



Recruitment, Selection and Disclosure Policy

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I. Policy statement

This policy and procedure is non contractual and may be varied by the School from time to time and as legislation dictates.

It applies to all staff working at the School, including those working for the Seckford Foundation at the School, whether under a contract of employment, under a contract for services or otherwise than under a contract as well as, in relevant sections, to supply/agency staff, visitors, visiting speakers, contractors and volunteers.

It aims to promote fairness and consistency in the treatment of all existing and potential staff and to ensure that no job applicant is treated unfairly because of a protected characteristic as defined in the Equality Act 2010.

Woodbridge School is committed to safeguarding the welfare of children and young people and expects all staff (including volunteers) working for, or on behalf of the School to share this commitment.

This policy aims to ensure that people we appoint, or allow to visit or participate in school life (such as volunteers and visiting speakers) are suitable by ensuring our procedures are rigorous and comply with all relevant legislation, recommendations and guidance, including the statutory guidance as set out by;

- The Department for Education (DfE) Keeping Children Safe in Education (KCSIE Sept 2021), and the Prevent Duty;
- s.128 of the Education and Skills Act 2008
- National Minimum School Standards for Boarding Schools (NMSBS);
- Independent Schools Inspectorate;
- Disclosure and Barring Service (DBS); Code of Practice;

We will be alert to the possibility that some people may seek to gain positions of trust within Woodbridge School so as to nurture relationships with children, or to unduly influence our values and ethos; we will apply safer recruitment best practice with due diligence to deny unsuitable people to work for, or with us.

This policy is linked to the School Safeguarding Policy and should therefore be read in conjunction with this policy, which can be found on the School website.

All staff working for, or on behalf of the School have a duty to act in accordance with this policy ensuring compliance with both the above standards and non-discrimination against existing or potential staff.

2. Recruitment Procedure

Detailed procedures and supporting documentation are set out in the separate Recruitment Process for Paid Staff (“Standard Operating Procedure – Recruitment”) document which can be found on the School’s shared x drive and should be followed for any recruitment of staff under a contract of employment.

2.1 Identification of the need for an appointment

The need to fill or create posts will be assessed either as vacancies arise, when the budget is set or when it is reviewed ‘in year’. Approval for recruitment **must** be obtained from either the Head (for all teaching and teaching support roles) or the Director of HR/Operations Bursar (for all other support staff and/or Foundation roles located at the School).

The Operations Bursar, or managers with delegated authority will authorise the recruitment process to proceed, normally using the “Authority to Recruit” form. The Finance Department must also be advised of all positions to be filled. The HR team will be responsible from that point forward for directly liaising with the manager undertaking the recruitment (recruiting manager) and will keep them updated with the progress of the recruitment process.

2.2 Job Description and Person Specification

Once recruitment is authorised the recruiting manager, with support from the HR Team, must prepare a Job Description and Person Specification to ensure the role fulfils the requirements of the School and to determine the selection criteria that will form the basis of fair selection. If the role already exists it is good practice to review the current JD and Person Specification to ensure that they are up to date and relevant as posts can evolve overtime.

2.3 Advertisements and Post details

Posts will normally be advertised internally, locally and/or nationally as appropriate to the post being advertised and as agreed with the recruiting manager.

Advertisements should contain the closing date for applications and the intended dates for interview where it is possible to do so.

The following will be made available to all potential applicants:

- Details of the post;
- A Job Description and Person Specification;
- Information about the School/Foundation (where appropriate);
- Application form;
- Explanatory notes (which includes information regarding safeguarding and vetting, recruitment privacy notice);
- Statement of the key terms and conditions relating to the post.

All applicants should be advised that references will be sought before interview unless justifiable reasons can be given as to why this is unacceptable. All literature pertaining to posts will contain the following statement of commitment to safeguarding children and young people:

“The Seckford Foundation/Woodbridge School/Seckford Almshouses is committed to safeguarding and promoting the welfare of children and young people. It expects all staff and volunteers to share this commitment. An enhanced Disclosure and Barring Service (DBS) check is required for this post prior to commencement of employment.”

