



Barnard Castle School

ESTD 1883

Safer Recruitment and Selection Policy and Procedure

This Notice applies to present and past academic and other staff, governors, contractors, itinerant teachers, casual workers, temporary workers and volunteers who may be employed or engaged by the School to work for it in any capacity, as well as prospective applicants for roles.

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1. General

Barnard Castle School ("the School") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is its highest priority.

The School aims to recruit staff (both teaching, operational and those for whom working at the School is not their sole occupation) that share and understand its commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

For clarity, 'staff' is taken to mean all teachers, peripatetic teachers and coaches, therapists arranged by the school, part time staff, students, administrative and other operational staff, staff appointed from overseas and pupils paid to work at the school.

All queries on the School's Application Form and recruitment process must be directed to the Bursar.

The Board of Governors are responsible for the governance of the School and as such are the employer. The Chair of Governors is Mrs Catherine Sunley and she is registered with the Department for Education as responsible for the management of the School.

An entry will be made on the Single Central Register for all current members of staff at the School, the governing body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

All checks will be made in advance of appointment unless it is not possible to do so and, in those circumstances, will be done as soon as practicable after appointment.

2. Scope of this Policy

The Safer Recruitment and Selection Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

In the case of agency or contract workers, the School will obtain written confirmation from the agency or company that it has carried out the same checks as the School would otherwise perform on any individual working at the School. The school conducts identity checks on agency and contract workers on arrival in school and, in the case of agency workers which includes supply staff, the School must be provided with a copy of the DBS check for such staff.



Agency Staff

The School will check with the relevant supply agency that the required checks have been carried out:

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- Identity
- Enhanced disclosure - renewed every 3 years
- Right to work in the UK
- Barred list
- Prohibition order
- Disqualification from Childcare
- Qualifications
- Overseas checks
- In line with Keeping Children Safe in Education (KCSIE), two references
- Declaration of medical fitness
- Check of previous employment history.

The Single Central Register shows these checks have been made and the School carries out its own identity check and has seen a copy of the disclosure.

Contractors

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. The School will determine the appropriate level of supervision depending on the circumstances.

A contractor or an employee of a contractor who is administering personal, pastoral or health care e.g., psychologists, nurses, counsellors and police who are engaged in activities with pupils which may or may not be unsupervised, are deemed to be in regulated activity and therefore the School will request confirmation of an enhanced DBS with barred list check for the individuals concerned prior to them working/attending school and ID checks will be undertaken on arrival.

Where a contractor is undertaking non-teaching work but their work either provides them the opportunity for regular contact with pupils or their work is unsupervised, then the School requires an enhanced DBS check (without barred list). If a contractor is in school at short notice and there is not time to carry out checks, the School will put suitable supervision in place.

During periods of prolonged building development, the School will take measures to ensure that those working on the building site have no need to access the main school site. The School, together with the site manager, will agree on procedures for contractors who require access to the main school site, and this will be recorded.



Any staff who TUPE transfer into the School's staff, will be required to undertake the statutory requirements with regard to safer recruitment checks.

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

Volunteers

All volunteers are subject to some degree of check for their suitability to work with children before they undertake their work in school. Under no circumstances may a volunteer be left unsupervised with children until it is confirmed by the Bursar that appropriate checks have been completed. The nature of this check will depend on the nature and frequency of the work they propose to undertake. There are many possible scenarios in which volunteers may be in school for example:

- Parents helping with a school trip
- Undergraduate students seeking work experience
- Parents or friends of the school helping with sports coaching.

In each and every situation the School undertakes a formal process to ensure appropriate checks are made, using *KCSIE* as its guide. It would be impossible for this policy to anticipate all future scenarios, but volunteers at the School who are likely to come into contact with children more than occasionally helping on a school (day) trip can expect that:

- They will be asked for proof of identity
- They will be subject to an enhanced DBS check, (which may include the barred list) if they are likely to come into contact with students on a regular or unsupervised basis
- Their suitability for the role checked via references or others within the school community.

Staff who wish to bring volunteers into the School must inform the Bursar prior to the volunteer starting so that all relevant checks can be completed in good time.

Host families

In line with the guidance in *KCSIE*, when the School's pupils are being hosted by a family (e.g., on sports tours), the School takes all reasonable steps to check the family's suitability, for example asking partner schools to confirm that checks have been made and asking for pupils to be hosted in groups of two or more. Staff overseeing such trips will also ensure pupils have access to mobile phones, points of contact and will have briefed students and parents on the risks and protective measures in place to support them.

Chair of Governors

In the case of appointing a Chair of Governors, the School will confirm that the person is registered with the DfE as being responsible for the management of the School and will make all appropriate checks in advance of or as soon as is practicable after appointment.

