitgift School understands its requirement under the Prevent Duty to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by students, are suitably and appropriately supervised and monitored. Further details are captured in the Visitor policy.

Where a visiting speaker or other professionals performing a similar function in School are in 'regulated activity', full checks are completed as with staff (including credentials, professional qualifications and a DBS Check with Children's Barred List check).

All visiting speakers and visiting professionals will be required to sign in and out at reception, are asked to show an original current photograph identification document such as a passport or photo card on arrival, will be issued with a visitor badge and are supervised by a vetted member of staff whilst on site.

## **10. Host Families and ‘Homestay’ Arrangements**

The School will often arrange for students to have learning experiences by participating in foreign language exchange visits or sports tours where, for short periods (less than 28 days), the exchange visit students may be provided with care and accommodation by a host family in the UK (to whom they are not related). The School has a duty to safeguard and promote children’s welfare and minimise any risk of harm to the visiting students.

The School completes an assessment of suitability of the adults in the respective families who will be responsible for the visiting child during the stay. To assist this assessment, the School obtains an enhanced DBS certificate with Children’s Barred List check to establish whether the adults are barred from engaging in ‘regulated activity’ with children. Where criminal record information is disclosed, this information, alongside all other information obtained, allows the School to establish whether the adults are a suitable host for a child.

The School liaises with partner schools abroad, to establish a shared understanding of, and agreement to, the arrangements in place for the visit of our students and to satisfy ourselves that the arrangements are appropriate and sufficient to safeguard students who will take part in the exchange. Parents are made aware of the homestay arrangements at an early stage of the exchange trip preparations.

Students are given emergency contact information (staff on the exchange trip and also staff contacts at School) for the duration of the exchange trip in case an emergency should occur, or a situation arises which makes the student feel uncomfortable.

## **11. Policy on the Recruitment of Ex-Offenders**

The School will not unfairly discriminate against any applicant for employment based on conviction or other details revealed. The School makes appointment decisions based on merit and ability. If an applicant has a criminal record, this will not automatically bar them from employment within the School. Each case will be decided on its merits in accordance with an objective assessment criteria set.

All positions within the School that are considered to be ‘regulated activity’ are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered ‘spent’. However, applicants are not required to disclose a caution or conviction for an offence committed in the UK if it has been filtered in accordance with the DBS filtering rules (see Appendix 2).

Candidates should be aware that failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or to withdrawal of an offer of employment or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions.

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 Police and/or the DBS if:

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

At interview, or in a separate discussion, the School ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position.

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by a shortlisted applicant during the recruitment process or obtained through a DBS check, the School will consider the following factors before reaching a recruitment decision:

- the seriousness and nature of any offence or matter revealed;
- whether the conviction or matter revealed is relevant to the post applied for;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- the circumstances surrounding the offence and the explanation(s) offered;
- whether the individual has accepted responsibility for their actions;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters.

Cases will be assessed fairly, on an individual basis. The Headmaster (or designated Deputy) will assess the facts and whether or not to continue with the appointment. Where the applicant is applying for a teaching post, the matter will be considered in the context of the Teachers' Standards and Teacher Misconduct Guidance. A decision not to appoint somebody because of their convictions will be clearly documented.

If the post involves regular contact with children, it is the School's policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

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

## **12. Recording Information (Single Central Register)**

The School maintains a Single Central Register of pre-appointment checks in accordance with the Education (Independent School Standards) Regulations requirements.

This document covers all staff, including teacher trainees on salaried routes, self-employed, agency and third-party supply staff (including those who work at the school for one day only), volunteers and all members of the Governing Body. The Single Central Register records the date that the pre-employment checks were undertaken and the person who completed them.

For agency and third-party supply staff, the School includes whether written confirmation has been received that the employment business supplying the member of staff has carried out the relevant checks and obtained appropriate certificates, the date this confirmation was received and whether details of any enhanced DBS certificate have been provided in respect of the member of staff.

Details of an individual will be removed from the register once they no longer work at the School.

A designated member of the School's Senior Leadership Team and designated Governor is responsible for auditing the Single Central Register and reporting his/her findings to the full Governing Body.

### **13. Data Protection, Retention and Security**

The School processes personal information in accordance with the Whitgift Foundation Employee Privacy Statement, the School's Data Protection Policy and data protection legislation.

Where an applicant is successful in their application, the School will retain any relevant information provided as part of the application and recruitment process and form part of their staff file. This will include copies of documents used to verify identity, right to work in the UK, medical fitness, online search results (if applicable) and qualifications (where applicable).

Staff records are retained by the School for the duration of the staff member's employment with the School and for a minimum period of seven years after employment terminates (in case any legal process requires them) and then securely destroyed.

