



LORETO PREPARATORY SCHOOL
Dunham Road, Altrincham, Cheshire WA14 4GZ
Telephone: 0161 928 8310
Registered Charity No. 250607

Safeguarding and Promoting the Welfare of Pupils.

Suitability of Staff, Supply Staff and Governors

SAFER RECRUITMENT POLICY and PROCEDURES

Mission Statement

At Loreto Preparatory School
We are eager and inspired to do our best,
Meeting the challenges and opportunities of a changing world
With love in our hearts.

We are called to be joyful and prayerful,
Living the Gospel and the Catholic Faith
And celebrating the values of Mary Ward
With our parents and the whole Loreto family.

Women in time to come will do much.

Mary Ward

This Policy takes into account 'Keeping Children Safe in Education' KCSIE (September 2016), the Independent School Standards Regulations (ISSR September 2014), the Equality Act (2010) and 'Working Together to Safeguard Children' (WTSC 2015). It applies to the whole school appointments including the Early Years Foundation Stage (EYFS) and before and after school activities. It is available to parents and prospective parents on the School's website or from the Office on request.

1. Introduction

Loreto Preparatory School is committed to providing the best possible care and education for its pupils within a safe environment where it safeguards and promotes the welfare of children and it expects all staff and volunteers to share this commitment. In addition, the School is committed to providing a supportive and flexible working environment for all members of staff. The School recognises the importance of attracting, recruiting and retaining staff of the highest calibre, who will share this commitment and contribute to creating a safe environment for pupils at Loreto Preparatory School.

No person, who is barred from regulated activity relating to children, will be appointed to engage in any activity at the school.

No person, who is subject to a prohibition order (in the United Kingdom or European Economic Area), an interim prohibition order, or any disqualification or restriction will be appointed to engage in activity

relating to children in the school. No person who is subject to an S 128 direction will be appointed to a management role in the school. All employees of the school and Governors involved in the recruitment of staff are responsible for familiarising themselves and complying with the provisions of this policy.

2. Aims

The School's aims when recruiting are:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the appointment.
- to ensure that all job applicants are considered equally and consistently.
- to ensure that no-one is treated unfairly on any grounds, including race, colour, nationality, ethnic origin, gender, marital status, disability or age.
- to ensure compliance with all statutory guidance and regulations as detailed above. In addition to comply with the code of practice published by the Disclosure and Barring Service (DBS).
- to ensure that all necessary pre-employment checks are carried out before the successful applicant starts to work in the school. These checks will comply with the above documentation and will be itemised later in this policy.

3. Recruitment and Selection Procedures:

3.1 Pre-interview:

a) All recruitment advertisements will include the statement:

'Loreto Preparatory School is committed to safeguarding and promoting the welfare of children and young people and expects all staff to share this commitment. All appointments are subject to satisfactory enhanced Disclosure and Barring Service (DBS) checks.'

The school will check that an applicant for a teaching post is not subject to a prohibition order issued by the Secretary of State or by any country in the European Economic Area.

The check will be carried out irrespective of whether the applicant has Qualified Teacher Status (QTS) or a Teacher Reference Number (TRN), is peripatetic or is charged by the school to the parents.

The school will check also if applicants applying for management positions are subject to an s.128 direction. This is appropriate for the appointment of head teachers, all staff in senior leadership positions (including non-teaching staff) and teacher positions with departmental headships. Pre-appointment checks may also be needed for relevant staff, leaders and managers in respect of disqualification by association under the Childcare Act 2006. All staff at Loreto Preparatory School are asked to complete a personal declaration in this respect.

