



WINCHESTER
COLLEGE

School Recruitment, Selection and Disclosure Policy and Procedure

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1.0 Introduction

The school is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The school is also committed to providing a supportive and flexible working environment to all its members of staff. The school recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who shares this commitment.

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

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, relationship status, maternity or paternity, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (**DfE**) *Keeping Children Safe in Education* (September 2022) (**KCSIE**), *Disqualification under the Childcare Act 2006* (**DUCA**), the Prevent Duty Guidance for England and Wales 2015 (the **Prevent Duty Guidance**) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); the current Independent School Inspectorate Handbook (ISI); the Education (Independent School Standards) Regulations 2014 (ISSRs) and the National Minimum Standards (**NMS**) for Boarding Schools;
- to ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

2. Data protection

The School is legally required to carry out the pre-appointment checks detailed in this policy and procedure. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency. Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations. The School will process personal information in accordance with its Staff Privacy Notice.

3. Recruitment Process – Application to interview

When a post becomes vacant, the Head of Department (HoD) should discuss the vacancy with the Human Resources Director (HRD) to decide whether or not the post is to be filled. Guidance will be taken from either the Headmaster (for academic vacancies) or Bursar (non-teaching vacancies) as to whether recruitment is justified. Usually the decision will be made to fill the vacancy. However, in some circumstances the vacancy may not be filled (e.g. restructuring, redeployment etc.).

Once the vacancy is agreed, the HRD will review the job description and person specification before placing appropriate advertising. The relevant HoD should draw up with the HRD an agreed timetable setting out interview questions and selection methods. All permanent vacancies, where possible, will be advertised on the school website, and may also be advertised on third party websites, in local media, etc. These advertisements will be coordinated by the HR Office.

All vacancies will have both a **job description*** and a **person specification**** which will be published online with the vacancy. These will, in the main, appear as a combined document, entitled ‘job description’. The School’s Safeguarding and Child Protection Policy and procedures is part of the online, and paper if required, application process and it is a condition of applicants that they sign to acknowledge receipt; it is also published on the school’s website, and is also available by request from recruitment@wincoll.ac.uk.

All applicants for employment will be required to complete an **online application form** containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided.. A ‘curriculum vitae’ cannot be accepted in place of the completed application form.

. Applicants will also be asked to provide details of their online profile, including account names and social media handles so that online searches can be carried out on shortlisted candidates (see section 4 for more information). This information must be provided by the applicant in order for the application to be accepted.

Applications may be considered as they arrive. The school reserves the right to make an appointment prior to any closing date.

At the closing date, HR will send a complete set of applicants’ forms and their details to the HoD (or an alternative coordinator, as specified by the HRD, after consulting with the Headmaster or Bursar).

Shortlisting should be made on the basis of the person specification criteria and must be objective, i.e. based on evidence of how candidates meet the criteria. Best practice will be followed where possible in that shortlisting will be conducted by an appropriate shortlisting panel who will be involved in the process. Where one manager is deemed to carry out the shortlisting process HR will support so as to ensure consistency. The shortlisting individual or panel will decide, on the evidence given in the application form, which applicants best meet the criteria. Not all applicants who meet the minimum criteria are guaranteed an interview.

Telephone sift interviews may be used in the selection of candidates at any stage in the process. Specifically in academic selection, the Deputy Head (Academic) may use the telephone interview to ascertain candidate's suitability and availability.

On confirmation of the shortlist, HR will write to all unsuccessful candidates.

Applicants may then be invited to attend a **formal interview**† at which relevant skills and experience will be discussed in more detail. All shortlisted applicants will be tested at interview about their suitability to work with children.

All shortlisted applicants will be required to complete a self-declaration form prior to interview in which they will be asked to provide information about their criminal records history and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview.

If a candidate requires adjustments to be made in order to attend and participate in the interview, he/she must request these when accepting the school's invitation to attend. There is an opportunity for this request to be made on the application form. Every effort will be made to meet the identified need.

In academic interviews, unless candidates specify otherwise, the school will, where possible, write for references after a candidate has been shortlisted. Ideally, all references will be available to the interview panel at the time of the interview. Candidates will also be expected to bring to the interview the original certificates of their relevant qualification(s) and also proof of identity, preferably in the form of a passport. A copy will be taken and retained with the candidate's application.

Candidates are required to present documentation to demonstrate their right to work in the UK before the interview may commence.

3.0 Pre-Interview Process

HR will communicate with all candidates as soon as possible after the closing date in the advertisement if they are to be invited for an interview.

The candidate will be interviewed by a series of managers using both one to one and panels with skills and expertise relevant to the post. If appropriate, these will include members of the Governing Body and/or external consultants.

