



## **SAFER RECRUITMENT POLICY**

Last reviewed:	September 2023
Next review due:	September 2024
Reviewed by:	Senior HR Manager Pastoral Director
Approved by the Board of Governors:	16 October 2023

The school's policy for the screening of new employees and volunteers complies with the following pieces of legislation and guidelines:

- Changes to checks for EU sanctions on EEA teachers from 1 Jan 2021, [www.gov.uk](http://www.gov.uk)
- Prohibition from management of independent schools: checking for directions, DfE, May 2018
- 'Keeping Children Safe in Education' (KCSIE), DfE, September 2023
- ISI Handbook for the Inspection of Schools, September 2022
- The Rehabilitation of Offenders Act, 1974
- The Police Act, 1997
- Protection of Children Act, 1999 and Criminal Justice and Court Services Act, 2000
- The National Minimum Standards for Boarding Schools, April 2015
- The Safeguarding of Vulnerable Groups Act, 2006
- The Teachers' Disciplinary (England) Regulations 2012

### **1. Introduction**

d'Overbroeck's is committed to safeguarding and promoting the safety and welfare of all its students. In this context, our aim is to ensure that the policies and the procedures we follow in the selection and appointment of staff and volunteers comply with the latest regulations and guidance on safer recruitment, and that the principles of safer recruitment are embedded in our collective thinking and practice throughout the school.

This policy is, therefore, an essential element in our efforts to create a safe and supportive environment for students, staff and all others within our school community. It aims to ensure that the selection and appointment of all staff and volunteers is both fair and safe by:

- helping to attract the best possible candidates;
- deterring prospective candidates who are unsuitable from applying for vacancies;
- identifying and rejecting any candidates who may be unsuitable to work with children and young people.

The policy reinforces the principles set out in the Code of Conduct for staff, including the school's Whistleblowing policy, Nord Anglia Education's Background Checking Policy and the emphasis on the active promotion of Fundamental British Values and on the duty to prevent extremism and radicalisation. As part of their induction, all successful candidates for paid or volunteer employment

will receive training on the school's Safeguarding policy and procedures, including the Code of Conduct for staff.

Our governing body will ensure that those involved with the recruitment and employment of staff to work with children have received appropriate safer recruitment training.

## **2. Highlighting safeguarding in advertisements and post details**

All advertisements will include:

- the school's commitment to safeguarding and promoting the welfare of children
- information that safeguarding checks will be undertaken
- the safeguarding responsibilities of the post as per the job description and personal specification, and
- whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974.

All Candidate Briefs provided for prospective applicants will contain the following statement:

*'Safer Recruitment: d'Overbroeck's is committed to safeguarding and promoting the welfare of all its students, and this is a responsibility that is shared by all members of staff. The successful candidate will be subject to an enhanced DBS check. An online check of publicly available information will be completed to assess shortlisted candidates' suitability to work with children.'*

Where a role involves engaging in regulated activity relevant to children the school will include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

A link on the careers page will direct applicants to the policies page of the school website where they can find the school's Safeguarding policy and Equal Opportunities policy (which covers the employment of ex-offenders).

## **3. Training in Safer Recruitment**

At least one member of the interview panel for any appointment made at d'Overbroeck's will have successfully completed training in Safer Recruitment within the last 5 years.

All staff at d'Overbroeck's who receive training in Safer Recruitment for this purpose will be expected to renew their training every 5 years.

## **4. Promoting Fundamental British Values**

The essential principles of democracy, the rule of law, individual liberty and respect and tolerance for others, including those with different faiths and beliefs, which together have come to be known as the Fundamental British Values, have always been integral to our school ethos. As a school, we are committed to promoting these values and to ensuring that they inform everything we do.

It is equally important that the presentation of political issues, whether in the classroom or in co-curricular and extra-curricular activities, should be fair, balanced and open-minded.

We are also keenly aware of the statutory duty on all school staff, as part of their wider Safeguarding responsibilities, to be vigilant and pro-active in protecting students from the risk of radicalisation and of being drawn into extremism.

These principles are set out in the Code of Conduct for staff, which is among the information provided on the vacancies page to prospective applicants for all teaching and non-teaching posts at d'Overbroeck's.

## **5. Information for prospective applicants**

Prospective applicants will find a detailed Candidate Brief for each vacancy on the [careers page](#) of the school website and be able to download the relevant version of the school's Application Form.