- b) All applicants for employment will be required to complete an application form, appropriate to their proposed role, containing questions about their academic and employment history and their suitability for that role. Incomplete application forms will be returned to the applicant for completion where the deadline has not passed. A full curriculum vitae will be required in addition to the completed application form.
- c) All applicants will receive a job description and person specification for the role applied for. The applicant may then be invited to attend a formal interview at which his/her relevant skills and

- d) experience will be discussed in greater detail. This will include discussion of any gaps in the employment history with a written record being made of the reasons given for such gaps.
- e) All applicants will be expected to sign a declaration that they know of no good reason, on the grounds of mental or physical health, why they should not be able to discharge the duties and responsibilities required by the post. The school will be prepared to make reasonable adjustments to enable disabled people to attend an interview and carry out their duties if appointed.
- f) Those applying for a teaching post will be expected to sign a declaration that they have no convictions relating to the safety of children. Any convictions received must be declared to the school and those relating to the safety of children some time ago will not be regarded as 'spent'. The requirements for those working in the early years and relevant later years provision, or in the management of these areas are subject to wider disqualification criteria, namely disqualification by association having regard to Disqualification under the Childcare Act 2006. (The school requires a personal declaration from all staff in respect of Disqualification by Association.)
- g) The school will obtain, before interview if possible, at least two independent professional references (preferably three to include a character reference) that answer specific questions to help assess the candidate's suitability for the post together with their suitability to work with children and young people. In addition, the school will seek the referee's knowledge of any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children and young people.
- h) One of the above referees will be the current or most recent employer. The school will not accept open references or those from friends or relatives of the candidate. Referees will be sent a job description and person specification. The authenticity of the referee will be sought.
- i) Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written record will be kept of such exchanges.
- j) References which confirm only that a person worked for a certain company between certain dates are not considered to be sufficiently detailed. They do confirm an element of an applicant's employment history and their whereabouts for a period, but such a reference will be supplemented by one or more others in order to address the suitability question.

3.2 Interview

The School will ensure that:

- a) at least one member of the interview panel has successfully undertaken the safer recruitment on-line training provided through the DfE.
- b) face to face interviews take place and a written record of the interviews including explanations of any anomalies/discrepancies and gaps in employment history, which will be recorded in writing.

On the candidate's arrival, the School will check:

- c) each candidate's proof of identity (current passport or driving licence with photograph, birth certificate or passport for date of birth) together with evidence of home/current address (recent utility bill or financial statement but not mobile phone accounts)*

- d) each candidate's right to work in the UK * (current passport). If the person has lived or worked outside the UK further checks should include those for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the NCTL Teacher Services' system.(The Home Office has guidance on criminal checks for overseas applicants. The department has also issued guidance on the employment of overseas trained teachers and teachers from the EEA to teach in England.)
- e) each candidate's qualifications as claimed on the application form (original documents and not photocopies). The School will take photocopies of these documents but must see the originals.*

The starred items * are required for the completion of the School's Single Central Register (SCR) together with the name of checker and the date. Information will be kept for inclusion in the successful applicant's file; information from unsuccessful applicants will be shredded within six months – see paragraph 4 (Retention of Records).

3.3 Provisional Offer

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the satisfactory outcomes of the following checks:

- a) The receipt of a satisfactory enhanced disclosure from the Disclosure and Barring Service (DBS) including Barred List check*
- b) A satisfactory check that any teacher to be employed at the school is not subject to a prohibition order issued by the Secretary of State or by any country in the European Economic Area. (The check is completed using the NCTL Teacher Services' system)*
- c) A satisfactory check that any teacher applying for a management position is not prohibited from management, - not subject to an s.128 direction*.
- d) The receipt of at least two satisfactory, signed references, preferably three (one of which must be from the candidate's employer/most recent employer)*.
- e) Verification that the candidate has the all-round health and physical capacity for carrying out the duties of the post The school reserves the right to ask the successful candidate to complete a medical form or may ask him/her to undertake a medical examination at the School's expense.*
- f) Confirmation of identity and address –current passport or other such document with photograph, utility bill or financial statement (excluding mobile phone accounts), date of birth – birth certificate or passport.*
- g) Confirmation of the candidate's right to work in the UK.*
- h) The successful completion of any necessary overseas checks to the School's satisfaction if the person has worked or lived outside the UK* or in a country in the EEA.
- i) Confirmation of the professional qualifications as claimed on the application form – original documents required.*
- j) Provision by the candidate of a declaration of any convictions received. Candidates should be informed of this requirement and that false statements will lead to rejection or dismissal. They should be informed also that posts at the School are exempt from the Rehabilitation of Offenders Act 1974.*

