

27.1 SAFER RECRUITMENT POLICY AND PROCEDURES

Legal Status

- Part 4 of the Education (Independent School Standards) (England) (Amendment) Regulations, with reference to the appointment of Proprietors, all staff, external providers and volunteers inclusive of completion of the Single Central Record (otherwise referred to as the Centralised Register);
 - Safeguarding Children and Safer Recruitment in Education guidance and HM Government Guidance "Working Together to Safeguard Children" 2010 along with any further amendments as they are published;
- The Equality Act 2010 and the Public Sector Duty 2011 along with any further amendments as they occur
- The school complies with Section 3(2) of the Safeguarding Vulnerable Groups Act 2006 and any direction made under section 142 of the 2002 Act (d).
- This policy is consistent with the safer recruitment requirements of Working Together to Safeguard Children (HM Government 2013), Safeguarding Children and Safer Recruitment in Education (SCSRE) guidance excluding Chapter 5, Department for Education Guidance (DfE): Dealing with allegations of abuse against teachers and other staff.

Applies to:

- **the whole school** along with the out of school care Including extra curricula activities and all other activities provided by the school, inclusive of those outside of the normal school hours;
- all staff (teaching and support staff), the proprietor and volunteers working in the school.

Related Documents:

- Appendix A: Assessing suitability to work with children
- Appendix B: Example Safeguarding Questions
- Appendix C: Interview Planning and Assessment Pro-forma
- Appendix D: Recruitment of Ex-offenders
- Appendix E: Reference Request Form
- Appendix F: Safer Recruitment Manual
- Appendix G: Shortlisting Pro-forma
- Appendix H: Support Staff Application Form
- Appendix I: Teaching Application Form

Availability:

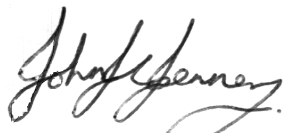
- This policy is made available to parents, staff and pupils in the following ways: via the School website www.MagdalenCourtSchool.co.uk, and on request, a copy may be obtained from the Office.

Monitoring and Review:

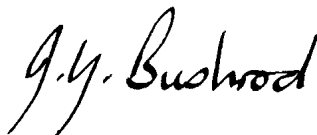
- This policy will be subject to continuous monitoring, refinement and audit by the Head.
- The Proprietor undertakes an annual review of this policy and of the efficiency with which the related duties have been discharged, by no later than one year from the date shown below, or earlier if changes in legislation, regulatory requirements or best practice guidelines so require.

Signed:

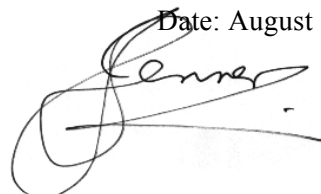
Date: August 16



Mr J. Jenner jr.
Principal



Mr J. Bushrod
Headmaster



Mrs J. Jenner
Proprietor

Our school is totally committed to safeguarding and promoting the safety and welfare of children and young people and expects everyone connected with the school to share this commitment. Our school complies with the detailed provisions concerning the safeguarding of children and safer recruitment in education. This includes the necessity for our Proprietor to ensure that our school operates a safe recruitment procedure that is compliant with the current *Independent School Standards Regulations*. The health, safety and welfare of all our children are of paramount importance to all the adults who work in our school. Our school will apply this recruitment and selection procedure and the measures described herein will be applied to everyone who has sole care or comes into contact with children for any length of time. We recognise that a school in which child protection measures are not visible is likely to be perceived as a softer target by those likely to harm young people.

Aims

These are:

- to help deter, reject and identify people whether they are paid staff, volunteers or contractors, who might be unsuitable to work with children by having thorough recruitment procedures and pre-employment vetting for appointing all staff;
- to operate such procedures consistently and thoroughly whilst obtaining, collating, analysing and evaluating information from and about applicants and
- to seek to ensure an ongoing safe and secure environment for children by ensuring all staff are suitably trained in recognising and responding to signs of abuse.

Employment and Safer Recruitment

We comply with our statutory duty to operate safe recruitment procedures for all staff in our school which permit them to work regularly with children. ..Our school therefore follows the Government's recommendations for the safer recruitment and employment of staff that work with children. All members of the teaching and non-teaching staff at our school, including part-time staff, temporary and supply staff, volunteers and visiting staff, such as musicians and sports coaches, are checked in accordance with the full requirements of the *Disclosure and Barring Service (DBS)* and the *Centralised record (Single Central Register)* before starting work. Contractors working regularly during term-time, such as contract catering staff are also vetted. We require the Chair of the interview panel to have completed a safer recruitment training and assessment.

