

# Staff Safer Recruitment and Selection Policy

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School website	✓

# **Staff Safer Recruitment and Selection Policy**

## **INDEX**

- 1. Principles**
- 2. Policy**
- 3. Data Protection**
- 4. Recruitment procedure**
- 5. Defining the role**
- 6. Managing the application process**
- 7. Selecting candidates**
- 8. References**
- 9. Making the appointment**
- 10. Agency staff and contractors**
- 11. Governors**
- 12. Self-employed workers**
- 13. Medical fitness**
- 14. Employment offer**
- 15. Retention of records**
- 16. Queries**

## **Appendices**

- 1. Policy statement on the recruitment of ex-offenders**
- 2. Authority to recruit form - for teaching staff and support staff (can be found on portal page)**
- 3. Recruitment checklist**
- 4. Online searches**
- 5. List of valid identity documents**

## **1. Principles**

1.1. St Paul's Girls' School (the school) is committed to providing the best possible care and education to its students and to safeguarding and promoting the welfare of children and young people. The school is also committed to providing a supportive and flexible working environment to all its members of staff. The school recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

1.2. The aims of the school's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position.
- to ensure that all job applicants are considered equally and consistently.
- to ensure that no job applicant is treated unfairly on any grounds including but not limited to:
  - age
  - gender reassignment
  - marriage or civil partnership
  - being pregnant or having a child
  - disability
  - race including colour, nationality(citizenship), ethnic or national origin.
  - religion, belief or lack of religion/belief
  - sex
  - sexual orientation
- to ensure compliance with all relevant legislation and statutory guidance including the statutory guidance published by the Department for Education (DfE) Keeping Children Safe in Education (the Guidance), the Prevent Duty guidance for schools published by the DfE and any codes of practice published by the Disclosure and Barring Service (DBS)
- to encourage the recruitment of staff with disabilities and to ensure reasonable adjustments are made at all stages of the recruitment process.
- to ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.
- to ensure compliance with all relevant legislation and guidance issued by the Home Office in relation to the employment of staff with the right to work in the UK.

1.3. The general principles of this policy apply to all school employees, governors, agency workers, contract workers and volunteers (see also the Volunteer Management policy). Specific arrangements apply for each category as appropriate. Separate policies apply to building contractors which relate to the specific project. Provisions for visitors, including visiting speakers, are addressed in the Visitors policy.

## **2. Policy**

2.1. Recruitment and selection decisions are based on objective, pre-determined job-related criteria as defined by the job description and person specification, in line with the school's equal opportunities policy and current legislation.

- Unless there is an overriding business reason, all vacancies must be advertised other than for short-term or casual positions where it may be more appropriate to use agency staff or other means to identify a suitable worker.
- All externally advertised vacancies will be placed on the school's website and other external recruitment methods may also be used e.g., recruitment agencies or advertisements placed in appropriate publications, journals and websites.
- All external advertisements must comply with the school's house-style, be approved by either the High Mistress or Bursar, or representative, and be placed through HR.
- Advertisements will conform with all current legislation and the school's equal opportunities policy. Advertisements will include a prominent reference to safeguarding.
- Most advertised posts will be open both to internal and external candidates. Where this is not the case it will be made clear. Internal only vacancies should be brought to the attention of staff by an appropriate means. Vacancies may be ring-fenced to a particular group of staff – e.g., in a re-deployment situation.
- Details relating to safeguarding and the requirement for DBS checks will be included with the details of the post.
- Sufficient information will be obtained from the applicant's original application to enable short listing against objective criteria.
- Although other staff may be involved in meeting candidates informally or observing teaching, only staff trained in the school's safer recruitment and policy procedures will be involved in the selection process and any decision making. Staff involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy. At least one member of staff on every panel must have received safer recruitment training.
- All applications will be treated confidentially and circulated or discussed only with those involved in the recruitment process.
- The school aims to provide a positive and valuable experience for all candidates who attend for interview, which gives worthwhile professional development experience, whether or not they are eventually offered employment.
- All teachers will meet with the High Mistress or the nominated representative before being offered a position.
- The final decision on any offer of employment rests with the High Mistress, Bursar or Director of Operations. They may delegate this authority for a specific post if necessary.
- Only the High Mistress or the Bursar can make a formal written offer of employment. The normal delegations for signature apply.

### **3. Data protection**

- 3.1. The school is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the school to enable the school to carry out the checks that are applicable to their role. The school will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency. Failure to provide requested information may result in

the school not being able to meet its employment, safeguarding or legal obligations. The school will process personal information in accordance with its Privacy Notice.