- k) All applicants will be expected to sign a declaration that they have no convictions relating to the safety of children. The requirements for those working in the reception class or in later years, where children have not attained the age of eight years, or in the management of these areas are required to sign a declaration involving wider disqualification criteria which include living in the same household where another person who is disqualified lives or works – this may result in disqualification by association. Any convictions received must be declared
- l) to the School and those relating to the safety of children some time ago will not be regarded as ‘spent’.*

(The starred items * are essential for inclusion on the SCR – all checks require the name/initials of the checker and the date – see section 8 in this policy.)

The School will also require documentation confirming the candidate’s National Insurance Number (P45, P60 or NI card).

Where an applicant has changed his/her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change*.

If the above conditions are satisfactory, the appointment will be confirmed in writing and a contract of employment will be issued.

All appointments are subject to a probationary period of two terms during which the notice period to terminate the employment for whatever reason, by either the employee or the school is detailed in the contract of employment. The school also reserves the right to extend this probationary period should it deem this necessary.

3.4 The three-month rule

Members of staff are subject to an enhanced criminal record check on entry to the schools workforce and, thereafter, may move between schools without requirement on subsequent employer schools to carry out further DBS checks unless they leave the school’s workforce for three months or more. However, if a new school accepts a pre-existing check under this rule, they must carry out a separate barred list check, subject to the note below concerning use of the DBS Update Service.

3.5 Staff Induction

At induction, all staff and volunteers will be provided with a personal copy of the current KCSIE –Part One and Annex A (September 2016) together with the school’s Child Protection Policy, Whistle Blowing Policy and Staff Code of Behaviour ensuring that, subsequently, they have signed a declaration to say they have read and understood them.

4. Disclosure and Barring Checks – further information:

4.1 The School will apply for vetting investigations by the Disclosure and Barring Service (DBS) and a Barred List check in respect of all prospective staff members. The School will always request an enhanced Disclosure as described below:

- a) An enhanced disclosure will contain details of all convictions on record including current and spent convictions (including those which are defined as “spent” under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It may

- b) also contain on-conviction information from local police a record which a chief police officer thinks may be relevant in connection with the matter in question.
- c) If the individual is applying for a position working with children or young adults, it will also reveal whether he/she is barred from working with children or vulnerable adults by virtue of his/her inclusion on the list of those considered unsuitable to work with children or vulnerable adults maintained by the DfE and the Department of Health.
- d) Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for the equivalent of a disclosure, if one is available in the relevant jurisdiction(s).
- e) A separate barred list check will be undertaken in the event that:
 - 1) a new enhanced disclosure with barring information is required but is not received in advance of a member of staff starting work in regulated activity; or
 - 2) a pre-existing enhanced DBS check is accepted under the three-month rule (for which see above) for a member of staff starting work in regulated activity;
 - 3) a pre-existing enhanced DBS check without barring information is accepted from a candidate who has subscribed to the DBS update service.

4.2 Retention and security of disclosure information

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

- a) store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the school's senior leadership team.
- b) in most cases, not retain such information for longer than is necessary although the School will keep a record of the date of a disclosure, the name of the subject, type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken. Copies of DBS certificates will not be retained for longer than 6 months.
- c) ensure that that any disclosure information is destroyed by secure shredding.
- d) prohibit the photocopying or scanning of any disclosure information.

4. Retention of records

When a successful applicant is appointed, the School will retain any relevant information provided on their application form (together with any attachments) on their personal file. From April 2014, DfE guidance requires the retention of copies of identity documents, right to work and qualifications. Copies of DBS certificates should not be retained for longer than six months. The regulations state that it is reasonable to keep personnel files for six years after the person has left the school. The Immigration Order 2007 requires employers in England and Wales to check and retain copies of passports or alternately birth/adoption certificates belonging to people appointed on or after February 29th 2008. If

the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months unless the applicant specifically requests the school to keep their details on file.