Applicants can find the following policies on the [policies page](#) of the website:

- the school's Safer Recruitment policy
- the school's Safeguarding policy, which includes the Whistleblowing policy
- the school's Code of Conduct for staff
- the school's Equal Opportunities for Staff policy, which covers employment of ex-offenders
- the school's Data Protection policy

Prior to submitting their application, prospective candidates should acquaint themselves with the policy documents listed above.

## **6. The selection and recruitment process**

The following procedures will be adopted for all staff employed by d'Overbroeck's in any capacity. (Detailed information on the selection and recruitment process for host families who provide accommodation for some of our students is set out in the school's Host Family Recruitment Policy.)

6.1 All prospective employees are required to submit a completed d'Overbroeck's application form which will include:

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

The school will only accept copies of a curriculum vitae alongside an application form. A curriculum vitae on its own will not provide adequate information.

6.2 All applicants will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records.

Applicants will be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate will be asked to physically sign a hard copy of the application at point of interview.

6.3 Evidence of relevant qualifications (eg, QTS, degree certificates, etc) will be required.

- 6.4 The school will:
- ensure that at least two people carry out the shortlisting exercise;
  - consider any inconsistencies, look for gaps in employment and reasons given for them;
- and,
- explore all potential concerns;
  - carry out an online search as part of their due diligence on the shortlisted candidates.
- 6.5 All shortlisted candidates, including internal applicants, are required to give the names and contact details of at least two referees, one of whom must, wherever possible, be the person's current or most recent employer who is a person of 'appropriate authority' (if the referee is school or college based, the reference must be confirmed by the headteacher/ principal as accurate in respect of any disciplinary investigations). The school will secure a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then the school will ensure a reference from their current employer. If there is no current employer, verification of the most recent period of employment and reasons for leaving should be obtained. Formal, written references will be sought directly from the referees. In order to verify that references originate from a legitimate source, once received, these will be authenticated by a phone call to the supplier of the reference, who may also be asked to clarify any anomalies or discrepancies. Where this is the case, detailed written records will be kept of such exchanges.
- 6.6 Where necessary, previous employers who have not been named as referees may be contacted in order to clarify any such anomalies or discrepancies. Where this is the case, detailed written records will be kept of such exchanges.
- 6.7 Among other things, referees will be asked specific questions about the following: the candidate's suitability to work with children and young people; any substantiated allegations; any disciplinary warnings, including time-expired warnings, relating to the safeguarding of children and young people; the candidate's suitability for the post.
- 6.8 Wherever possible, references will be requested in advance of interview. All references will be kept on file.
- 6.9 In all cases, references will be carefully scrutinised by the senior member of staff leading the selection process for that particular appointment. Any gaps, apparent discrepancies or concerns will be followed up as appropriate with the applicant and referee(s). Any concerns will be resolved satisfactorily before appointment is confirmed.
- 6.10 An identity check is carried out on all candidates who come for interview. This typically includes official documents such as a passport, a driving licence, or a birth certificate, photographic identity, together with evidence of address (for example, a utility bill, bank statement or similar).
- 6.11 The selection process will include:
- finding out what attracted the candidate to the post being applied for and their motivation for working with children;

- exploring their skills and asking for examples of experience of working with children which are relevant to the role; and,
- probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.

The interviews will be used to explore potential areas of concern and to determine the applicant's suitability to work with children.

Areas that may be concerning and lead to further probing include:

- implication that adults and children are equal;
- lack of recognition and/or understanding of the vulnerability of children;
- inappropriate idealisation of children;
- inadequate understanding of appropriate boundaries between adults and children; and,
- indicators of negative safeguarding behaviours.

Any information about past disciplinary action or substantiated allegations will be considered in the circumstances of the individual case.

Where appropriate - and feasible - students will be involved in the recruitment process in a meaningful way.