#### **4. Recruitment Procedure**

- 4.1. Effective recruitment is part of the process of ensuring that we have the right person, in the right place, at the right time. Final responsibility for recruitment rests with the senior management team, however, the involvement of line managers is crucial. By ensuring that all positions are filled by the candidate with the best skills, experience and knowledge, the school will continue to grow and succeed. A recruitment check list is attached as Appendix 3.

#### **5. Defining the role**

##### **5.1. Job analysis**

Before recruiting for a new or existing role, it is important to review information about the nature of the role, for instance:

- The content of the role (e.g., tasks)
- The outputs required by the role holder
- How the role fits with the departmental and school structure
- The skills and attributes needed to perform the role effectively
- Any safeguarding or child protection issues or risks specific to the role.

- 5.2. The information from this analysis should then be used to form the basis of the job description and person specification.

- 5.3. New and replacement appointments are also an opportunity to consider whether roles are still necessary or structured in the best way:

- Is a direct replacement needed?
- Can the work (or part of it) be re-allocated?
- Could the role be done on a part-time or term-time only basis?
- Could this role be a development opportunity for internal applicants?
- Do future changes or uncertainty mean that a fixed term appointment should be considered?

##### **5.4. Job description**

A job description is an outline of the role that is to be performed. It explains the job to the candidates and helps the recruitment process by providing a clear guide to all involved about the requirements of the job.

- 5.5. The job description should accurately reflect the elements of the role. It should be a straightforward description of the key duties and responsibilities associated with the role. It should state the reporting lines for the role holder and detail his or her direct reports. The job description should be unambiguous but not defined so tightly that there is no space for flexibility. For more senior roles it is often more useful to think about the required outputs rather than the tasks that the person will need to undertake.

- 5.6. Templates and previous examples of job descriptions are available from HR.

- 5.7. The job description should also be used to communicate expectations about performance to employees and managers to ensure effective performance in the job.

- 5.8. Any specific safeguarding responsibilities should be included in the job description.

### **5.9. Person specification**

A person specification or job profile states the necessary and desirable skills, experience and qualifications for an individual to carry out the role effectively. The use of a fair and objective person specification helps to reduce the risk of subjective judgements in the decision-making process and therefore the potential for discrimination. It is a useful tool in ensuring that the decision can be justified if challenged.

#### **5.10. The criteria should be:**

- Genuinely relevant and necessary for the performance of the role.
- Possible to test or measure.
- Classified as either 'essential' or 'desirable'. Essential criteria are those elements that are critical for the role to be carried out to the required standard and include an appropriate approach to safeguarding. It is expected that applicants meet all of the essential criteria to be considered eligible for appointment. They specify the minimum standard required and should be used as a basis for the rejection of unsuitable applicants. Desirable criteria are those that would enhance the applicant's ability to carry out the role but a lack of one or more of them would not mean that the person was not appointable. Desirable criterion will form the basis of the final decision. The appointment panel should think about which of the desirable criteria are the most important and avoid developing a person specification which over emphasises things which are of relatively minor importance.
- Justifiable and avoid having a disproportionate adverse impact on a particular group unless the particular criteria can be justified. For example, particular care should be taken over requirements such as working outside of the core hours, lifting heavy objects or undertaking lots of travel. All of these will be justifiable for some roles but not for others and may be seen as discriminatory.
- A person specification template is available from HR. For teaching and some management and administrative roles the job description and person specification are amalgamated into a single document.

#### **5.11. Authority to recruit**

An Authority to Recruit Form (found on the portal) must be completed prior to advertisement for all appointments and prior to any offer of employment for casual workers. The form must be signed by the High Mistress or Bursar as appropriate and then sent to HR along with the job description, person specification and any other supporting documents.

#### **5.12. No appointments will be progressed until the Authority to Recruit Form is completed.**

#### **5.13. Attracting applications**

All advertisements should be placed through HR. HR will discuss the most appropriate methods of attracting applicants and take any actions required to put these in place. Alongside advertising, using networks and contacts to draw a vacancy to the attention of potential applicants can be very effective. Care should be taken not to mislead possible applicants into thinking that an informal contact guarantees an interview.