Safer recruitment is a vital part of our safeguarding policy and our culture and practice ensures that from the first step taken to employ staff, we make sure that only suitable adults come into contact with our children. This means that interviews for appointing our staff reflect the importance of safeguarding children. We also do this because we want to deter, reject or identify people who might abuse children. This is based on the

fundamental premise that good or outstanding teaching and learning includes keeping children safe and secure.

Regulated activity (which requires an Enhanced Certificate from the Disclosure and Barring Service (DBS)) include teaching, training, instructing or caring for or supervising children if the person is unsupervised, or driving a vehicle only for children. It also includes work in schools (specified places) with the opportunity for contact with children. Personal or healthcare such as eating or drinking or toileting, washing or bathing which is always regulated. We are also fully compliant with our legal duty to ensure that an individual who is barred will not carry out any form of regulated activity in our school. We remain cognisant of the fact that, if we know or have reason to believe, that an individual is barred, we commit an offence if we allow them to carry out regulated activity – with a penalty of up to five years in prison.

Prohibited From Teaching List Check

In addition, anyone who is appointed to carry out teaching work always requires an additional check to ensure they are not prohibited from teaching. Prohibition orders prevent a person from carrying out teaching work in schools. A person who has been prohibited from teaching will never be appointed to work as a teacher in our school. We use the Employer Access Online Service to check any prohibitions. *Teacher misconduct: the prohibition of teachers DfE*. A prohibition order is made by the Secretary of State following consideration by a professional conduct panel convened by the National College of Teaching and Leadership (NCTL). Preceding such consideration, the secretary of state may issue an interim order if it is in the public interest to do so.

We ensure that recruitment panel members are suitably trained, including completion of the national online training package *Safer Recruitment* for all school staff involved in recruitment. These include Cognita governors, any individual in charge of recruitment in our school (**insert name**) and (**insert name**), our Principal. Refresher training takes place five yearly for safer recruitment online. In this way we ensure that any recruitment panel has at least one member of staff who has completed the training. We endeavour to ensure that all our SLT members are suitably trained on this course before they conduct any interview

Volunteers & Other Staff.

Volunteers who regularly teach or look after children on an unsupervised basis are working in regulated activity and, as such, we will obtain both an enhanced check and a barred list check.

Supervision & Training

We provide appropriate supervision and support for staff, including safeguarding training and induction which covers familiarisation with our local child protection procedures annually. All our staff receive formal refresher training at (level 1 or basic) annually and certificated training at least every three years. Our Designated Lead professional attends refresher training every two years as well as attending multi-agency training (advanced level). Where our local safeguarding board requires a higher standard of training we will always comply. All temporary staff including supply staff and volunteers have a child protection briefing at induction. They will also be asked to complete level 1.

Our safer recruitment practice includes those persons who may not have direct contact with young people but because of their presence will still be seen as safe and trustworthy e.g. volunteers, support staff. We understand that it is an offence under the Disclosure and Barring Service legislation to knowingly employ (or take on as a volunteer), in a DBS regulated activity, someone who is barred from such activity. We will do all we can to ensure that all those working with children in our school are suitable people. This involves scrutinising applicants, verifying their identity, checking their employment history and qualifications and obtaining independent professional and character references that answer specific questions to help assess their suitability to working with children. To ensure a consistent and thorough process of safe recruitment in order to ensure that those recruited are suitable we follow the DfE guidance concerning safeguarding children and safer recruitment in education.

It is our policy in employing staff or volunteers to work with children to adopt a consistent and thorough process of safe recruitment, in order to ensure that those recruited are suitable. We comply with the criteria set by the **Local**

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Safeguarding Children's Board (LSCB), which includes complying with relevant government guidance, examples of good practice guidance, and model policies and procedures where needed. Our safe recruitment practice also includes those persons who may not have direct contact with children, but because of their presence will still be seen as safe and trustworthy. The principles of safe recruitment are included in the terms of any contract drawn up between ourselves and the contractors or agencies that provide services for us. Compliance is monitored and sub-contracting by the provider is not permitted.

Pre-Employment Vetting Checks

An offer of appointment to the successful candidate is conditional upon satisfactory completion of pre-employment checks. We always carry out the following, in keeping with our school policy. This includes the:

- identity verification using current photographic ID and proof of current address
- verify their right to work in the UK
- sight of an original certificate for an enhanced disclosure and barring check including barred list information, where the person will be engaged in regulated activity
- obtain a separate barred list check if an individual will start work (exceptionally) in regulated activity before the DBS certificate is available
- check that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State, using the Employer Access Online Service
- verify the candidate's mental and physical fitness to carry out their responsibilities (this is the only reason we can ask about health and disability)
- minimum of two suitable employment references, and a third reference from a further next recent overseas employer/certificate of good conduct
- Verify overseas criminal records checks for anyone who has lived and worked outside the UK, details listed on the DBS website for each country (Gov.uk/dbs overseas checks)
- Verify appropriate qualifications for the post applied for, with sight of original certification

Successful completion of the above checks is communicated by the Principal to Human Resources/Payroll staff, including any disclosures, prior to a person taking up the position. We will never accept photocopied documentation in lieu of original or authentic documents. Enhanced DBS check must be obtained before the appointment is confirmed.