If an applicant is unsuccessful, all personal data verifying their ID, address and qualifications are securely shredded. All other documentation relating to their application will be securely destroyed within twelve months. The same applies to any suitability information obtained about volunteers involved in school activities.

The School is also required to share certain information with third parties, such as the Disclosure and Barring Service (DBS) and the Teaching Regulation Agency (TRA). Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations.

The School follows the DBS guidance Handling of DBS Certificate Information to ensure correct handling and safekeeping of DBS certificate information.

- **DBS Storage and Access:** Certificate information is kept securely in locked, non-portable storage containers, access to which is strictly controlled and restricted to those who are entitled to see it as part of their duties (e.g. members of the School's Senior Leadership Team and members of the HR Department).
- **DBS Handling:** Certificate information is only passed to those who are authorised to receive it. The photocopying or scanning of any disclosure information is prohibited without the express permission of the individual to whom the disclosure relates.
- **DBS Usage:** Certificate information will only be used for the specific purpose for which it

was requested.

- **DBS Retention:** Once a recruitment decision has been made, the School will not retain disclosure information or any associated correspondence for longer than is necessary, and for no longer than six months. The retention allows for the consideration and resolution of any disputes or complaints or for the purpose of completing safeguarding audits.
- **DBS Disposal:** Once the retention period has elapsed, the School will ensure that any DBS certificate information is immediately destroyed by secure means (e.g. shredding). The School will not keep a photocopy or other image of the certificate but may keep a record of the date of the issue of the certificate, the name of the subject, the type of the certificate requested, the unique reference number of the certificate and the details of the recruitment decision taken.

#### **14. Whistleblowing and Exit Interviews**

Staff are expected and encouraged to raise concerns, whether related to the safeguarding and welfare of students, the conduct of staff or other matters, during their employment in accordance with the School's policies (including the Whistleblowing Policy, the Safeguarding and Child Protection Policy and the Staff Code of Conduct).

Safeguarding children is at the centre of the School's culture and is accordingly considered formally during staff performance management reviews and finally at exit interview which are optionally offered to all leavers (where appropriate).

#### **15. Ongoing Safeguarding Vigilance and Reporting Duties**

The School understands the importance of continuing commitment from the Governors of the School and all staff to create a culture that safeguards and promotes the welfare of children at the School beyond the safe recruitment of staff; this includes embedding safety and welfare considerations in all of the School's processes and procedures.

The School's Senior Leadership Team is committed to continuous vigilance, maintaining an environment that deters and prevents abuse and challenges inappropriate behaviour and creating a culture and environment where staff feel comfortable to discuss matters both within, and where this is appropriate, outside of the workplace (including online), which may have implications for the safeguarding of children.

#### **16.1 Referrals to the DBS and Teaching Regulation Agency (TRA)**

Whilst this policy primarily promotes the safer recruitment and details the pre-employment checks that will be undertaken prior to an employment being confirmed, the School also has a legal duty to make a referral to the DBS as soon as possible in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children;
- has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed or pose a risk of harm to a child.
- has received a caution or conviction for a relevant offence.

The DBS will consider whether to impose sanctions on that individual which may restrict or prevent them from working with children in future.

In addition, if a teacher is dismissed because they are found to have committed serious misconduct, or they have breached the Teachers' Standards, or they resign prior to dismissal on such grounds, the School will make a referral to the Teaching Regulation Agency (TRA). The TRA will consider whether to impose a prohibition from teaching order.

## Appendix 1 List of Valid Identity Documents

All applicants who are invited to a formal interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications, in compliance with [DBS identity checking guidelines for standard/enhanced DBS check applications](#):

- one document from Group 1, and
- two further documents from either Group 1, Group 2a or Group 2b

At least one of the documents must verify the applicant's current address.

Only valid, current and original documents will be accepted; photocopies will not be accepted.

Where an applicant has changed their name by deed pole or any other means (e.g. marriage, adoption, or statutory declaration) they will be required to provide documentary evidence of the change.

The School asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE. Proof of date of birth is necessary so that the School may verify the identity of and check of any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

### Group 1: Primary Identity Documents

- Current and valid passport
- Biometric residence permit (UK)
- Current driving licence photocard, full or provisional (UK, Isle of Man, Channel Islands)
- Birth certificate issued within 12 months of birth (UK, Isle of Man & Channel Islands including those issued by the UK authorities overseas (e.g. embassies, High Commissions and HM Forces)
- Adoption Certificate (UK and Channel Islands)

### Group 2a: Trusted Government Documents

- Current driving license photocard – full or provisional (all countries outside the UK excluding Isle of Man and Channel Islands)
- Current driving license paper version if issued before 1998 - full or provisional (UK / Isle of Man and Channel Islands)
- Birth certificate issued after time of birth (UK, Isle of Man and Channel Islands)
- Marriage/civil partnership certificate (UK and Channel Islands)
- Immigration document, visa or work permit (issued by a country outside the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non UK country in which the role is based)
- HM Forces ID card (UK)
- Firearms license (UK, Isle of Man and Channel Islands)

All driving licenses must be valid.