## **6. Managing the application process**

### **6.1. All applicants will receive appropriate guidance through the school website as to how to apply for a vacancy. This will normally include the following:**

- Information on how to apply for the advertised post
  - An application form and explanatory notes about completing the form and the recruitment process (for both teaching and non-teaching staff)
  - A job description and person specification, usually within the further particulars for the post
  - The school's safeguarding (child protection) policy
  - The school's policy statement on the recruitment of ex-offenders (Appendix 1)
  - The school's policy statement on the Secure Storage of Data
  - Information on the enhanced Disclosure and Barring Service (DBS) certificate
  - The school's equality monitoring form
  - St Paul's Girls' School salary scale (teaching staff only)
- 6.2. If applicants require further assistance they can e-mail HR at [hr@spgs.org](mailto:hr@spgs.org) or call the dedicated recruitment telephone line 0207 605 4875.
- 6.3. All applicants are asked to complete an application form (and where appropriate to include a CV) which asks for two referees. A CV will not be accepted in place of the application form unless stated in the further particulars or advertisement. This would usually only apply to internal vacancies.

## **7. Selecting candidates**

- 7.1. The selection of candidates is undertaken by an appointments committee, which will normally consist of the High Mistress or Bursar or their delegate, other senior members of staff, the line manager for the post and where appropriate, external experts in the relevant field. At least one member of staff involved in the recruitment interviewing must have completed safer recruitment training.
- 7.2. The school does not use artificial intelligence software as a decision-making tool at any stage of the recruitment process, including in respect of external and internal applications and promotion proposals.
- 7.3. Selecting candidates involves two main processes:
- shortlisting (all shortlisted candidates will be subject to an online search as per KCSIE 23 regulations (see Appendix 4 for further details regarding online searches)).
  - assessing applicants by interview and other tests as necessary to decide who should be offered a job.
- 7.4. HR will provide a list of the candidates for shortlisting.
- 7.5. All shortlisted candidates will be written to seeking their consent for the school to conduct an online search of publicly available information in line with KCSIE 23. All search results will be reviewed and recorded on the Single Central Register. See Appendix 4 for more details.
- 7.6. Interviews will normally be conducted by more than one person. Safeguarding questions will be addressed to all applicants and any concerns put before the appointments committee. Any gaps in the CV must be queried and information noted on the official interview forms. The official interview forms should be used and completed copies returned to HR. The selection process itself should involve a variety of assessment techniques.

- 7.7. All applicants for teaching roles will be asked to teach a lesson, observed by at least one other person, usually the Head of Department and/or the Deputy Head, Director of Studies.
- 7.8. Selection decisions should be made after using a range of tools (such as teaching lesson observation; competency interviews; ability tests) appropriate to the time and resources available. Care should be taken to use techniques which are relevant to the job and the business objectives of the school. All tools used should be validated and constantly reviewed to ensure their fairness and reliability. The school reserves the right to reject candidates where there are safeguarding concerns.

## **8. References**

- 8.1. HR will always take up references on all staff before a job offer is finalised.
- 8.2. All offers of employment will be subject to the receipt of a minimum of two references, which are considered satisfactory by the school. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children if applicable. Neither referee should be a relative or someone known to the applicant solely as a friend. All references received from a school must be countersigned by the Head of that school.
- 8.3. 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 is unsuitable to work with children. Referees will be sent a copy of the job description and person specification for the role (where applicable) for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm:
  - the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, and disciplinary record
  - whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired)
  - whether there have been any concerns in relation to the Prevent Duty.
- 8.4. 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 compare all references with any information given on the application form. Should there be any discrepancies or inconsistencies in the information or issues that raise concern the relevant referee will be contacted, and a note (including the date of the conversation) will be made on the file. The issues will also be taken up with the applicant prior to the formal offer of the role.
- 8.5. References will be signed by HR on acceptance that they are satisfactory. Once an offer of employment has been made references provided for the successful candidate will be orally verified by the HR. Verification will involve HR contacting the referee by telephone to confirm they wrote the reference and to ask them to confirm that they are not aware of anything that would prevent the applicant from working with children.

## **9. Making the appointment**

- 9.1. In accordance with requirements set out in statutory guidance, and the requirements of the Independent School Standards, the school carries out a number of pre-



employment checks in respect of all prospective employees, whether permanent, fixed term or casual, and visiting music teachers. (See also 10, 11 and 12 below for arrangements relating to contractors and agency staff, governors and self-employed workers).

**9.2. Verification of identity, address, right to work in the UK, and qualifications**

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications.

9.3. The school asks for this information at interview to ensure that the person attending the interview is who they claim to be, that they are permitted to work for the school if appointed and that they hold appropriate qualifications.