We obtain a barred list check with an enhanced criminal records check for all new school staff, provided their role is eligible, before letting them start work. We do this as soon as possible and always before they start work; if staff have not moved directly from a similar post, in the same type of workforce, within three months of their last employment. For example, we are not required to obtain an enhanced DBS check, if in the last three months prior to beginning work in their new post in our school; the applicant has worked in a school with regular contact with children since May 2006.

We will always carry out all relevant checks, as if the person was a new member of staff, if an existing staff member moves to work in regulated activity where their previous work was not checked. We undertake to do the same, if we are concerned about the suitability of any existing member of staff. We always see the original certificate, including the DBS check from the candidate. We use the Update Service, where the applicant or individual joins the Update Service. Together with the individual's prior permission, this provides us with an opportunity to carry out an online check to see if they need a new certificate because new information is available (www.gov.uk/dbs-update-service).

Retention and Security of Disclosure Information

Disclosure information and other confidential documents issued by the DBS are securely stored, with access only permitted to persons designated by the proprietor for this purpose. The school will keep a record of the date of a

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disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken. Such information is destroyed by suitably secure means such as shredding and photocopying or scanning of any disclosure information is not allowed.

Advertising

Our adverts feature a safeguarding statement. Additionally we stress that the identity of the candidate, if successful, will need to be checked thoroughly. On all Advertising regarding employment, it will carry the following wording: **‘Our school is totally committed to safeguarding the welfare of children and young people and expects the same from its employees. All new staff will be subject to enhanced DBS clearance, identity checks, qualification checks and employment checks to include an exploration of any gaps within employment, two satisfactory references and registration with the Disclosure and Barring Service (DBS).’**

Our school will make an assessment of each post (and potential vacancies) that include details of the post’s responsibilities, the degree of (un)supervised access to the children and the key skills required. The information our school provides to candidates explains that the post is exempt from the Rehabilitation of Offenders Act 1974. Plus, in line with the Disclosure and Barring Service (DBS) code of practice, it also explains the employer’s policy on the employment of ex-offenders.

When reviewing applications we know it is important to record objective evidence about the extent to which each candidate meets the criteria. Our school has at least two people involved in the process of scrutinising applications and shortlisting candidates. If the candidate makes a self-disclosure our school will compare the information to the DBS records if the candidate is appointed.

Recruitment Procedures

At each stage of our recruitment process we are mindful of the need to protect and safeguard children and to ensure that their welfare is promoted at all times. There is a thorough and consistent process of obtaining, collating, analysing and evaluating information about applicants and in order to ensure safe recruitment, our school will ensure that through safer recruitment advertising and pre-interview information, it will be made clear the school’s commitment to safeguarding and promoting the welfare of children. We will make available electronically, recruitment pack to all applicants including:

- safeguarding Children Child Protection Policy;
- school prospectus;
- job description;
- person specification;
- recruitment process;
- application form indicating that Our school is a ‘Safer Recruitment’ employer and
- covering letter that stresses the need to complete an Application Form and stating that CVs will not be accepted as a **final** application but may be sent in addition.

If a candidate’s application is considered to be fraudulent or contains false information, our school will report the matter without delay to the Secretary of State via the DfE and also the police as appropriate.

Staff and volunteers joining the School on a permanent or temporary basis will be given a copy of this policy. We require all adults employed in school to complete the school application form which requests comprehensive dates of an applicant’s training and employment history to enable our school to identify any gaps in training and employment to alert the interview panel. Any gaps will be recorded by the panel giving a satisfactory explanation for those gaps. The application form will ask candidates if they wish to declare anything in light of the requirement for a DBS disclosure. The application form will also ask for details of attendance in previous employment. With reference to the application process, our school has the following procedures in place:

- We ensure that the job description makes reference to the responsibility for safeguarding and promoting the welfare of children and young people.

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- We ensure that the person specification includes specific reference to suitability to work with children.
- We obtain and scrutinise comprehensive information from applicants taking up and satisfactorily resolving any discrepancies or anomalies that are identified.
- We obtain two independent professional and character written references pre interview, including 'Safer Recruitment' questions that ask specific questions to help assess an applicant's suitability to work with children. Any concerns identified will be followed up. Telephone verification will be sought that the referee has actually completed the reference.