6. Agency Staff

Agencies supplying staff to the School are required to certify in writing, including the date, that all such staff have been vetted by the DBS to an enhanced standard.

Supplying Agencies must satisfy the School that all of the requirements demanded of the School's own staff under Section 3.3 above have been met.

Agencies must provide the DBS number and date of provision in writing to the School. They must also supply a copy of the disclosure in cases where it contains specific information. In keeping with KCSIE, the agency should take up references, obtain a declaration of medical fitness and check previous employment history. They must check that their staff are not subject to prohibition orders from teaching, management or are subject to disqualification by association.

A teacher working for an agency should have a fresh disclosure every three years or earlier if there are grounds for concern or a break in service of three years or more. A disclosure can be kept for up to three years to facilitate portability. The Agency staff member must provide photographic proof of identity on their first day of employment.

Teachers who deputise for absent teachers will complete the same identification and vetting procedures as permanently employed staff, though they may commence employment once it has been confirmed that they are not on the DfE List 99. A break in service of three months or more will constitute the need for a fresh disclosure.

7. Transfer of employees under TUPE (transfer of undertakings (protection of employment arrangements)).

There is a requirement for information to be passed on to the new owner. If details are fully in order, the new employer then enters them on its own central register, including the number and date of the DBS checks and adds a note to the register that the details have been accepted under TUPE arrangements. There must have been no three month break in teaching employment. New, enhanced DBS checks are always undertaken by Loreto Preparatory School.

8. NB What does the school do if a disclosure is delayed?

A short period of work is allowed, under controlled conditions, at the Headteacher's discretion. If an enhanced disclosure is delayed, a Headteacher may allow the member of staff to start work:

- a) without confirming the appointment;
- b) after a satisfactory check of the barred list if the person will be working in regulated activity;
- c) provided that the DBS application has been made in advance;
- d) with appropriate safeguarding checks -supervision and risk assessment written – this should be explained to the person in question and a full, detailed, written record must be kept of all supervision carried out;
- e) with safeguards to be reviewed at least every two weeks;
- f) the Headteacher will check the suitability against the Barred list/ List 99 and check that, in the case of a teacher, a prohibition order from the Secretary of State is not in place and there is no disqualification by Association declared. (Employer Access Online or NCTL system).

- g) with a note added to the Single Central register and evidence kept of the measures put in place. (A recommendation and not a requirement).

10. Governors’/ Directors’/ Proprietors’ appointment checks

(‘The ‘proprietor’ is the person or body of persons responsible for the management of the school and includes individual proprietors or formally constituted boards of governors, directors or trustees’ – ISSR Sept 2014.)

Where the proprietor is a limited company, charitable trust or equivalent group, the chair of the relevant body is subject to the following checks by the DfE:

- an enhanced DBS criminal check, countersigned by the Secretary of State.*
- identity check*
- right to work in the UK*
- overseas check where appropriate including EEA countries*
- for those appointed from 12th August 2015 schools must check if they are subject to an s.128 direction.*

The Chair is responsible for ensuring that other members of the group are subject to the following checks:

- An enhanced DBS check
- Barred List check where applicable
- identity check*
- Right to work in the UK*
- Overseas check where appropriate including EEA countries*
- for those Governors appointed who are engaged in regulated activity, the School must check if they are subject to an s.128 direction.

All checks must be made in advance of appointment or as soon as practicable thereafter.

These appointments and checks must be registered on the school’s Single Central Register.

10. The Single Central Register (SCR) of appointments, including supply staff

It is a regulatory requirement for schools to keep and maintain a single central register of all appointments to show the date of the following checks:

- a) **Identity*** (passport, one other official document with photograph or Birth Certificate)
- b) **Address*** (recent utility bill , financial statement (excluding mobile phone bills)
- c) **Barred List/list 99 check***
- d) **DBS* – enhanced disclosure***

- e) Professional qualifications – original documents checked*
- f) Right to work in the UK*
- g) Overseas check where appropriate including EEA countries*
- h) A prohibition from teaching order *
- i) A prohibition from management, s.128 direction*
- j) Medical fitness declaration according to requirements of the post*
- k) 2/3 References – in writing*
- l) Curriculum vitae with Application Form indicating employment history*
- m) Disqualification from childcare*
- n) Name of post and date of appointment*

All this information is required by the School and require the name/initials of the checker and the date and must be on the SCR- all this information should be recorded in one place.