9.4. Governors and volunteers will be required to bring proof of identity and other paperwork as deemed appropriate for the appointment.

**9.5. Identity and address**

All applicants must bring with them to interview, original documents which evidence their identity and address as set out below and in the list of valid identity documents at Appendix 5 (these requirements comply with DBS identity checking guidelines):

- one document from Group 1\*; and
- two further documents from either of Group 1\*, Group 2a or Group 2b, one of which must verify the applicant's current address.

(\*applicants must always provide their birth certificate as one form of identity unless there is good reason why this cannot be provided).

9.6. Where an applicant claims to have changed their name by deed poll or any other means (e.g., marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. They will also be required to provide their birth certificate.

9.7. The school asks for the date of birth of all applicants in order to verify identity and check for any unexplained discrepancies in the employment and education history. The school does not discriminate on the grounds of age.

**9.8. Right to work in the UK**

All applicants must also bring to interview a valid form of evidence which confirms their right to work in the UK. Valid forms of evidence can be found in the Home Office Right to Work checklist and in some cases the evidence of your right to work in the UK can also be used as evidence of your identity and address for DBS identity checking purposes.

9.9. The School will check evidence of your right to work in the UK in accordance with the Home Office Code of Practice on preventing illegal working: Civil penalty scheme for employers (6 April 2022).

**9.10. Qualifications**

All applicants must also bring to interview original documents which evidence any educational and professional qualifications referred to in their application form and / or which the school requests.

**9.11. Retention of records**

The school will retain copies of the documents used to verify candidates' identity, right to work, and qualifications in accordance with the Document Retention and Disposal policy.

**9.12. Disclosure and Barring Service (DBS) check**

Due to the nature of the work, the school applies for an enhanced disclosure from

the Disclosure and Barring Service (DBS) in respect of all prospective staff members, governors and volunteers (with the exception of those volunteering for a supervised, one-off event). The engagement of volunteers is covered in more detail in the volunteer management policy. Enhanced disclosures are completed by the DBS in line with the prevailing legislation. Further details about DBS checks are available at <https://www.gov.uk/disclosure-barring-service-check/overview>.

- 9.13. Information about DBS Certificate with Barred List checks for host families during exchanges visits can be found in the Educational Visits Policy.
- 9.14. In addition to the documents required above, documents confirming address details (see clause 9.5) will be requested before the DBS certificate application can be made.
- 9.15. DBS certificates should ideally be received no more than three months in advance of the person starting work and the applications will be made at an appropriate time following appointment.
- 9.16. Where an applicant has subscribed to the DBS Update Service, they will be required to produce the DBS certificate linked to that subscription. The school will check the certificate matches the applicant's identity and, with the applicant's consent, undertake an online Update Service check in place of making a new DBS application. Should the Update Service check reveal any change to the original DBS certificate, then a new DBS will be applied for. *The school may choose not to obtain a new DBS check if the applicant has been working in a school in England in a post which brought them into regular contact with children in the three months prior to beginning work at St Paul's. This will be at the discretion of the school's Designated Safeguarding lead (DSL), the Bursar or the High Mistress.*
- 9.17. Where the school ceases to use the services of any person (whether employed, contracted, a volunteer or student) because that person was considered unsuitable to work with children, a detailed report is made to the Disclosure and Barring Service (DBS) as soon as possible after the person has ceased to provide services to the school and in any event within one month of the person leaving the school. This includes dismissal, non-renewal of a fixed-term contract, no longer using a supply teacher engaged directly or supplied by an agency, terminating the placement of a trainee or volunteer, no longer using staff employed by a contractor and resignation and voluntary withdrawal from any of the above. The school understands that there is a legal duty to refer and a failure to refer when criteria are met is a criminal offence.
- 9.18. Where a dismissal does not reach the DBS referral threshold, consideration will be given to making a referral to the Teaching Regulation Agency (TRA) (previously National College of Teaching and Leadership (NCTL)). Reasons for making such a referral would include unacceptable professional conduct; conduct that may bring the profession into disrepute; or a conviction, at any time, for a relevant offence.

#### 9.19. **Barred list check**

The school will commit an offence if it permits an individual to work in a regulated activity<sup>1</sup> where it knows or has reason to suspect that a person is barred. The result of a barred list check will be noted on the school's in-house form and kept on file as the school is no longer permitted to print it. As the school is a 'specified place' under the Safeguarding Vulnerable Groups Act 2006 all of its employees are deemed to be in regulated activity where the work is done regularly i.e., on more than three occasions in a 30-day period or once a week or more.