Literature needing to contain this statement includes:

- advertisements;
- publicity materials;
- the Foundation website recruitment sections;
- applicants' information pack;
- job description and person specification.

It may not be necessary to follow all aspects of the recruitment process for posts advertised internally only, although it may be appropriate to undertake checks for existing staff if the appointment would be a substantive change to their role, and in all cases if they are moving into work which is regulated activity, from a role which is not regulated activity. (See Appendix 1 for guidance on the definition of regulated activity).

2.4 Applications

All applicants for employment will be required to complete an application form (electronic or paper version) containing questions about their right to work in the UK, employment history and their suitability for the role. A CV will not be accepted on its own, but may accompany a completed application form.

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) and the pre-employment checks that will therefore be required, including the requirement to complete a Disclosure Form from the Disclosure and Barring Service (DBS).

Applications must be fully and properly completed.

3. Selection

3.1 Shortlisting

The post criteria should be established prior to applications being received. This will be used both for sifting applications and for subsequent interviews. The criteria should directly relate to the job requirements advertised, the job description and the person specification.

Once the closing date has passed applicants will be shortlisted using the agreed criteria; this should normally be documented using the shortlisting pro forma in the “Standard Operating Procedure - Recruitment”.

At the shortlisting stage, any gaps, declarations, restrictions or disclosures will be identified and a satisfactory explanation sought prior to, or at interview. All candidates will be asked at interview to explain any gaps in time on the application form.

Shortlisted candidates should 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 those who participate in shortlisting (and interviews) must be familiar with the relevant regulatory and statutory requirements, including those covering safer recruitment and equalities as set out in the Equality Act 2010, the Foundation’s Equalities Policy and KCSIE Sept 2021 (including the Prevent Duty).

Shortlisted candidates will be invited to interview, and normally asked to bring any documents confirming any educational or professional qualifications that are necessary or relevant for the post (e.g. original or certified copy of certificates, diplomas etc.) and the following **original** documents to allow the necessary pre-employment checks to be completed at this stage:

- Current driving licence (including photo), or a passport or a full birth certificate;
- A utility bill or financial statement (issued within last 3 months) showing

- candidates current name and address;
- Where appropriate any documentation evidencing change of name;
- Proof of entitlement to reside and work in the UK.

It may be that some checks are more appropriate to complete at a later stage in the recruitment process, rather than at the interview stage. This is acceptable providing all the required checks (see pre-employment checks below) are completed prior to commencement of employment as required by the standards above, which may include the need to discuss any points requiring clarification with the candidate if not already covered at interview.

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

3.2 Interviews

An ‘Interview Panel’ will normally be established at the advertising stage. The Interview Panel should usually include at least one member who has been trained in safer recruitment procedures and practices (as a minimum at least one interviewer must have read the KCSIE Sept 2021 statutory guidance).

Interviews will be conducted in a fair and consistent manner, and should be face to face. Telephone interviews may be used at the shortlisting stage but should not be a substitute for a face to face interview (which may be via visual electronic link).

Candidates should be required to:

- explain any gaps in employment;
- explain any anomalies or discrepancies in the information available to the interviewee;
- Demonstrate their capacity to safeguard and protect the welfare of young people.

Questions should be planned and agreed between all members of the interview panel well before the interview takes place, asking the same questions to each candidate although interviewers may of course need to ask supplementary questions which will vary depending on answers given.

Questions will be asked to assess the interviewee’s suitability to carry out the duties of the post and should be related to the application form, job description and the person specification. The interviewers will not ask discriminatory questions or questions about a person’s personal circumstances which are not related to the post.

A written record of the interview will be kept; normally using the documentation contained within the “Standard Operating Procedure - Recruitment”, documenting reasons for any gaps in the employment history and periods of employment outside the UK to comply with standards, as well as an assessment by the interviewer.