All candidates are assessed equally against the criteria in the person specification or role profile without exception.

Interviews

Candidates will be invited to interview using a 'Safer Recruitment' letter outlining arrangements for the day and will be asked to provide the following original documents at interview – proof of identity eg driving licence or birth certificate plus a valid passport, certificates or diplomas confirming education qualifications, qualified teacher status or qualifications appropriate for the position, where appropriate any documentation, giving evidence of change of name. We ask candidates whether they require any reasonable adjustments in order to attend the interview. Verification will be sought of a candidate's right to work in the UK and copies of the successful candidate's passport and documentation as outlined above will be taken and retained on the person's file.

We conduct a face to face panel interview to explore the candidate's suitability to work with children as well as his/her suitability for the position being recruited. The panel will consist of at least 2 and preferably 3 members of staff including one who has been trained in safer recruitment and a second who has the authority to make the decision on the appointment. A consensus about the required standards for the post will be reached and issues considered and explored in interview in line with the agreed assessment criteria. The panel will assess the candidate's attitude towards children and young people and his/her ability to support the safeguarding policies of Magdalen Court School. Questions relating to child protection and safeguarding children will be asked in every interview for paid staff and volunteers prior to an offer of appointment. We will not ask questions regarding health at the interview. A successful candidate is then required to complete an external occupational health questionnaire.

Interview notes will be made and copies retained on the Personnel files. For teaching positions, the candidate will be observed in taught lessons wherever possible and notes kept of the outcome of the observation. Verification of the successful candidate's identity from all scrutiny previously undertaken will occur and details entered on the Single Central Register (Centralised Register) and our staff employment checklist related to:

- character/professional references;
- original copies of qualifications seen and photocopied to confirm that the successful candidate has all the academic or vocational qualifications claimed;
- the place of residence and identity of successful candidate including name, address and date of birth by checking passport together with two utility bills less than 3 months old (Refer to Valid Identity Documents referred to in 'An applicant's guide to completing the DBS Application Form')
- the successful candidate having the right to work in the UK along with a clearly traceable employment history and experience

Our form also requests more detailed information regarding teaching experience, details of special areas of teaching interest, details of relevant training undertaken recently (e.g. First Aid course), details of referees, declaration of full criminal record, declaration of any family of close relationship to existing employees or employers and a declaration that all information is true and accurate. For unsuccessful candidates, copies should be retained along with their interview notes for one year.

Ensuring questions do not compromise equality legislation

Asking questions regarding health and disability are not normally prohibited under the Equality Act 2010. However it is important that interview candidates are provided with the opportunity to share any information about their

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health and/or disability that may impact on the nature of the work and/or work environment at the earliest stage (if they wish to disclose such information) so that pragmatic discussions can take place at an early stage. Interview candidates also need to be clearly aware of the exact nature of the role and in particular are able to manage, with the relevant risk assessments and control measures in place, the hazards associated with the role.

All candidates will be asked:

- Are there any adjustments to this role or particular aids that may be needed to enable you to perform this role effectively?

Where there are particular risks associated with the role, the candidate are asked questions in line with the job hazard form. Some examples are provided below:

- This role requires the post-holder to perform, on a regular basis, manual handling activities, including weights up to 15kg. Are you able to fulfil this aspect of the role requirement?
- This role has high potential to require physical behaviour interventions. Are you able to fulfil this aspect of the role requirement?
- This role requires the post-holder to occasionally drive the school's minibus. Are you able to fulfil this aspect of the role's requirement?

Fitness to Teach Criteria (from DoH publication 'Fitness to Teach')

To be able to undertake teaching duties safely and effectively, it is essential that individual teachers:

- Have the health and wellbeing necessary to deal with the specific types of teaching and associated duties (adjusted, as appropriate) in which they are engaged;
- Are able to communicate effectively with children, parents and colleagues;
- Possess sound judgement and insight;
- Remain alert at all times;
- Can respond to pupils' needs rapidly and effectively;
- Are able to manage classes;
- Do not constitute any risk to health, safety or wellbeing of children;
- Can, where disabilities exist, be enabled by reasonable adjustments to meet these criteria.

Support Staff

To be able to undertake support duties safely and effectively, it is essential that individual support employees:

- Have ability to deal with the specific job role for which they are engaged;
- Are able to communicate adequately;
- Possess sound judgement and insight to a level required by the post;
- Remain alert at all times;
- Can, if appropriate, respond to pupils' needs rapidly and effectively;
- Are able, if appropriate, to cover a class;
- Do not constitute any risk to the health, safety or wellbeing of children;
- Can, where disabilities exist, be enabled by reasonable adjustment to meet these criteria.