- 9.20. Most staff and governors in the school are engaged in regulated activity and therefore

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<sup>1</sup> Any position undertaken at, or on behalf of the School will amount to "regulated activity" if it is carried out:

- (a) frequently, meaning once a week or more; or
- (b) overnight, meaning between 2.00 am and 6.00 am; or
- (c) satisfies the "period condition", meaning four times or more in a 30 day period; and
- (d) provides the opportunity for contact with children.

require a barred list check in addition to the enhanced DBS certificate. The application will be made at the same time or before the person starts working in the school, see below. Volunteers will not necessarily require barred list checks. It is unlawful for the school to obtain a barred list check where the person is not working in regulated activity.

#### **9.21. Starting work without an enhanced DBS certificate**

If there is a delay in receiving a DBS certificate, the High Mistress or Bursar has discretion to allow an individual to begin work pending receipt of the disclosure. HR is responsible for completing the risk assessment form if required. This will only be allowed once the school has received at least two references which meets the safeguarding requirements, the DBS application has been submitted, the Children's Barred List check has been completed, and appropriate supervision put in place. The risk assessment will be reviewed regularly (every two weeks) and will remain in place until the DBS certificate is sighted. The risk assessment form must also be completed for any one-off volunteers or visiting professionals who are not engaged in regulated activity.

#### **9.22. Checks on people who have worked or resided overseas**

Criminal record checks will be requested for applicants and governors with periods of overseas residence exceeding three months in the last 10 years. Overseas checks will be made in accordance with the guidance provided for each country on the Home Office Gov.UK website. Applications for overseas checks must be made before somebody starts work. Where a check is not received before the start date the applicant will be required to delay starting work unless the school is able to undertake alternative methods of checking suitability and complete a risk assessment in advance of the start date. Alternative methods of checking suitability will usually entail taking an additional reference beyond the two normally expected. The risk assessment determining whether the person can start work unsupervised will be approved by the High Mistress or Bursar.

#### **9.23. Prohibition from teaching check and letters of professional standing for teaching staff**

All teaching staff and governors will be checked for prohibition orders using the Employer AccessOnline Service before starting work. This service is provided by the Teaching Regulation Agency (TRA) (previously known as the National College for Teaching and Leadership). Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the TRA. For applicants who have worked in the European Economic Area (EEA), the regulatory body in the country where they have worked or qualified will be asked to provide a letter confirming the applicant's professional status. For applicants in all other overseas countries, a letter of professional standing may also be requested where available in addition to our usual overseas police check.

#### **9.24. Prohibition from Management of an Independent School (Section 128 Education and Skills Act 2008)**

All governors, senior managers and academic heads of departments appointed since 12 August 2015 will be checked against the Teaching Regulation Agency list or through the Disclosure and Barring Service to identify any section 128 directions made by the Secretary of State as directed by the Department for Education. The school will carry out checks for such directions when appointing applicants into management positions from both outside the school and by internal promotion. 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.

#### **9.25. Verification of Right to Work in the UK**

All staff will have their right to work in the UK verified in accordance with the Home Office requirements BEFORE starting work. Details of the verification checks are included

in Appendix 5.

These checks apply to short-term casual staff and those who may consider themselves to be self-employed, regardless of whether they are being supervised for safeguarding purposes. Any manager engaging a temporary staff member must ensure the checks are completed.

In some cases, it may be possible for the school to obtain the necessary right to work for a prospective member of staff who does not currently have the right to work in the UK but there are strict processes to be followed. Any such applications must be made through the HR.

## **9.26. Disqualification from acting as a charity trustee or senior manager**

### **Background**

9.27 Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

### **Who is covered**

9.28 A person is considered to be a charity trustee if they are one of the people who have general control and management of the administration of the charity. In an independent school the trustees will typically be the governors of the school.

9.29 Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the school the disqualification rules will be applicable to all governors, the High Mistress, Bursar and potentially other senior staff who report directly to the governors.

### **Self-declaration**

9.30 All those who are covered by the disqualification rules are required to complete a self-declaration form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria.

9.31 A failure to disclose relevant information, or the provision of false information, which subsequently comes to the school's attention may result in the termination of an appointment as a governor or senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence.

9.32 All those who are required to complete a self-declaration form are also under an ongoing duty to inform the school if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

### **Waiver**

9.33 A person who discloses that one or more of the disqualification criteria is applicable to them may apply to the Charity Commission for a waiver of the disqualification.