Candidates cannot be asked about their health, absence record or disability in the interview.

Once all interviews have been completed the candidates will again be reviewed against the selection criteria and a decision made. The successful candidate will initially be (verbally and/or in writing) offered the position subject to satisfactory completion of all pre-employment checks.

All materials relating to the appointment of the successful candidate are stored in the appointee's Personnel File (Electronic). All materials relating to candidates who were not successful must be stored for 6 months and then securely destroyed; this is the responsibility of HR.

4. Disclosure

4.1 Pre-employment checks

Any offer to a successful candidate who will work at the School will be conditional upon the checks required as set out in the DfE statutory guidance, KCSIE Sept 2021, ISI, and NMSBS. All pre- employment checks should be undertaken by the HR team and all staff seeking to appoint anyone to work in the School must consult the HR team to ensure the appropriate checks and procedures are followed and completed prior to a new employee commencing work. Further, un-prescribed checks may also be appropriate in certain circumstances, and recruiting managers should discuss with HR any further checks considered appropriate for due diligence, especially in the context of the Prevent Duty, to ensure appointments, volunteers and visiting speakers are suitable.

The KCSIE booklet is available from:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

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.

Recruitment of staff to Seckford Care, or Foundation where they may also have cause to work at the Almshouses site will also be subject to the vetting and barring requirements of the Care Quality Commission (CQC) as set out in the Seckford Care's Recruitment Policy.

Recruitment of Foundation staff who may have cause to work at both the School and the Seckford Almshouses will be subject to both.

Many checks are also required for the School's volunteers and people working on behalf of the School such as the self-employed, contractors and agency staff where they will be engaged in regulated activity (see relevant paragraphs below for the requirements for these groups of people.)

Offers of appointment will be conditional upon satisfactory completion of the following pre-employment checks:

4.2 Verification of a candidate's identity and address

Checks are made against an official document such as a passport, driving licence (with photo) or birth certificate together with evidence of address such as utility bills, and bank statement or similar (dated within last 3 months).

4.3 Verification of a candidate's right to work in the UK

Checks are made in line with the Home Office rules and the requirements set out in the DBS Code; further advice can be found on the GOV.UK website.

4.4 Criminal Records Checks and DBS Disclosures

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 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 school immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

The School must obtain an enhanced DBS check, with barred list information if they will work in the School in regulated activity. The DBS certificate will be issued to the individual who will be required to present the original disclosure certificate to the School for verification before commencing work.

Failure to present the original Disclosure certificate to HR within 28 days of receipt by the individual may lead to the offer of employment being withdrawn by the School.

Where an applicant subscribes to the DBS Update Service (if applicable) the School will:

- obtain consent from the individual to carry out an online check to view the status of an existing standard or enhanced DBS check;
- confirm the DBS certificate matches the individual’s identity;
- examine the original certificate to ensure that it is valid for the children’s workforce; and,
- ensure that the level of the check is appropriate to the job they are applying for, e.g. enhanced DBS check/enhanced DBS check including with barred list information.

There is no requirement to obtain an enhanced DBS check or carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the candidate has worked in;

- a school or maintained school in England in a post which brought them into regular contact with children, or;
- a maintained school in England appointed to any post on or after 12 May 2006; or

- 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 them regularly into contact with children or young persons.

All other pre-employment checks must still be completed, including where the individual is engaging in regulated activity, a new barred list check. The School can, and should request, a new enhanced DBS check with barred list information should there be concerns, and the person will be engaged in regulated activity, (or without barred list information if not in regulated activity).

The School **may not** request an enhanced DBS check **with** barred list check if the person will not be working in the School in regulated activity, but may request an enhanced DBS check **without** a barred list check.