With regard to KCSIE, all individuals who work in regular contact (regulated activity) with children, including volunteers and those employed by third parties must appear on the SCR.

The definition of staff is – ‘Any person working at the school, whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or an occasional volunteer.’

The following are included – teachers, peripatetic teachers and coaches, part time staff, gap students, administrative staff, caretakers and other ancillary staff, staff appointed from overseas, pupils paid to work at the School e.g. after-school care helpers.

New regular volunteers who work with children and young people are subject to an enhanced DBS disclosure, Barred List check, references, informal interview, absence of concerns raised by others in the school community and should appear on the SCR. Supply staff should also be included on this register. (All volunteers who have been vetted by DBS should appear on the SCR.)

- 11. Employees of 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 staff, with written confirmation supplied by the employing organisation. The school must check photo identity on arrival. (Placed on SCR only if they are in regular contact with children).

The school will exercise professional discretion as to when self-employed people should be treated as ‘staff’ or as ‘contractors’. As a rule of thumb, if the person is in regulated activity in the school they should normally be treated as ‘staff’. The school will make decisions, in context, giving evidence of a risk-based decision (eg a brief note on the SCR) which recognises regulated activity as a key risk factor.

Where the employees such as builders will have access to areas where unsupervised contact with children is possible, the school should have arrangements in place to ensure that DBS checks are undertaken by the contractor. Schools should receive confirmation from the company that the required checks have been undertaken before a new individual starts work and check photographic identity on their arrival at the school. Records of these checks should be kept in the school. Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity in the school. Schools are responsible for determining and recording the level of supervision, depending on circumstances.

- a) Self-employed contractors should be checked by their professional associations, who usually assist their members to access work. The school should obtain a DBS check as self-employed people are not able to make an application on their own account.
- b) It is the School's policy to try to find workers at short notice who have been checked. If this is not possible then the School may opt to carry out an enhanced check if they judge this necessary, The School will use its discretion in relation to the occasional or temporary nature of the work and will create and retain written evidence of the basis of their decision not to carry out checks. This evidence will be available to inspectors during a school inspection, if needed.
- c) In accordance with KCSIE, unchecked contractors will be supervised regularly and document these checks in writing. The school recognises that checked contractors would be best.
- d) To check the requirements for adults who supervise work experience, host families where pupils have a foreign exchange visit or a sports tour – the school will use KCSIE September 2016, Part 3. Currently, this does not apply to our School.

Those who do not need vetting checks

It is not necessary to undertake vetting checks on:

- Visitors to the head/other staff or those who have only brief contact with children in the presence of a teacher. (Child Protection Policy has details relating to Visiting Speakers)
- Visitors carrying out repairs or servicing equipment, in which case they will be carefully supervised whilst in the School.
- Pupils aged under 16 on work experience or on the school site when pupils are not present (See KCSIE advice here)
- Students eighteen or over or studying as pupils
- Individuals returning from maternity leave, sabbaticals or similar where continuity of employment is maintained do not need to be checked unless the school chooses to renew previous checks.
- Staff with 'zero-hours' contracts that have continuity of service between periods of work do not need to be re-checked on each occasion
- Supervised volunteers (including pupils aged 16 and over on work experience in other schools) unless they undertake personal care.