9.34 The school may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appointment to the governing body if a waiver application becomes necessary or is rejected by the Charity Commission. The school is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

## **10. Agency staff and contractors**

10.1. Agencies and contractors who supply staff to the school must complete the same pre-employment checks which the school would otherwise complete for its staff. The school will require written confirmation that these checks have been completed by

the agency and the date on which they were completed before an individual can commence work. In addition, the school will independently verify the identity of staff supplied and have sight of the original DBS certificate upon their arrival at the school. The fact that written confirmation has been completed by the agency must be recorded on the Single Central Register (SCR).

- 10.2. For staff supplied by agencies, the DBS certificate must be under three months old when the assignment commences, unless the worker has been engaged in a school during the previous three months. An older certificate will be accepted if the worker is subscribed to the Update Service, and the certificate can be verified and confirmed as still accurate by the school.
- 10.3. Where the third-party employer does not undertake enhanced DBS checking (e.g., agencies supplying temporary office staff), the school will obtain an enhanced DBS disclosure as soon as reasonably practical and ensure that individuals are checked against the Barred List (if working in regulated activity) and supervised at all times. The line manager is responsible for completing the Risk Assessment Form.
- 10.4. For health and safety reasons, the majority of building works are carried out when students are not on site. Emergency repair contractors are appropriately supervised by a member of staff. In the event that building contractors have access to areas where unsupervised contact with children is possible, the school undertakes DBS checks on the contractor or requires the company to confirm that checks have been undertaken. Photographic identification is checked on arrival at the school. More detailed documentation relating to checks required for building contractors is issued on a contract-by-contract basis.

## **11. Governors**

- 11.1. The Chair and members of the school's governing body will be subject to checks including DBS with barred list check, overseas convictions check, where relevant, identity and right to work checks conducted by HR. The school will also seek confirmation that governors are not prohibited from leadership and management or prohibited from teaching.
- 11.2. In addition, Charity Commission register of removed trustees checks, Companies House register of disqualified directors' checks and Insolvency Register checks are conducted by the Secretary to governors.
- 11.3. Governors are also required to complete an HMRC fit and proper person declaration required under the Finance Act 2010 and a self-declaration form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria in the Charities Act 2011 (see para 5.9) and a trustee eligibility declaration. They are also required to read and sign the Code of Conduct.
- 11.4. When appointing a new Chair of Governors, the incoming chair must undergo checks via the DfE, including an enhanced DBS check counter-signed by the 'Secretary of State'. It is the responsibility of the school to inform the DfE of a change of chair so that the checks can be made in advance of appointment or as soon as practicable after appointment. The process for the school to inform the DfE is set out in the ISI commentary on the regulatory requirements.

## **12. Self-employed workers**

- 12.1. The school will expect a self-employed worker to undergo the same pre-employment checks as it would complete for its staff before work can commence at the school. The worker will be required to provide valid proof of identity, right to work and qualifications and to supply references and confirmation of their medical fitness. Where the worker cannot obtain an enhanced DBS certificate the school will apply

for this, with barred list check if appropriate.

- 12.2. Workers claiming to have self-employed status must provide supporting evidence and must also satisfy the criteria of HMRC to enable the school to pay them. The government's employment status checker <https://www.gov.uk/guidance/check-employment-status-for-tax> will be used by the school to determine how individuals can be paid.

### 13. Medical fitness

- 13.1. The school verifies the medical fitness of anyone to be appointed to a post at the school, **after** an offer of employment has been made but **before** the appointment is confirmed. It is the school's practice that all applicants to whom an offer of employment is made complete a declaration of fitness form. Where any concerns are identified, completion of a health questionnaire may also be required for review by the school's occupational health advisor. The information from both the declaration of fitness form and health questionnaire will be considered against the job description and the person specification for the particular role where necessary, together with details of any other physical or mental requirements of the role i.e., proposed timetable, extra-curricular activities, layout of the school etc. If the school's occupational health advisor has any doubts about an applicant's fitness the school will consider reasonable adjustments in consultation with the applicant. The school may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.
- 13.2. The school is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

### 14. Employment offer

- 14.1. Offers of employment will be made in writing once the final details have been cleared by the High Mistress or Bursar. All offers are made conditional to the following:
- the agreement of a mutually acceptable start date and the signing of a contract incorporating the school's standard terms and conditions of employment.
  - proof of qualifications where appropriate.
  - the receipt of two references (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory.
  - the receipt of an enhanced disclosure from the DBS which the school considers to be satisfactory.
  - confirmation that the applicant is not named on the Children's Barred List where appropriate.
  - overseas police check(s) or other overseas checks where required.
  - verification of the applicant's medical fitness for the role from the school's medical officer verification of the applicant's right to work in the UK.
  - confirmation that there is no prohibition order issued by the Secretary of State (for teaching staff).
  - letter of professional standing for applicants who have qualified or worked in an EEA country, and any other overseas country where available (for teaching staff).
  - confirmation that there is no prohibition from management of an independent school order issued by the Secretary of State (for governors, SMT and academic

heads of departments).