4.5 Starting work pending DBS

If a disclosure is requested but has not yet been received, a short period of work is allowed pending receipt of the DBS disclosure at the discretion of the Head (or Operations Bursar (or those with delegated authority) provided;

- the appointment remains conditional;
- a satisfactory check of the barred list is undertaken beforehand (for those in regulated activity);
- all other checks have been completed satisfactorily
- the DBS has already been requested; and
- Appropriate safeguards determined through risk assessment, such as supervision/chaperoning, are put in place and discussed with the candidate. Such measures should be documented and reviewed every two weeks.

4.6 Individuals who have lived or worked outside of the UK

- DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.
- Where an applicant has lived and/or worked overseas for a period of time and because of the recency/duration of this period a DBS disclosure is not considered sufficient, further checks as deemed appropriate and available from the relevant country should also be made. The HR department will advise on what checks may be possible with reference to Home Office guidance. This may include requesting additional references for applicants coming from countries which do not provide criminal records checks.
- Applicants returning after working overseas should be asked to provide a 'Certificate of Good Conduct' or equivalent documentation from the relevant authorities, in addition to other checks undertaken by the School. The School recognises that the length of time to obtain a Certificate of Good Conduct varies dependent on the country. Therefore, a reasonable timeframe will be given by the Human Resources

- Department for the candidate to provide a Certificate of Good Conduct and failure to provide the documentation within this timeframe may lead to a withdrawal of the offer of employment.
- The School should also obtain a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC.
- Where the applicant has worked in a school in the UK since moving from overseas, the standard checks can be made for subsequent appointments unless there are concerns.

4.7 Prohibition Order Check

Qualified Teacher Status (QTS) is not a requirement for teachers in the Independent Sector but the School must check that anyone employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State. The check is completed using Teaching Regulation Agency (TRA) Teaching Services online service, and for those without QTS, the list of prohibited teachers should be checked by name to ensure the candidate is not named on the list. The definition of teaching work is set out in the Teachers' Disciplinary (England) Regulations 2012.

Prohibition from Management of Independent Schools Directions (Section 128 Directions); From 12 August 2015 a check must be made to ensure that new staff appointed to management positions after that date are not subject to a s. 128 direction.

The following staff are considered to be in management positions for the purposes of this check:

- Headteachers
- Senior Leadership Team, (including non-teaching staff)
- Teaching positions with departmental headship
- Staff promoted internally moving into departmental headship positions

Checks are undertaken via the DBS check for staff in regulated activity by noting in box 61 of the DBS application form "Child Workforce Independent School" or if not in regulated activity, by accessing the Teaching Regulation Agency (TRA) Secure Access (this can be done whether or not the person is a teacher and without a teacher reference number).

4.8 Medical Fitness

The School is legally required to be satisfied that staff are medically fit to carry out the duties of the post applied for. To avoid discrimination under the Equality Act 2010 candidates will be asked to sign a declaration after offer of employment, but before the appointment can be confirmed.

Candidates may also be required to complete a health questionnaire and if there are any doubts about a candidate's fitness then the School will consider reasonable adjustments in consultation with the candidate. The School may seek further medical opinion but in accordance with its obligations under the Equality Act 2010, no job offer will be withdrawn without first consulting with the candidate, obtaining medical advice and considering reasonable adjustments.

4.9 Verification of professional relevant qualifications;

Original or certified copies of certificates must be seen to verify any professional qualifications where the school stipulates or an individual claims qualifications as part of the recruitment process **and** where they are taken into account in making the appointment.

4.10 Childcare disqualification – Early Years and relevant later years provision

The School may not employ staff to work in relevant settings or allow them to be directly concerned in their management, if they are disqualified under the Childcare (Disqualification) Regulations 2009. Further information is provided in the DfEd "Disqualification under the Childcare Act 2006" statutory guidance issued February 2015 but in summary;

The disqualification requirements apply to the following staff:

- Early years provision - any member of staff who provides any care for a child up to and including reception age. This includes breakfast clubs, lunchtime supervision and after school care provided by the school both during and outside of school hours for this early years age range.
- Later years provision, for children under 8 - please note however that the new DfE guidance states that the Regulations do not apply to education or supervised activity for children above reception age during school hours or in after school or co-curricular educational clubs. However, the Regulations do apply to before school settings, such as breakfast clubs and after school provision that would constitute childcare.