- 6.12 The school will request an Enhanced DBS check from the Disclosure and Barring Service for all employees and volunteers if their post is deemed to be in a 'regulated activity' (please see section 7 for the definition of 'regulated activity'). This is made clear in the advertisement and in the published post details, and again when an offer is made to the successful candidate. If applicants have signed up to the DBS Update Service, the school will request from them details of the original DBS certificate they used when signing up to the Service.
- 6.13 All initial contracts are subject to a satisfactory outcome of the Disclosure and Barring Service and other pre-employment checks including online checks.
- 6.14 In accordance with the School Staffing (Amendment) Regulations 2006, where there is a break in employment of more than three months for a member of staff, a new Enhanced DBS check will be sought, unless the applicant has signed up to the DBS Update Service, in which case the applicant must provide the necessary details in order for the school to check the Update Service records.
- 6.15 All prospective appointments will be checked against the 'Barred List' before the appointment is confirmed.
- 6.16 All prospective appointments for teaching posts will be checked against the 'Prohibited List' before the appointment is confirmed.
- 6.17 All prospective appointments for management positions including Departmental leads and new appointments to the school's proprietor body, will be checked to ensure that the person concerned has not been barred by the Secretary of State (under s.128 of the Education and Skills Act 2008) from taking part in the management of an independent school.

As stated in Keeping Children Safe in Education 2022, the scope of these barring directions covers 'proprietors, including governors if the governing body is the proprietor body for the school, and such staff positions as follows: headteacher, any teaching positions on the senior leadership team, and any other teaching positions which carry a department headship'. Other teaching posts with additional responsibilities do not count as 'taking part in management'. For non-teaching staff, only posts which are part of the senior leadership team should be regarded as 'management' for the purposes of checking for the existence of a barring direction. All employed school staff are regarded as being 'in regulated activity' for the purposes of these checks.

- 6.18 Successful candidates are sent a Health questionnaire along with their letter of appointment. They are asked to complete and return the questionnaire at the same time as their signed contract. Among other things they are asked to confirm (or otherwise) that they are mentally and physically fit to carry out the responsibilities associated with the post.
- 6.19 As a school, we use a number of host families to house some of our boarders. Enhanced DBS checks are carried out on everyone over the age of 16 who lives in the host family home or who is a regular overnight visitor to it (such as a son or a daughter who is normally away at boarding school or university but who comes back home for occasional weekends). All those checked are advised by the Head of Non-residential Boarding to enrol with the DBS Update Service. DBS checks on host families not enrolled with the Service are repeated every three years. Two written references are also taken up on the main contact and these are authenticated by means of a telephone call to the reference provider. Full detail of the checks on host families are contained in our Host Family Recruitment Policy.
- 6.20 The procedures set out above will not normally be necessary for:
- visitors to the school, who have no unsupervised contact with students; building or other contractors provided they have no unsupervised contact with students;
  - volunteers or parents who only accompany staff at specific events or one-off trips (excluding overnight stays); secondary school students on work experience; those on the school site only when students are not present.

## **7. Regulated Activity**

As per the definition given in Keeping Children Safe in Education, September 2022, a member of staff will be considered to be engaging in 'regulated activity' if as a result of their work they:

- will be responsible, on a regular basis in a school or college, for teaching, training instructing, caring for or supervising children; or
- will carry out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

Regulated activity includes:

- a) teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children,

- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers;

Work under (a) or (b) is regulated activity only if done regularly.

A **supervised** volunteer who regularly teaches or looks after children is not in regulated activity.

## **8. Safeguarding-related questions during the selection process**

In the course of selection interviews, and among other things, candidates will be expected to be ready to:

- explain any gaps in employment;
- explain satisfactorily any anomalies or discrepancies in the information available to the panel;
- declare any information that is likely to appear on the DBS disclosure;
- demonstrate their ability to safeguard and protect the welfare of children and young people and their ability and willingness to promote fundamental British values;
- satisfy us that they do not hold radical or extremist views and that they do not have any sympathies, links or association with any groups or organisations that espouse such views.

## **9. Employment checks**

An offer of appointment will be conditional and all successful candidates will be required to:

- provide proof of identity, usually with reference to the person's birth certificate;
- provide proof of professional status / qualifications;
- provide proof of eligibility to live and work in the UK;
- complete an online application for an enhanced DBS check and provide original documents to allow HR to authorise the application;
- receive satisfactory clearance following an enhanced DBS check;
- receive satisfactory clearance following an online check;
- provide criminal background checks covering all countries that the applicant has lived in during a 10 year period prior to the envisaged start date;
- complete a health questionnaire that covers a candidate's mental and physical fitness;
- obtain an overseas police check in the case of anyone who within the last five years has lived or worked outside the UK for three months or more, whether or not the individual concerned is a British citizen.