- 3.1.0 Shortlisted candidates may be given details of the selection methods the school will be using. In normal circumstances this will include the following:
 - 3.1.1 a tour of the school site;
 - 3.1.2 a series of interviews, including panels of up to four managers, with pre-set questions for all candidates;
 - 3.1.3 in academic recruitment, a lesson designated by the Head of Department and marked by a teacher on the appropriate mark sheet; sufficient notice will be given of age and ability range of pupils and expected content of lesson via the appropriate form;
 - 3.1.4 in support departments, skills tests if applicable, set and agreed beforehand with the HRD;
 - 3.1.5 if applicable, psychometric tests to measure the competencies of candidates;
 - 3.1.6 if appropriate, an interview with the Headmaster or Bursar;

- 3.1.7 all candidates will be asked the same core questions, with supplementary questions asked by managers as they see fit;
- 3.1.8 every candidate will be assessed for their capability/fitness to work with children/young people;
- 3.1.9 All interviewers will take notes during the interview. These notes will be kept with the candidate's application form.

4.0 Practical Assessments

4.1 Where practical assessments are used as part of the selection process they should aim to provide the following:

- 4.1.1 additional information about a candidate's knowledge, skills and aptitude; extra information for the selection process.
- 4.1.2 Appointments will not be made solely on the basis of practical assessment.
- 4.1.3 Candidates will be given the opportunity to receive professional feedback on their performance in assessments.

5.0 Other Information

The decision of the interview panel is made on the basis of information given during the process.

6.0 Recruitment and selection procedure

In accordance with the recommendations set out in the Guidance, KCSIE and the requirements of the Education (Independent School Standards) (England) Regulations 2010 and the NMS for Boarding Schools the school carries out a number of pre-employment checks in respect of all prospective employees.

If the School decides to make an offer of employment following the **formal interview**, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the school's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- verification of the applicant's employment history
- the receipt of two references (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory;
- for teaching positions, confirmation from the Teaching Regulation Agency that the applicant is not subject to a prohibition order, has not failed their induction or probation or have a sanction imposed;
- the receipt of an enhanced disclosure from the DBS which the school considers to be satisfactory;
- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the School.
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the School
- where the position amounts to 'regulated activity' confirmation that the applicant is not named on the Children's Barred List administered by the DBS*;
- the School being satisfied that any information generated through online searches does not make the applicant unsuitable to work at the School;
- verification of the applicant's medical fitness for the role (see section 7 below);

- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and)
- verification of professional qualifications which the school deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

*** The School is not permitted to check the Children’s Barred list unless an individual will be engaging in “regulated activity”. The School is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity.**

However, the School can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e roles which would amount to the regulated activity if carried out more frequently.

A check of the Children's Barred List is not permitted if an individual will not be undertaking ‘regulated activity’. Whether a position amounts to ‘regulated activity’ must therefore be considered by the school in order to decide which DBS checks are appropriate. It is however likely that in nearly all cases a Children's Barred List check will be carried out.

7.0 Medical fitness

The school is legally required to verify the medical fitness of anyone to be appointed to a post at the school. Applicants will be asked to state that they are capable of fulfilling the job as outlined in the job description at application stage. In addition, a health screening questionnaire will be completed **after** an offer of employment has been made but **before** the appointment can be confirmed. The school will arrange for the information contained in the Health Questionnaire to be reviewed by the school's medical advisor, if applicable.

This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra-curricular activities, and layout of the School etc. If the school's medical advisor has any doubts about an applicant's fitness, the school will consider reasonable adjustments in consultation with the applicant. The school may also seek a further medical opinion from a specialist, or request that the applicant undertakes a full medical assessment.

The school is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

Pre-employment checks

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the ISSRs Education (Independent School Standards) Regulations 2014 [* and the *Boarding schools: national minimum standards*] the School carries out a number of pre-employment checks in respect of all prospective staff.

In fulfilling its obligations to carry out pre-employment checks the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability or age.

Online searches

In addition to the checks set out below, the School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the School. In accordance with paragraph 220 of KCSIE this will include online searches on shortlisted candidates (**online searches**). The online searches the School carries out may include searches of internet search engines, websites and social media platforms. Applicants are asked in the application form to provide details of their online profile, including account names and social media handles. This information will be used to carry out online searches. Applicants are not required to provide account passwords or to grant the School access to private social media accounts .

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

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

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

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

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

In evaluating any online information for relevance the School will use the following criteria:

- whether the information is relevant to the position applied for;
- whether the information is relevant to the applicant's suitability to work at the School or in an education setting;
- whether the information could have an impact on the School's reputation (whether positive or negative);
- whether the information calls into doubt the applicant's willingness or ability to uphold the School's commitment to safeguarding and promoting the welfare of children;
- the length of time since the information became publicly available and whether the applicant's circumstances have changed since the information was published;
- whether the information reveals a pattern of concerning behaviour; and
- the relevant circumstances and the explanation(s) offered by the applicant.