The Regulations also apply to staff who are responsible for managing either the early or later years provision in that setting. This will include the Head, and may also include members of the senior management or leadership team responsible for the day-to-day management of the provision.

Staff such as caretakers, cleaners, drivers, transport escorts, catering and office staff who are not employed to directly provide childcare are not covered by this legislation. Anybody involved in any form of healthcare provision for a child, including school nurses and local authority staff such as speech and language therapists and education psychologists, are specifically excluded from the statutory definition of childcare, and are therefore excluded from the legislation.

Most staff who are only occasionally deployed and are not regularly required to work in relevant childcare will not automatically come within the scope of the legislation. HR or

the School's Designated Safeguarding Lead (DSL) should be contacted for guidance and advice about which staff are covered.

The grounds for disqualification are not only that a person is barred from working with children (as a barred list check will confirm), but also include, in summary;

- being found to have committed certain violent and sexual criminal offences against children and adults which are referred to in regulation 4 and Schedules 2 and 3 of the 2009 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation);
- certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations;
- refusal or cancellation of registration relating to childcare, or children's homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2009 Regulations;
- being found to have committed an offence overseas which would constitute an offence regarding disqualification under the 2009 Regulations if it had been committed in any part of the United Kingdom.

Relevant staff must be made aware of the legislation (see the School's Safeguarding Policy) and candidates to be appointed to relevant roles in such settings will be asked to complete a self-declaration as part of the pre-employment checks, and to provide relevant information about themselves, or someone who lives in the same household to confirm that they are not disqualified.

4.11 References

All offers of employment will usually be subject to receipt of at least two references, which are satisfactory to the School and should include one from the current/most recent employer and, if this did not include work with children, then the second referee should be from the employer with whom the applicant most recently worked with children, if applicable.

Neither referee should be a relative or someone known solely to the applicant as a friend.

Ideally, references will be sought before interview so that issues of concern can be explored with the referee, and taken up with the candidate at interview (this should still happen even if references received after interview).

References will only be accepted that are received directly from the referee and the School will not accept open references or testimonials. The School will check that the referee has answered all specific questions satisfactorily and compare any information provided by the referee with that provided by the applicant, and resolve any concerns or discrepancies before accepting.

In any reference request, the School will seek objective and factual information about:

- the candidate's suitability for the post and any reasons they consider them unsuitable for the post and/or to work with children or young people;
- their relationship (personal or work) with the candidate;
- attendance, health and punctuality (should only be requested after an offer has been made);
- whether the applicant has ever been the subject of disciplinary procedures involving issues relating to the safety and welfare of children or young people (including anywhere the disciplinary sanction has expired);
- details of any allegations or concerns that have been raised (formally or informally) involving issues relating to the safety and welfare of children or young people and the outcome (except where allegations were deemed to have been false, unsubstantiated or malicious)
- their current pay arrangements;
- specific verifiable comments about their performance and conduct
- Whether the referee recommends them for the post – without reservation, with reservation or not at all.

4.12 Pre Appointment Checks for other Appointments

Self employed

Any worker or contractor who is self-employed e.g. self-employed music peripatetic, are subject to the same pre-employment checks as those who are employed by the school. Recruiting managers must refer all appointments of self-employed staff to HR who can advise what vetting is required, and will ensure all required checks are undertaken before they start work for the school.

Supply/Agency Staff

Employees of Supply or Recruitment agencies, who will work at the School are subject to the same pre-employment checks as the School completes for its own staff, including a barred list check as necessary depending on whether the employee will be engaged in regulated activity (which includes if regularly working in School with the opportunity for contact with children).