- Those on the school site when pupils are not present

12. Reporting Staff to the Disclosure and Barring Service (DBS)

The School will report to the Disclosure and Barring Service any person, whether employed, contracted, a volunteer or a student/trainee, whose services are no longer used because he or she is considered unsuitable to work with children in regulated activity, because they have caused harm, or posed a risk of harm to a child. This referral will be within one month of them leaving the School. Compromise agreements will not apply in this situation. Failure to make a report constitutes an offence. The School has a legal duty to do this. There is also a duty to consider reporting this person to the National College for Teaching and Leadership (NCTL). Proprietors of independent schools have a legal duty to respond to requests from the DBS for information they hold already, but they do not have to find it from other sources. The school will confirm that it has disclosed to inspectors all instances of action in relation to safeguarding concerns.

Ceasing to use a person's services includes: dismissal; non-renewal of a fixed-term contract; no longer engaging/refusing to engage a supply teacher provided by an employment agency; terminating the placement of a student teacher or other trainee; no longer using staff employed by contractors; no longer using volunteers; resignation; and voluntary withdrawal from supply teaching, contract working, a course of initial teacher training, or volunteering. It is important that reports include as much evidence about the circumstances of the case as possible. 'Compromise agreements' cannot be used to prevent a referral being made to the DBS when it is legally required nor can an individual's refusal to cooperate with an investigation.

13. Monitoring and Review

This Policy and Procedures will be monitored by the Headteacher and the nominated Governor and updated as necessary in accordance with regulatory requirements and new legislation. Termly checks of the Single Central Register will be carried out by the nominated Governor and recorded. The Headteacher and nominated Governor will present this policy together with evidence of all checks and with the Child Protection Policy to the Board of Governors annually for their consideration and approval, which will be recorded in detail in the minutes of the meeting. Any weaknesses or deficiencies found in these policies or their implementation will be rectified without delay.

Updated September 2016

Reviewed and ratified by Governors February 2017

Next review February 2018

Appendix 1 Safer Recruitment – explanation of Disqualification by Association from ISSR (April 2015)

Staff can be disqualified by association with others (Childcare (Disqualification) Regulations 2009). This affects staff who work in early years provision and those who work in later years provision for children who have not attained the age of 8. It also applies to employees who are directly concerned in the management of such provision even though they may not work in the early years or relevant later years provision themselves. In this school therefore, it includes all members of staff. The school will take appropriate steps to ensure that no staff members are disqualified by association.

We will not employ people to work in the school or allow them to be directly concerned in their management, if they or others in their households are “disqualified”. The grounds for disqualification are not only that a person is barred from working with children (included on the children’s barred list) but also include, in summary, that:

- They have been cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
- Other orders have been made against them relating to their care of children
- They have had their registration cancelled in relation to childcare or children’s homes or have been disqualified from private fostering
- They are living in the same household where another person who is disqualified lives.

Disqualification occurs as soon as the above criteria are met, for example, as soon as a caution or conviction occurs, even before the person is formally included on the children’s barred list. DfE has advised that relevant convictions are not considered “spent” in this connection.

To identify people affected by the “by association” rule, we ask all staff to provide the relevant information about themselves or a person who lives or works in the same household as them. This is done by way of self-declaration. The disqualification by association rule and advice applies to employees, volunteers, agency staff, self-employed people, contracted staff who provide child care, and governors who are directly concerned with the day to day management are potentially within the scope of the statutory guidance:

The grounds for disqualification are:

- being on the DBS Children’s Barred List;
- being cautioned for, convicted or charged with certain violent and sexual criminal offences against children and adults at home or abroad;
- being the subject of certain other orders relating to the care of children;
- refusal or cancellation of registration relating to childcare or children’s homes or being prohibited from private fostering;
- living in the same household where another person who is disqualified lives or works.

This information will be asked for as part of the pre-employment checks we undertake on appointing new staff and we will keep a record for each member of staff. Currently all existing staff have completed declarations that there are no grounds for their disqualification by association. All new staff will be asked to complete this declaration. Staff who fall within the 'by association' rule may apply for a waiver of disqualification but such staff may not be used unless and until such waiver is confirmed. Although old but relevant convictions are not considered "spent" for the purposes of these regulations, the age of the conviction and a person's subsequent record will be part of the consideration when all the circumstances to determine whether to grant a waiver are looked at. (Ref. KCSIE, September 2016)