The above process, once completed must be signed off and dated as legally required.

Once all has been verified, we verbally offer the position to the successful candidate subject to all final clearances required and confirmed in writing. A contract is produced and issued pending the successful completion of DBS 'Enhanced' Check, Barred list checks and medical clearance in which we verify that he/she has the health and physical capacity for the job. Both an enhanced DBS Check and a Barred lists check is required prior to the commencement of employment along with a range of more than one piece of documentary evidence of their identity. Details and dates of the DBS will be recorded and kept on the person's file and recorded on the **SINGLE CENTRAL RECORD**.

All prospective employees and volunteers will be subject to the requirements of the Central Register (Single Central Record). Subject to satisfactory receipt of the Barred List Check, allow an employee to commence work whilst awaiting the result of the enhanced DBS Certificate, providing that they are closely supervised and the situation reviewed at least every two weeks and a risk assessment undertaken. The person will be informed about these safeguards. **Please refer to Commencing Employment Prior to Obtaining Enhanced DBS Clearance that is detailed below.** We ensure all new staff at Magdalen Court School receive and understand our safeguarding policies inclusive of the child protection policy. All our staff, whether volunteers or paid professionals, will be subject to a one year probationary period. Documentation for the successful candidate is retained by Magdalen Court School, and all documentation for unsuccessful candidates will be held confidentially and then destroyed after six months. We ensure that, upon a post being offered, we bring together the equalities monitoring form, the revised application form and the revised consent form, ensuring that candidates do not have to provide evidence twice.

Obtaining a DBS barred list check

In addition to complying with the Disclosure and Barring Service requirements Magdalen Court School is also registered to access checks (including past checks) on the DBS Barred list (not only for teachers). The school computer has a direct link, which is password protected, to the DBS barred list. Therefore, within seconds of any visitor being in school and providing the office with a form of identification with their name and date of birth, an online check can be made. We carry out a barred list check for all new employees, volunteers and contractors irrespective of whether they possess an enhanced DBS Certificate. The only way to obtain a separate DBS Barred List check currently is through the Teachers' Pensions online service (operated by Capita Business Services Ltd) which deals with any checks (including past checks) of DBS barred lists (not only for teachers). The address is www.teacherspensions.co.uk (search 'Barred List' for application form or call the telephone number given on the website).

Commencing Employment Prior to Obtaining Enhanced DBS Clearance

Because our procedures will be followed in a professional and timely manner, the vast majority of new employees will be in possession of the DBS Certificate before their contract start date. There will, however, be rare occasions when contracts start before the Enhanced DBS Certificate has been received. In this instance, the Head will use his discretion as to whether an employee can start work pending the receipt of the certificate. The Head must ensure that any employee where clearances are pending is appropriately supervised and informed that they are under scrutiny and the reasons for it. In all cases an extra Barred List Check **MUST** be carried out prior to the new employee commencing in post. The Proprietor will also consider the following factors whilst determining the level of supervision required regarding:

- previous experience;
- whether the individual is already in possession of a current or recent Enhanced Disclosure Certificate from another body;
- the nature of the individual's duties and responsibilities within the school and
- information contained within references and the detail of such information.

References

The application form requests both professional and character references, one of which should be from the applicant's current or most recent employer. Additional references may be asked for where appropriate. For example, where the applicant is not currently working with children, but has done so in the past, a reference from that employer is asked for in addition to that from the current or most recent employer if this is different. We request that references be obtained prior to the interview so that any issues of concern raised by the reference can be explored further with the referee and taken up with the candidate during interview. References should contain objective verifiable information and in order to achieve this we have designed a reference pro-forma with questions relating to the candidate's suitability to work with children. We require that the referee be asked to confirm whether the applicant has been the subject of any disciplinary sanctions and whether the applicant has had any allegations made against him / her or concerns raised which relate to either the safety or welfare of children and young people or about the applicant's behaviour towards children or young people. Details about the outcome of any concerns or allegations will be investigated. In the event that a referee refuses to write a reference, Magdalen Court School will find out why, and find an alternate referee. Magdalen Court School has, in accordance with best practice, a reference request pro forma.

Head's Responsibilities

The Head will ensure:

- that appropriate policies and procedures are adopted to safeguard children in the school;
- that these policies are implemented and followed by all staff;
- that sufficient resources and time are allocated for staff to carry out their responsibilities effectively;
- that all those working in Magdalen Court School are suitable people;
- that all staff and adult helpers in the school are able to voice their concern if they feel that a child is vulnerable, or that there are any particular practices that are unsafe and

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- that staff undergo relevant, regular training and supervision to maintain up to date in issues of safeguarding.