Disqualified Individuals



Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the Trustees/Governors, and who carries overall responsibility for the day-to-day management and control of the charity. At Barnard Castle School this would be the Head.
- A person who is accountable only to the Head or the Trustees/governors, and who is responsible for the overall management and control of the charity's finances. At Barnard Castle School this would be the Bursar.

Being disqualified means that a person cannot take on, or stay in, a senior manager position – even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

3. Application Form and Process

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

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

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

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

The successful applicant will be required to complete a Disclosure Form online from the Disclosure and Barring Service ("DBS") for the position. Any offer of employment will be conditional on obtaining such satisfactory checks.



Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

The statutory guidance, *Disqualification under the Childcare Act 2006* applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the Headmaster or Bursar immediately. This will include notification of any convictions, cautions, court orders, reprimands, or warnings he/she may receive.

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

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

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. The School is mindful of this duty and assesses the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology during the recruitment process.

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure. Any information about past disciplinary action or substantiated allegations should be considered in the circumstances of the individual case.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.



4. Invitation to Interview

The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role.

As part of the shortlisting process, the School will consider carrying out an online search on shortlisted candidates as part of its due diligence. This may help to identify any incidents or issues that have happened and are publicly available online, which the School may want to explore with an applicant at interview. This forms part of the School's wider safeguarding due diligence which aims to prevent/or deter individuals who may be unsuitable to work with children from working in a school environment.

Staff carrying out the online searches will not usually be involved in the recruitment decision making process. Online search data will only be recorded and retained if relevant to discussions required at interview and notes will be recorded in relation to any discussion and the decision-making process.

Short-listed applicants will be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

Shortlisted candidates will be asked to complete a self-declaration form in relation to their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

All formal interviews will have a panel of at least two people chaired by the Head, Bursar, or another designated senior member of staff. At least one person on the appointment panel will have undertaken safer recruitment training. The list of current staff who have undertaken safer recruitment training is in appendix 1.

The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children including where appropriate, any discussion of information shared by a candidate in their self-declaration form.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g., the original or certified copy of certificates, diplomas etc.). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The School requests that all candidates invited to interview also bring with them:

1. A current driving licence including a photograph or a passport or a full birth certificate;

2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.

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

5. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed as a teacher, a check that that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction, or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
 - Planning and preparing lessons and courses for pupils
 - Delivering and preparing lessons to pupils
 - Assessing the development, progress and attainment of pupils.
 - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, including Qualified Teacher Status where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999);
7. Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered;
8. Satisfactory medical fitness e.g., medical questionnaire.
9. Receipt of a signed Staff Suitability Declaration form showing that they are not disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (June 2018);
10. For a candidate to be employed into a senior management position as set out above under "Scope of this Policy", receipt of a signed "senior charity manager positions: automatic disqualification declaration" confirming that the candidate is not disqualified from acting in a

senior management position for a charity in accordance with the automatic disqualification rules for charities.

11. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team, and teaching heads of department; and

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Staff Privacy Notice and Data Protection Policy. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e., proposed workload, extra-curricular activities, and layout of the School.

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

6. References

The School will seek the references referred to in section 5 above for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant's current or most recent employer. References must be received by a senior person with appropriate authority. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will ask all referees if the candidate is suitable to work with children and to provide facts of any substantiated safeguarding concerns or allegations that meet the harm threshold set out in Part 4 of the statutory guidance 'Keeping Children Safe in Education'. Substantiated allegations that meet the harm threshold should be included in references. Any repeated concerns or allegations which do not meet the harm threshold which have all been found to be false, unfounded, unsubstantiated, or malicious should not be included in any reference

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. The School will verify all references. Where references are received electronically, the School will ensure they originate from a legitimate source.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

7. Criminal Records Policy

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request or accessed here:

[https://www.gov.uk/government/publications/dbs-code-of-practice.](https://www.gov.uk/government/publications/dbs-code-of-practice)

There are limited circumstances where the School will accept a check from another educational institution which are as follows:

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

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

during a period, which ended not more than three months before M's appointment.

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

DBS Update Service

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

The School will, where practicable and with the applicant's permission, annually subscribe the applicant to the DBS update service, whilst the applicant remains employed at the School.

If disclosure is delayed

A short period of work is allowed under controlled conditions, at the Head's or Bursar's discretion. However, if an 'enhanced disclosure' is delayed, the Head or Bursar may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);

- Safeguards reviewed at least every two weeks by the Head or Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but not a requirement that a note is added to the Single Central Register and evidence kept of the measures put in place.

8. Retention and Security of Records

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy and will follow the Retention of Records Guidance document. Copies of DBS certificates will not be retained for longer than 6 months.

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 Staff Privacy Notice and the Data Protection Policy