The School must obtain written notification from the agency/employer that they have carried out all the necessary checks to the extent relevant to that person: identity, enhanced disclosure, right to work in the UK, references, medical fitness, previous employment history verification, barred list check, prohibition, qualifications, overseas checks, disqualification under the Childcare Act 2006. The School must be provided with a copy of the DBS disclosure, whether or not it discloses any information, **before** the individual commences their duties. Recruiting/contracting managers must inform HR of all such appointments and provide the written confirmation for HR to confirm checks acceptable, or HR will contact the agency/employer directly on the manager's behalf. The individual's identity must also be checked on arrival to ensure the checks carried out by the agency were on the same person.

Contractors

Employees of contractors who are working at the school on a long term basis (caterers, cleaners, et al) should be subject to the same checks as school staff, with written confirmation supplied by the employing organisation. The school must check identity on arrival.

Where employees of contractors such as builders will have access to areas of School where unsupervised access with children is possible, the School must receive, and retain, confirmation from the contractor that DBS checks have been undertaken before a new individual starts work at the School, the written confirmation should contain some level of detail in terms of name, checks and dates. The DBS check may only include a Barred List check if the contractor's employee will be undertaking duties the School determines to be regulated activity. The individual's identity must also be checked on arrival.

Where the employees of contractors visit infrequently, and/or only when pupils are not present in school, for example to carry out occasional/emergency repairs or servicing, it may be not be necessary to carry out checks. Managers should consult HR when appointing such contractors (or if the nature, frequency or timing of their visits may change), to determine if checks are required and, if so, to ensure confirmation of such checks is received from the contractor before the employee starts work at the school.

Managers should also put appropriate arrangements in place to ensure their ID is checked before they start work and appropriate supervision/monitoring is in place where appropriate.

Visiting Professionals

Individuals working at the School but employed by third parties, such as public sector employees e.g. psychologists, or other professionals such as CCF instructors, sports referees and equivalent professionals supplied by a central body should have been checked by their employing organisation. It is not necessary to see their disclosure but the employing organisation should confirm in writing that the checks have been carried out. A check must be made to confirm their identity when they arrive.

Visiting Speakers/Agencies

Woodbridge School recognises the role that external agencies and speakers can play in enhancing the learning experiences of our pupils. All speakers invited in to school will be positively vetted to ensure that their messages are consistent with, and not in opposition to, the school's values and ethos, and to ensure we meet our obligations under the **Prevent** duty.

Staff inviting guests to speak to pupils should refer the Safeguarding Policy for guidance about how to assess the suitability of input from external agencies/speakers, and should discuss with HR whether such visitors fall within the remit of the prescribed vetting checks or, for the purposes of due diligence, other checks may be advisable.

All visitors invited to speak to pupils must be informed of our strong safeguarding culture, and be directly supervised; this is good practice as well as ensuring we meet our obligations under the Prevent duty.

Volunteers

The School welcomes the benefit that comes from developing well planned, active parental, carer and community links and encourages the participation of volunteers in School and Foundation activities.

The School must also fulfil its duty to safeguard children and younger people and appropriate checks must be undertaken before any volunteer can commence activities with the School.

The checks required for volunteers will vary by individual and activity. The school must assess whether the individual will be in regulated activity.

Volunteers, who would be in regulated activity, were they not supervised, should have a DBS check (but no Barred List check) and any other checks considered appropriate following a risk assessment (see below).

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

The DfE has provided statutory guidance on the supervision of activity with children (when such activity would be regulated if unsupervised) and this can be found in Annex D of the KCSIE September 2021 guidance or on GOV.UK. The guidance from DfE suggests volunteers would be supervised (and therefore not in regulated activity) if the supervision is:

- by a person who is in regulated activity (e.g. a teacher or classroom assistant);
 - regular and day to day;
- and
- is “reasonable in all circumstances to ensure the protection of children” (taking into account the age of the children, the number of children, whether or not other workers are helping to look after the children; the nature of the work, how vulnerable the children are, and the levels of supervision).