Safer Recruitment Training

The Senior Leadership Team (SLT) as appropriate:

- has completed a Safer Recruitment in Education course;
- will receive further regular training to raise their awareness and to improve their knowledge of safer recruitment as required by legislation and also agreed locally.

Staff Responsibilities

All staff should know the name of the designated person for child protection and understand their responsibilities to safeguard and protect children. Staff should be aware that breaches of the law and other professional guidelines could result in criminal or disciplinary action being taken against them. We explicitly require staff to report to a senior member of staff of the school or the Local Authority any concern or allegation about school practices or the behaviour of colleagues which are likely to put pupils at risk of abuse or other serious harm and provide immunity from retribution or disciplinary action against such staff for “Whistleblowing” in good faith is as far as possible guaranteed by the school. At all levels, including newly appointed and ancillary, staff have been given briefing or training on responding to suspicions or allegations of abuse and know what action they should take in response to such suspicions or allegations. Refresher training is undertaken every three years for staff and two years (or more frequently) for the designated Safeguarding Officer.

Supply Staff

Magdalen Court School is well resourced with staff and would use an agency only in the case of emergency. If using supply staff from an agency, Magdalen Court School would check the identity of the teacher. Magdalen Court School will also check with the agency and obtain written confirmation that all appropriate ‘safer recruitment’ checks have been carried out including whether an enhanced DBS check has been made and whether any information was disclosed and if so it must be forwarded immediately to the school. The preference at Magdalen Court School is to work with a small pool of part time teachers all of whom are DBS checked and are well known, having a special relationship with the school and know its workings and children. However, it is also incumbent on the school that it carries out its own identify check. The School only uses employment agencies that can demonstrate that they positively vet their supply staff and will report the misconduct of temporary or agency staff to the agency concerned and to the Local Authority.

Gap Students

Due to the fact that there is no accommodation at Magdalen Court School, it is unlikely that we would recruit Gap Students from overseas. However, Magdalen Court School is aware of the procedures.

Overseas Staff

If employing or using overseas personnel, a Barred List check and DBS Disclosure will always be completed. In addition, criminal records information will be sought from the police authorities in the relevant country and/or certificates of good conduct obtained from the relevant embassy. Where applicable, ‘right to work’ will be routinely checked.

Volunteers

Due to the ethos of Magdalen Court School, we would expect to fully involve parents and other appropriate volunteers in the life of the school. A voluntary member of staff is someone who volunteers his/her time, skills and abilities to Magdalen Court School free of charge. These volunteer helpers are usually parental helpers, members of the local community or individuals committed to a particular career path who wish to gain experience in a school environment in pursuit of their chosen professional goals. Volunteers can be actively recruited by Magdalen Court School if they could be people who approach the school direct by telephone, email or letter offering their services. However they come to be within the school environment, identical safeguarding procedures as for paid staff need to be adopted for **all** volunteers with regular contact with children. Regular contact refers to individuals who are based in Magdalen Court School for more than three consecutive days or accompany paid staff and children on trips involving over-night stays or who have a regular, agreed work pattern. For the purpose of this Policy, an agreed work pattern could be anything from once a term to 30 minute each month.

Volunteers who remain absent from Magdalen Court School for 3 consecutive months or more are required to another DBS Disclosure Application Form and be awarded Enhanced DBS Certificate clearance prior to their return to duty. Enhanced DBS checks would be carried out for all volunteer workers and only well established volunteers would be used to assist on a regular basis with a school activity. Magdalen Court School will apply safer recruitment checks to all parents who choose to volunteer to support the school. These will include an enhanced DBS check, an extra Barred List check, two references and an interview. Teachers will be provided with lists of parents who have undergone checks so that they can ensure they are using appropriately cleared individuals as volunteers as needed. Volunteers in accordance with regulation are to be entered on to the single centralised register.

Volunteers with irregular pupil contact

Volunteers working on an ad-hoc, one off basis (that is not more than once per term) will not be required to obtain DBS clearance, supply referees or attend an interview. They will, however, be subject to a Barred List check in advance of the event which can be done electronically. The school will, in such cases, ensure the volunteer is never left alone or unsupervised in the presence of young people. Examples of ad hoc occasions are day trips and sports days.

Proprietor

Magdalen Court School will ensure that the necessary checks are carried out on the Proprietor at Magdalen Court School so that the suitability of people who serve the school in these capacities are verified in accordance with safer recruitment and in line with this Policy.