Prohibition from management (Section 128) checks: these will be carried out on all prospective appointments for management positions.

EEA checks: From 1 January 2021 professional regulators in the EEA (EU, Iceland, Liechtenstein and Norway) will no longer share information about sanctions imposed on EEA teachers with the UK's Teaching Regulation Agency (TRA). Therefore, from January 2021 all candidates from the EEA will be asked to declare whether they have ever been referred to, or are the subject of a sanction,

restriction or prohibition issued by a regulator of the teaching profession in any other country. Teachers will also be requested to provide proof of their past conduct as a teacher. This should be a letter of professional standing issued by the professional regulating authority in the country in which they worked. Such evidence can be considered alongside other information obtained through other pre-appointment checks to help assess their suitability.

All checks will be noted on the school's Single Central Register (SCR). All relevant documents will be retained on the personnel file and will be followed up if there are unsatisfactory or if there are any discrepancies in the information received.

Once all checks have been cleared and the new starter is deemed safe to start the new file will be double-checked that all regulatory checks are complete and necessary paperwork is enclosed.

The successful candidate will commence their employment subject to all checks and procedures having been satisfactorily completed. In certain rare circumstances, and exceptionally, a new member of staff may be allowed to start work before the DBS disclosure has been received. Details of the procedure that must be followed in such circumstances are set out in section 12 below.

## **10. Notice periods**

Each staff member's contracts of employment will state what his or her notice period is, both during the probationary period and once this is successfully completed where these are different.

For all teachers who do not have peripatetic, fixed term or probationary contracts (which may specify a different period of notice) the period of notice is one full term's notice on either side, with employment terminating at the end of the term following the term in which notice was given.

In all other cases, the notice period will be as stated in the staff member's contract of employment.

## **11. Record-keeping**

- The school holds and maintains a Single Central Register (SCR) which complies with all current regulations and contains records of all the required documentation and checks for all staff and proprietors and for host family members and anyone else who is over the age of 16 and who lives in the home of a d'Overbroeck's host family.
- Files on all staff are held centrally and securely by HR.
- DBS checks will be renewed every 3 years by the HR team.
- DBS checks are carried out online and authorised by HR or the Head of Non-residential Boarding. HR will normally process DBS checks on members of staff and the Head of Non-residential Boarding will normally process DBS checks on host families. HR will also authorise any host family DBS checks that may need to be processed during the absence of the Head of Non-residential Boarding.
- All references on staff will normally be requested by, and returned to, HR in the first instance. The Head of Non-residential Boarding will request and receive references on host families. All references will be verified by means of a telephone call to the reference provider and will then be passed on to the member of staff making the appointment before filing. Any discrepancies will be followed up as appropriate. The date on which a reference has been verified will be noted on the reference and recorded on the SCR.
- HR is also responsible for a regular check of the HR section of the school's MIS and SCR and for chasing up any documentation that may be missing.



- Schools do not have to keep copies of DBS certificates in order to fulfil the duty of maintaining a single central record, and it is d'Overbroeck's policy not to do so. Copies of the other documents, such as those used to verify the successful candidate's identity, right to work in the UK and required qualifications will be kept for the personnel file.

When practicably possible, a member of the Board will visit the school termly, in order to conduct a spot check on the SCR and staff files to ensure compliance.

## **12. Allowing a new member of staff to start work before receipt of DBS disclosure**

Offers of employment at d'Overbroeck's are always predicated upon the receipt of satisfactory references and DBS checks. We conduct our own DBS checks even where the new member of staff has a current disclosure from another school. The following standard wording appears in all our offers of employment. It makes clear that the appointment is not definitively confirmed until such time as the disclosure has been received.

'd'Overbroeck's is committed to safeguarding and promoting the welfare of all its students, and this is a responsibility that is shared by all members of staff. The successful candidate will be subject to an enhanced DBS disclosure. Please see the section on Disclosure below.