Recruiting managers must refer to the above guidance and discuss with HR when determining the checks and level of supervision required.

Under no circumstances should a volunteer for whom no checks have been carried out be left unsupervised or allowed to work in regulated activity.

Volunteers in regulated activity, i.e. because they are undertaking duties involving personal care even as a one off, (such as helping young children with toileting or supervising overnight), or because they will not be supervised, must have a DBS and Barred List check before undertaking regulated activity, as well as any other checks determined as appropriate from the risk assessment e.g. references, informal interview. It is always advisable to establish if someone in the community knows the volunteer, and if so that there are no concerns.

Recruiting managers (anyone in School who wishes to deploy a volunteer) should follow the School Volunteer Engagement Procedure, available from HR or on the School's x drive, to seek authority to engage the volunteer and to ask HR to complete the necessary checks **before** the volunteer commences their duties. The flowchart in Appendix 3 is contained in the Procedure and provides a useful guide to determine what checks may be required. The procedure also includes a "risk assessment" to determine what checks should be undertaken, and the supervision arrangements that will be put in place if the volunteer is to be supervised and no barred list check has been made.

Those who do not require pre-employment checks

The following do not usually require vetting checks;

- Visitors carrying out repairs or servicing equipment (see contractors above), or those on school site when pupils are not present;
- Visitors who will not have the opportunity for contact with children, or will only do so briefly in the presence of a teacher may be treated as visitors and no checks are required (however, see section on visiting speakers above);
- Secondary school pupils on work experience or similar, and students aged eighteen or over studying as pupils;
- Staff returning from leave (e.g. maternity, paternity), sabbaticals or similar where continuity of employment is maintained need not be rechecked, although the School can do so if they wish. Similarly, staff with "zero hours" contracts that have continuity of service between periods of work do not need to be rechecked on each occasion.

School House

In addition to all the measures set out above to ensure all those people who may visit or work at the School are appropriately checked and supervised, the following measures pertain to School House to afford the boarders a greater degree of security while inside School House:

- Only those staff employed and fully vetted by the School, and known to the Head of Boarding to be a part of the House team (such as tutors, cleaners, matrons, maintenance team etc) are permitted entry into School House under conditions where they may for any time be unsupervised by the Housemaster or his representative. Any ancillary, contract or unchecked staff will have had to have signed into the main school reception in compliance with Visitors and Strangers on Site Policy and will therefore have a visitor badge on arrival at School House. All persons visiting boarding accommodation (e.g. visitors, outside delivery/maintenance personnel) are kept under sufficient staff supervision to prevent them gaining substantial unsupervised access to boarders or their accommodation.

Reference should also be made to the Visitors and Strangers on Site Policy section for further guidance on safeguarding boarders.

Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. The definition of regulated activity most relevant to schools, as guided by ISI, is set out Appendix 1. Appendix 2 provides guidance in determining whether a person is engaged in regulated activity. A more detailed factual note can also be found on the GOV website at; https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/377519/DBS_referrals_guide_summary_of_regulated_activity_with_children_v2.2.pdf

4.13 Single Central Record

The School must keep a Single Central Record (SCR), or “Register” containing an entry for all:

- staff (including supply/agency staff) who work at the School;
- others who work in regular contact with children in the School, including volunteers and visiting speakers where checks required;
- members of the proprietor body.

HR maintains the register on behalf of the School, in line with the requirements set out by ISI, and must therefore be kept fully informed of the potential appointment of anyone to work at the School, not only to undertake the necessary checks, but also to ensure the appropriate entries are made on the SCR where appropriate. Leavers should be archived at the end of each school year.

4.14 Induction

Line/Recruiting managers are responsible for ensuring new staff receive an appropriate induction, and that they read key policies prior to, or immediately upon, commencing work. New appointees to Woodbridge School (and Foundation staff based at the School) are sent current safeguarding policies with their Offer and Contract pack.