Under the Education Act 2002, the Education and Skills Act 2008 and the Independent School Standards Regulations 2010 *as amended by the Alternative Provision Academies and 16 to 19 Academies (Consequential Amendments to Subordinate Legislation) (England) Order 2012 S.I. 2012/979, in force from 1 May 2012 and by the Education (Independent School Standards) (England) (Amendment) Regulations 2012 S.I. 2012/2962, in force from 1 January 2013*, 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 directors or trustees. The proprietor needs a DBS check through the Department for Education (DfE). If there is a change in either the School's proprietor or a chair of the school board, then a telephone call is to be made to the Independent Schools and Boarding Team helpline: Telephone: 01325 735304, who will provide instructions on how to proceed with the application for an enhanced DBS disclosure.

Children in Workplace Roles

Secondary school aged children on work experience are not required to have a DBS check. In these cases the school placing the student should ensure that he/she is suitable for the placement.

Contractors

Contractors who visit Magdalen Court School to carry out emergency repairs, perform routine maintenance of equipment or make structural changes to the property are not required to obtain DBS clearance. The vast majority of such work will be undertaken during school closure periods. Should work be necessary during the school term, site staff will escort the contractor to and from his/her destination, thereby avoiding unsupervised access to children. In addition, all staff will be instructed to be vigilant to prevent children from accessing areas where builders etc are working, not only for reasons of safeguarding children but also for risks posed by Health and Safety considerations.

We have arrangements in place with **contractors (including agency/supply staff)** to make sure that any contracted staff who work regularly in our school, with an opportunity for contact with children, are deemed suitable. We will **not** carry out the required checks for any contractor. Instead, for any third party or agency staff we require written confirmation that the contractor has obtained a barred list check, and an enhanced DBS check, before they work in our school; under pre-existing contractual arrangements where the role involves frequent and intensive contact with children unsupervised (see definition of regulated activity). This ensures that their organisation has carried out the checks on an individual which we would otherwise have performed ourselves. Where contractor's staff do not work regularly in our school but may have limited contact, we will determine suitability by ensuring they are supervised.

However, where a contractor is self-employed, we can obtain the DBS check on their behalf because self-employed people are not able to make an application directly to the DBS on their own account. We expect all contractors and third parties to have photographic ID on site so that their identity can be checked before they work in our school and so that we can make sure the checks carried out have been made on the person completing the work. They must always sign in before entering the school when children are present. We will not undertake barred list checks or DBS checks on occasional visitors, but we will ensure that they are supervised or escorted on our premises.

All contractors will be required to report to Reception and sign in and out when they enter or exit the school premises. Contractors will also be required to present photo-identification upon arrival and must be expected in advance by the school. Upon arrival, every contractor will be presented with an official Magdalen Court School visitor pass and all members of staff have been alerted to challenge any stranger present on any part of the school premises not displaying a pass.

Regular external contractors – employees of external companies who are regularly based in the school, cleaners, catering workers etc will be subject to the same identity checks and clearances as direct employees of Magdalen Court School. However, these will be carried out by their external employer to the satisfaction of the school and will form part of the terms and conditions of the business contract. The outcome of such checks will be notified to the school and the details recorded on the school's **Single Central Record**.

Staff who have Lived Abroad

If we appoint staff who have lived or worked abroad we continue to undergo the necessary checks as described above in 5.1. We will also make further checks appropriate to the person living abroad, such as a local certificate of good conduct (in keeping with the relevant embassy for that country), and take extra care when taking up additional written references. (See DBS via GOV.UK website, search overseas checks, locate the country required and advise the candidate how to access any local criminal record check pertaining to each relevant country). We do this because we must take into account any relevant events that occurred outside the UK as part of our recruitment process. All such information will be recorded on the central record of vetting and barring checks.

Referral to the DBS – risk of, or harm to, children

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In order to help protect children, the Government bars people who are known to pose a risk of harm to children from doing certain work (paid or unpaid). Work that a barred person must not do has been reduced to common-sense levels, following the Protection of Freedoms Act (2012), and is called regulated activity. We will refer to the DBS 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 if they had not left our employment (Section 35 Safeguarding Vulnerable Groups Act 2006). Procedures for referral to the DBS are a matter for discussion with our school's Cognita HRBP, particularly where a person in regulated activity has been dismissed or removed due to safeguarding concerns; or would have been had they not resigned. We are aware that this is a legal duty and failure to refer when the criteria is met is a criminal offence. We will refer as soon as possible after the resignation or removal of the individual.

Disclosure of Information on DBS certificate

The DBS introduced a subscription Update Service which schools can access if a member of staff gives them permission to do so. Any applicant or staff member who chooses to do so, must pay the additional annual charge themselves and inform the school that they give their consent to access their criminal records in this way. This makes the check fully portable so we can intermittently check there is not new disclosure information since the last certificate was issued. If new information is identified, we would obtain another full enhanced DBS check and see the original certificate, with the individual's consent.