### **DISCLOSURE**

Please note that d'Overbroeck's school aims to promote equality of opportunity for all with the right mix of talents, skills and potential, without respect to age, gender or race and welcomes applications from diverse candidates. As d'Overbroeck's meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, all applicants who are offered employment will be subject to an Enhanced Disclosure of criminal background from the Disclosure and Barring Service before their appointment is confirmed. This will include details of cautions, reprimands and final warnings, as well as convictions. Criminal records will be taken into account for recruitment purposes only when the conviction is relevant. Further information about the disclosure scheme can be found at [www.gov.uk/government/organisations/disclosure-and-barring-service/about](http://www.gov.uk/government/organisations/disclosure-and-barring-service/about).

### **Starting work**

We will normally seek to ensure that we have received the DBS disclosure before a new member of staff takes up their position. Exceptionally, however, there may be a strong operational need for a newly appointed member of staff to take up their position before we have received the disclosure. Under current regulations, a short period of work is allowed under controlled conditions, at the Principal's discretion. In such circumstances, the following steps will, in all cases, be followed before the member of staff is allowed to start work:

1. The appointment will not be confirmed, in the sense that it will explicitly remain subject to a satisfactory outcome of the DBS checks. The standard wording cited above which appears in all offers of employment covers this point.
2. The DBS application will be submitted before the new member of staff starts work.
3. The suitability of the newly appointed member of staff is checked against the Barred List.
4. In the case of a newly appointed member of the teaching staff, a check is conducted against the Prohibited List to ensure that the candidate is not subject to a prohibition order issued by the Secretary of State. The check is carried out using the Employer Access Online service, 'Prohibited List'.

5. A note of the above checks is made on the Single Central Register (SCR).
6. At least two satisfactory references must have been received and verified.
7. A written risk assessment is put in place and approved by the Principal in each case. The risk assessment will be kept on the relevant person's HR file.
8. The risk assessment sets out appropriate safeguards to be put in place, such as appropriate supervision.
9. The member of staff concerned is informed of these safeguards.
10. The safeguards are reviewed regularly, at least every two weeks, until the relevant DBS is received.

### **13. Induction**

With their contract of employment, all newly appointed staff receive a paper copy of our Code of Conduct for staff and Part 1 of the most up to date version of Keeping Children Safe in Education. They are obliged to sign and return a declaration form to confirm that they have read and understood both these documents. HR also sends an email to new staff with an electronic link to the policies page of the school website from which the Safeguarding Policy and other school policies can be accessed.

As part of their induction, all new members of staff and volunteers receive safeguarding information as follows:

- Staff who take up their employment at the start of the academic year will attend a Safeguarding training session as part of the Inset days which take place just before the start of the autumn term. This consists of the most recent generalist PowerPoint presentation designed by the Oxfordshire Safeguarding Children's Board (OSCB) and will usually be delivered by the DSL or by one of the other members of the school's designated safeguarding team who has taken part in a Lead Trainer training course delivered by the OSCB. The session names the school staff with designated responsibilities for safeguarding and child protection, and refers to the school's Safeguarding Policy, Code of Conduct and procedures relating to Whistleblowing, and what to do if staff have reason to think that there may be a safeguarding or child protection issue.
- Staff who take up their employment during the course of the academic year:
  - are required to complete the online generalist safeguarding course provided by the OSCB, and to submit a copy of the certificate confirming that they have done so, before they take up their employment;
  - are required to attend the next available Safeguarding training session as soon as practically possible after starting work. These are arranged as and when needed through the year, and are usually delivered by the DSL or one of the other members of the school's safeguarding team.

### **14. Supply staff**

d'Overbroeck's will use only those agencies which operate a Safer Recruitment Policy and provide written confirmation that all relevant checks, including a satisfactory enhanced DBS check, have been satisfactorily completed. Any information disclosed as part of the DBS check will be treated

confidentially. These agencies should be able to demonstrate that their staff have received appropriate safeguarding training.

Staff at d'Overbroeck's will carry out identity checks when the individual arrives at school.

### **15. Peripatetic staff**

d'Overbroeck's follows the same pre-employment procedures and checks for peripatetic staff as for all other staff.

This policy is put to the Board of Governors for approval. It will be reviewed in 12 months, or sooner if made necessary by new or amended regulations or guidance.

### **16. Related policies**

The following are either published on the school website or available from the school on request:

- Safeguarding and promoting the welfare of children (which includes the Code of Conduct for staff and procedures relating to Whistleblowing).
- Equal opportunities policy for staff
- Host family recruitment policy
- Keeping Children Safe in Education 2023: Statutory guidance for schools and colleges (DfE)

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