Full details of the induction process can be found in the Induction Policy Statement. As part of the induction, the Induction Checklist covers the minimum requirements that must be completed; it must be signed to confirm actions complete and returned to HR within the required timescales.

The Designated Safeguarding Lead ensures all new starters undertake Safeguarding training.

4.15 DBS Code and Recruitment of Ex-Offenders

The School and Foundation complies with the DBS Code of Practice, and as part of this will follow requirements in respect of the Rehabilitation of Offenders Act 1974 when considering any disclosure of a conviction or other matter, as set out in the Foundation’s Rehabilitation of Ex-Offender’s Policy which can be found on the School’s x drive.

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

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

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance “Disqualification under the Childcare Act 2006”.

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

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

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

- whether the conviction or other matter revealed is relevant to the position in question;
- 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 (if yes, it will not be taken into account);
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

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

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

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

The School also complies with its obligations regarding the retention and security of records in accordance with the Handling Retention and Disposal of Disclosure Information Policy and its Data Protection Policy which can be found on the X Drive. Copies of DBS certificates will not be retained for longer than 6 months. The DBS Code of Practice can be accessed at <https://www.gov.uk/government/publications/dbs-code-of-practice>.

5. Compliance and Monitoring arrangements

This policy will be subject to a thorough review process including consideration at the Compliance and Risk Committee on an annual basis. This will ensure that practice across the whole school is in line with this policy, the Complaints procedure and with current guidance and legislation.

6. Appendix

6.1 Appendix I

Definition of Regulated Activity - Schools

I. All **REGULAR** work for schools with the opportunity for contact with children is

REGULATED ACTIVITY” except the following:

- Work (not entailing personal care, within definition **2.** below) by supervised volunteers
- Work (not entailing care or teaching, within definitions **2** or **3** below) by occasional/temporary contractors
 - Work by pupils for other pupils (excepting for those in early years) (known as “the peer exemption”).

2. Relevant personal care, or health care is regulated activity.

- Personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;
- Health care means care for children provided by or under the direction or supervision of, a regulated health care professional.

Care within this definition **is always regulated**; considerations of regularity and supervision do not apply.

3. Regular, unsupervised teaching, training, instructing, caring for or supervising children is regulated activity and so is regularly;

- Providing advice or guidance for children on well-being, or
- Driving a vehicle only for children

Although 3. above concerns teaching which is the primary function of schools, this definition rarely needs to be considered by schools as **ALL** work, including teaching, which is done for a school will usually be considered under the first definition above. The third definition is mainly of relevance to, for example, peripatetic teachers whose work in one school would not be “regular” but whose work across several schools meets the “regular” definition.

6.2 Appendix 2

Deciding whether a person is engaged in regulated activity

Key questions:

Is the activity they will do “work”? (A person, for example, visiting the head or their own child would not be working.)

Is the work regular? (See definition of “regular”)

Does it give rise to opportunity for contact with children? (This applies whether or not that contact is required by the work and whether or not it actually takes place. The issue is whether there is “opportunity”).

Is the work for the purposes of the school? (This would not include, for example, those working for bodies hiring premises for other purposes out of school hours.)

If the answer to all these questions is “yes”, the person is working in regulated activity unless an exception as below applies:

Is the person a volunteer?

- If so, does their work involve personal care of pupils? (See definition of personal care, above.) [Personal care work is always regulated activity.]
- If not, are they supervised? (See supervision guidance.)

If so, the volunteer is not engaged in regulated activity as a supervised volunteer, not doing personal care work, is not in regulated activity.

Is the person a contractor?

- If so, are they administering personal care or health care, as defined? [These are always regulated activity.]
- If not, are they teaching pupils? [Regular teaching is always regulated activity.]
- If not teaching work, is the contract for occasional or temporary non-teaching work (such as, a quick plumbing task)? (There is no definition of “occasional or temporary” but see the definition of “regular”).

If so, the contractor is not in regulated activity as non-teaching work by occasional or temporary contractors is not regulated activity.

6.3 Appendix 3