14.2. All offers of employment are agreed either by the High Mistress or the Bursar.

## **15. Retention of records**

15.1. Records will be retained in line with current statutory regulations and/or the school's Retention Policy. The school has currently suspended any destruction of historic staff files in light of the guidance issued by the Independent Inquiry into Child Sexual Abuse (IICSA).

15.2. If the applicant is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.

## **16. Queries**

16.1. For further advice contact HR at [hr@spgs.org](mailto:hr@spgs.org).

### **Availability of this policy**

A copy of this policy may be downloaded from our [website](#) or is available request from the school office, St Paul's Girls' School, Brook Green, London, W6 7BS (tel: 0207 603 2288). This policy can be made available in large print or other accessible format if required.

### Policy statement on the recruitment of ex – offenders

The school makes this policy statement available to all applicants at the outset of the recruitment process.

As a registered body that uses the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, St Paul's Girls' School (the school) complies fully with the DBS guidance and undertakes to treat all applicants for positions fairly. We undertake not to discriminate unfairly against any applicant for employment on the basis of conviction or other details received. The school makes appointment decisions on the basis of merit and ability and if an applicant has a criminal record this will not automatically bar him/her from employment with the school.

All positions within the school are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) including those which would normally be considered "spent", when applying for a position at the school. A failure to disclose a previous conviction may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence. All application forms and job descriptions contain a statement that we will request an enhanced DBS disclosure in the event of the individual being offered the position.

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, or it has serious concerns about an applicant's suitability to work with children.

### DBS filtering rules

With effect from 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. 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 list of "specified offences" can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>.



The filtering rules have recently been updated and work as follows:

**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 when a person was under the age of 18 will not 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).

In the event that information in relation to a previous conviction or otherwise is revealed, the school will evaluate each case based on objective assessment criteria to include, amongst other things, the nature of the offence, the length of time since the offence, the circumstances surrounding the offence and whether the conviction or matter revealed is of relevance to the position applied for.

At interview, or in a separate conversation, we ensure that an open and measured discussion takes place on the subject of any offences or other information revealed by the applicant that might be relevant to the position. We also undertake to discuss any matter revealed in a disclosure with the person seeking the position before we withdraw a conditional offer of employment. If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the school will, where practical, defer a final decision about the appointment until the applicant had had a reasonable opportunity to challenge the disclosure information.

Further information about DBS checks can be found at <https://www.gov.uk/disclosure-barring-service-check/overview>

The school complies with the guidance provided by the DBS which is available on their website <https://www.gov.uk/government/organisations/disclosure-and-barring-service>.

The school's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that any offer of employment is subject to. Whilst these checks are carried out pre-employment, the school also has a legal duty to refer to the DBS: -

- Any applicant who has applied for a position at the school despite being barred from working with children; and

- Anyone who has harmed, or poses a risk of harm, to a child, and who has been removed from working (paid or unpaid) in regulated activity or would have been removed if they had not left.

Failure to refer in circumstances where the above criteria are met is an offence. Where there are serious concerns about a teacher's suitability to work with children, separate consideration will be given to whether a referral to the Teaching Regulation Agency should be made. This is the case irrespective of whether the DBS criteria have been met.

**Authority to recruit form for teaching staff - available on HR Portal Page.**

### **Working at St Paul's Girls' School – the options available**

#### **Permanent employees (full or part-time)**

The individual is offered a contract of employment. This varies for:

- Full or part-time
- Teaching or non-teaching
- 52 weeks per year or term-time only.

#### **Fixed term employees**

The individual is offered a Contract of Employment for a specified period of time.

#### **Sessional / casual employees**

The individual is offered a contract of employment and is remunerated by session at a rate set by the school and paid through the payroll on production of a timesheet. This will include sports coaches, ensembles and other casual employees.

#### **Peripatetic workers**

The individual is self-employed, and they invoice parents directly. The individual signs a 'peri' contract with the school. The parents sign a contract confirming this arrangement. Peris who undertake work for the school e.g., running an ensemble group, must be treated as employees for this work (see under sessional workers below).