## Group 2b: Financial/Social History Documents

- Mortgage statement (UK)\*\*
- Bank/building society statement (UK and Channel Islands)\*
- Bank/building society statement (countries outside the UK)\*
- Bank/building society account opening confirmation letter (UK)\*
- Credit card statements (UK)\*
- Financial statement e.g. Pension, endowment, ISA (UK)\*\*
- P45/P60 statement (UK and Channel Islands)\*\*
- Council tax statement (UK and Channel Islands)\*\*
- Letter of sponsorship from future employment provider (non-UK only; valid for applicants residing outside the UK at the time of application and which must be valid at time of application)
- Utility bill (UK) - not mobile telephone bill\*
- Benefits statement (UK) e.g. child benefit, pension\*
- A document from central or local government, government agency, local council giving entitlement, for example from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs, Job Centre, Job Centre Plus, Social Security (UK and Channel Islands)\*
- EEA National ID card (must be valid at time of application)
- Irish passport card (cannot be used with an Irish Passport and must be valid at the time of application)
- Cards carrying the PASS accreditation logo (UK, Isle of Man and Channel Islands; must be valid at time of the application)
- Letter from the Head or College Principal (UK) for 16-19-year-old students in full time education. This is only used in exceptional circumstances if other documents cannot be provided; must be valid at time of application.

**Note:** If a document in the list of valid identity documents is:

Denoted with \* it should be less than three months old

Denoted with \*\* it should be less than 12 months old

## **Appendix 2 Disclosure and Barring Service (DBS) Filtering Rules**

Due to the nature of work, the School applies for an enhanced disclosure from the Disclosure and Barring Service (DBS) in respect of all prospective staff including self-employed staff, governors and volunteers.

Filtering is the term used to describe the process that identifies which criminal records will be disclosed on a DBS check. The filtering rules developed by the DBS and the Home Office designate certain spent convictions and cautions as 'protected'. 'Protected' convictions and cautions are not included in a DBS certificate and job applicants are not required to disclose them during the recruitment process. It is unlawful for an employer to take into account a conviction or caution that should not have been disclosed. If a protected conviction or caution is inadvertently disclosed to the School during the recruitment process it must be disregarded when making a recruitment decision.

A conviction will always be disclosable if it was imposed for a 'specified offence' committed at any age. A caution issued for a 'specified offence' committed over the age of 18 will always be disclosable. However, a caution issued for a 'specified offence' committed under the age of 18 is never disclosable. 'Specified offences' are usually of a serious violent or sexual nature or are relevant for safeguarding children and vulnerable adults. The DBS Filtering Guide can be found [here](#).

The following filtering rules apply:

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

A spent criminal conviction for an offence committed in the United Kingdom when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by the job applicant) if:

- eleven years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

A spent caution for an offence committed when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:

- six years have elapsed since the date it was issued; and
- it was not issued for a "specified offence".

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

A spent conviction for an offence committed in the United Kingdom when a person was under the age of 18 will never be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:

- five and a half years have elapsed since the date of the conviction;
- it did not result in a custodial sentence; and
- it was not imposed for a "specified offence".

A caution issued for an offence committed when a person was under the age of 18 will never be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant).

## Appendix 3 Legislation and Safer Recruitment Regulatory Framework

- [Data Protection Act 2018](#)
- DBS | Code of Practice
- DBS | [Disclosure and Barring Service Employer Guide](#)
- DBS | [Handling of DBS Certificate Information](#)
- DfE | [Keeping Children Safe in Education](#) | September 2024
- DfE | [National Minimum Standards for Boarding Schools](#) | September 2022
- DfE | [The Independent School Standards](#) | April 2019
- Education ([Independent School Standards](#)) (England) Regulations | 2014
- [Equality Act 2010](#)
- GOV.UK | [Checking a Job Applicant's Right to Work](#)
- HM Government | [The Prevent Duty Guidance for England and Wales](#) | 2023
- Home Office | [Criminal Record Checks for Overseas Applicants](#)
- [Immigration Asylum and Nationality Act 2006](#)
- ISI [Inspection Handbook](#) (November 2024)
- [Protection of Children Act 1999](#)
- [Protection of Freedoms Act 2012](#)
- [Rehabilitation of Offenders Act 1974](#)
- [Safeguarding Vulnerable Groups Act 2006](#)