Children on Work Experience

We ensure that all our policies and procedures are in place to protect children from harm. Barred list checks will be undertaken on some people under the age of 16 on a work experience placement, for example, where they are unsupervised with our children and providing supervision of our children for more than once a week. We expect that any work experience provider will obtain an enhanced check with barred list information on anyone 16 years or over.

Remaining Vigilant Post-Appointment

Any disclosure of sexual, emotional, physical abuse or neglect made by a child will be thoroughly investigated in accordance with our Child Protection procedures. If the alleged abuse is by an employee or volunteer, the individual will be the immediate subject of a disciplinary investigation and is likely to be suspended from duty whilst the investigation occurs. **If we ever have concerns about an existing member of staff's suitability to work with children, we will carry out all relevant checks as if the person was a new recruit.** Similarly, if a member of our staff moves from working in a post that was not regulated into a post that is regulated, all the relevant checks for the new regulated activity will be carried out.

Retirement

Default retirement age (formerly 65) has been phased out – most people can work for as long as they want to. Retirement age is when an employee chooses to retire. Most businesses don't set a compulsory retirement age for their employees. If an employee chooses to work longer they can't be discriminated against. However, some employers can set a compulsory retirement age if they can clearly justify it. It's an employee's responsibility to discuss when and how to retire with their employer. This could include phasing retirement by working flexibly.

Barred Lists Check

DBS checks can be 'portable' from maintained schools as well as other independent schools. However, we are still required to undertake a Barred Lists check when accepting a portable DBS (DBS) check under the three-month rule, plus the other required pre-appointment checks.

Medical Fitness

Applicants should make a declaration, duly signed, that they:

1. Know of no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the post in question.

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2. Understand that any offer of employment made by the school will be conditional on verification of medical fitness. Under section 60 of the Equality Act, it is unlawful for employers to ask health-related questions of applicants before the appointment is offered, unless the questions are specifically related to an intrinsic function of the work.

We may decide to ask health questions, after an appointment has been offered, ensuring that such questions are necessary, relevant to the post applied for and are in line with the Equality act 2010 requirements. The DfE advises us that any questionnaire at this time should not include previous sickness absences. Any further medical information required is in accordance with law and will be managed through an external occupational health expert.

Supervision will occur from a variety of sources:

The Line Manager will keep the new employee in sight as much as is practically possible. Teachers will be asked to visit the classroom or area of the new employee as part of their normal discharge of duties around Magdalen Court School. Senior members of staff will pay ad hoc courtesy visits to the classroom or workstation of the new employee. In addition, it is likely that teachers, technicians or learning support assistants (LSAs) or other members of staff will already be deployed in some of the areas where new employees are working. It is vitally important that the above actions are carried out in the spirit of, and viewed as supportive mechanisms for the new employee as much as a safeguarding procedure for children. It is an offence for anyone to work in Magdalen Court School without clearance against the Barred lists (but note that 'Enhanced' DBS checks include checks of the Barred Lists). A DBS Barred Lists check applies not only as part of the DBS 'disclosure' but is also needed for people who work in Magdalen Court School without any contact with children, such as out-of-hours cleaners.

Equal Opportunities (Single Equalities Act)

Magdalen Court School does not discriminate between candidates on the basis of race, disability, gender, religion and beliefs, age or sexual orientation. Magdalen Court School is mindful of the requirements relating to the recruitment of ex-offenders.

Single Central Record (SCR)

We fulfil our statutory duty to maintain a single central record so that we have evidence that we have carried out the full range of checks required by law on our staff.

We do not keep copies of vetting documents.

We keep on our personnel files any copies of documents used to verify the successful candidate's identity, right to work in the UK, and overseas checks as well as required qualifications. This is in keeping with Cognita HR policy.

All staff who are currently employed or volunteer to work in our school, and those who are employed as supply staff are listed on the Single Central Record. .

Our single central record complies with Schedule 1 Part 4 paragraph 22 of The Education (Independent School Standards) (England) Regulations 2010 (SI 2010 No. 1997), On our record we note the date each check was completed or the certificate obtained. We also note where supply staff, or contractees, have been provided so that the relevant checks were provided to us in writing from the business concerned. We also note the relevant checks have been carried out on the Proprietor of Cognita Schools. Where central Head Office staff or centrally procured staff checks are carried out by Head Office or a contractor, including our Headteacher, this information is noted in the form of the name of the contractor or Head Office, as applicable.

Where disclosure information is revealed, we note as 'Yes' or 'No' in the relevant column. Any conversation with a candidate about the information will be recorded factually and kept on their personnel file, with the agreement of the person who owns the information. This is in keeping with our Data Protection Policy. In particular, we do not store excessive amounts of data since this might contravene Principle 3 of the Data Protection Act.