#### **Other self-employed workers**

It is possible that some other workers may qualify as self-employed. They should complete the online employment status checker with a member of HR if they think they may qualify.

#### **Ltd Company**

The individual offering services to the school invoices through a Ltd Company. There is no contract with the individual and the Ltd company is engaged as a contractor. All correspondence and payment of invoices will only be made to the Ltd Company and not the individual.

#### **Agency temps**

The individual is recruited through an agency or directly by the school to work on a short-term basis. Temps through agencies are paid by the agency via a timesheet at a rate agreed by the school. Temps recruited direct are paid at a rate set by the school on production of a timesheet.

## Appendix 3

### **Recruitment checklist for HR in consultation with senior managers/line managers to agree the detailed actions and timeline for the whole process, including:**

- The date(s) when advertising will take place.
- Content and style of advertisements and where they will be placed.
- The deadline for applications
- Date when selection will take place.
- Membership of the appointment committee.
- When and how applicants will be sorted for selection.
- When shortlist will be ready.
- Interview schedule to include lesson for teachers and appropriate selection methods for non-teaching staff. Possibly departmental lunch or coffee/tour of the building.
- Check and organise interview rooms/refreshments.
- Reserve table for lunch in dining room when appropriate.
- Provide candidates lesson plans for observed lessons.
- Check any requirements for observed lessons (IT/AV/whiteboard etc).
- Advise and brief appropriate colleagues of the schedule and their involvement.
- Prepare packs for selection team including interview question template.

### **Selection day**

- Decide on final choice.
- Job offer made verbally and confirmed in writing.
- Feedback to unsuccessful candidate.
- Checks on successful candidate completed by HR including review of references and recorded on Single Central Register (SCR).

### Online Searches

In addition to the checks set out below, 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 at the school. In accordance with KCSIE this will include online searches on shortlisted candidates (online searches). The online searches the school carries out may include searches of internet search engines, websites and social media platforms.

Online searches may be carried out at the shortlisting stage or after an offer of employment has been made (but prior to work commencing). The school will not carry out online searches as part of its initial sift of applications.

The school will determine how it approaches online searches on a case-by-case basis. However, all applicants for a role at the school will be treated consistently with regard to online searches.

Wherever possible online searches will be undertaken by a person who will play no other part in the recruitment process (including the shortlisting exercise) or the appointment decision. In carrying out online searches the school is looking for any publicly available information about an applicant that:

- may be relevant to their suitability to carry out the role for which they have applied;
- may be relevant to their suitability to work at the school or in an education setting;
- is of a safeguarding nature; and / or
- may have an impact on the school's reputation (whether positive or negative).

Any information generated from online searches will be entered in an 'Online search results record'. Where online searches are undertaken on shortlisted applicants any relevant information generated will be provided to the interview panel for discussion with shortlisted applicants at interview. Where online searches are undertaken on the successful applicant only any relevant information generated will be discussed prior to employment commencing. All offers of employment will be conditional upon the school being satisfied that the successful applicant is suitable to work at the school in light of any information generated from online searches.

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 positive or negative);
- 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 applicant.

For successful candidates, the school will retain information generated through online searches for the duration of the individual's employment and in accordance with its Document Retention and Disposal Policy after employment ends.

For unsuccessful candidates, the school retains the information generated from online searches for six months from the date on which they are informed their application was unsuccessful, after which it will be securely destroyed.

**List of valid identity documents**

**Group 1: primary identity documents**

- current valid passport
- biometric residence permit (UK)
- current driving licence photocard - full or provisional (UK / Isle of Man and Channel Islands)
- birth certificate - issued within 12 months of birth (UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces)
- adoption certificate (UK and Channel Islands)

**Group 2a: trusted government documents**

- current driving licence: photocard - full or provisional (all countries outside the UK excluding Isle of Man and Channel Islands)
- current driving licence 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 licence (UK, Channel Islands and Isle of Man)

All driving licences must be valid.

### **Group 2b: Financial and 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 statement (UK)\*
- financial statement - e.g., pension or endowment (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 only for applicants residing outside the UK at the time of application; must be valid at time of application)
- utility bill (UK; not mobile telephone bill)\*
- benefit statement - e.g., child benefit, pension (UK)\*
- a document from central or local government/ government agency / local council giving an entitlement - e.g. from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs (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; must be valid at 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 Head or College Principal (UK; for 16-19-year-olds 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