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

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

8.0 Verification of identity, qualification, right to work and address

All applicants who are invited to an interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications as set out below and in the list of valid identity documents at Appendix 1 (these requirements comply with DBS identity checking guidelines). Candidates are required to provide the following:

- one document from Group 1 as listed in Appendix 1; and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which **must** verify the applicant's current address as listed in Appendix 1;
- a document confirming the applicant's Right to Work in the UK, as listed in Appendix 2 (this may be the same document as being used as a Group 1 or Group 2 document for DBS purposes);
- original documents confirming any **relevant** educational and professional qualifications referred to in their application form.

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

Where an applicant claims to have 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.

The school asks for the date of birth of all applicants (and proof of this) to assist with the vetting of applicants. Proof of date of birth is necessary so that the school may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The school does not discriminate on the grounds of age.

Right to work in the UK: all applicants must also bring to interview a valid form of evidence which confirms their right to work in the UK. Valid forms of evidence can be found in the Home Office 'Right to Work Checklist': (Right to work checklist (publishing.service.gov.uk)).

The School will check this evidence in accordance with the Home Office 'Code of Practice on preventing illegal working: Civil penalty scheme for employers: 1 July 2021' (Code of practice on preventing illegal working (publishing.service.gov.uk)).

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

9.0 References

In the case of teaching appointments in particular, and where candidates have approved contact in non-teaching positions, references where ever possible will be taken up on short-listed candidates prior to interview. References may however be taken up after interview by exception / agreement

All references received from a school must be countersigned by the Head of that school and where possible verbal clarification will be sought prior to interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the school. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm that the applicant has not been radicalised so that they do not support terrorism or any form of 'Extremism' (see the definition of "extremism" at section 8 below). All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness* and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious;
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated, unfounded or malicious;
- whether the applicant could be considered to be involved in 'extremism' (see the definition of 'extremism' at section 8 below)

(*questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made.)

The school will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

The school will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

If it has not been possible to obtain a reference prior to interview it will be reviewed upon receipt. Any discrepancies identified between the reference and the application form and/or the interview assessment form will be considered by the School. The applicant may be asked to provide further information or clarifications before an appointment can be confirmed.

If factual references are received i.e those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage an applicant although an additional reference may be sought before an appointment can be confirmed.

The School may at its discretion make telephone contact with any referee to verify the details of the written reference provided.

The School treats all references given or received as confidential which means that the applicant will not usually be provided with a copy.

All internal candidates who apply for a new role at the School will have their application assessed in accordance with this procedure. References will be taken up on all internal candidates as part of the application process but can be provided by colleagues as the School will be the most recent employer.

The NMS for Boarding Schools recommends that direct contact be made with the referees of any person applying for a position working with boarders. The school goes beyond those standards by making direct inquiries with referees of applicants for all positions where possible.

The application form requires all applicants to supply a full employment history. Applicants should understand that the school may approach any previous employer for information.

Wherever feasible, before appointment, the school will contact each previous employer involving work with children or vulnerable adults to check the reasons the employment ended.

The school will require an explanation of any gaps in an applicant's CV and the HRD will make a written record that explanations for any gaps in the CV of a successful applicant have been sought and are satisfactory.

10. Prohibition Checks

10.1 Prohibition from teaching check

The School is required to check whether staff who carry out "teaching work" are prohibited from doing so. The School uses the Teaching Regulation Agency Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency.

In addition the School asks all shortlisted applicants for roles which involve "teaching work" (and their referees) to declare in the application form whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by, the Teaching Regulation Agency or other equivalent body in the UK.

It is the School's position that this information must be provided in order to fully assess the suitability of an applicant for a role which involves "teaching work". Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the Teaching Regulation Agency (or other equivalent body) whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

The School carries out this check, and requires associated information, for roles which involve "teaching work". In doing so the School applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012 which states that the following activities amount to "teaching work":

- planning and preparing lessons and courses for pupils
- delivering lessons to pupils
- assessing the development, progress and attainment of pupils; and
- reporting on the development, progress and attainment of pupils.

The above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Head. If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches.

In addition, for all appointments made on or after 18 January 2016, where an applicant has carried out teaching work outside of the UK the School will ask the applicant (and their referees) whether they have ever been referred to, or are the subject of a sanction issued by, a regulator of the teaching profession in the countries in which they have carried out teaching work. This will include checking for the existence of any sanctions issued by regulators of the teaching profession in other EEA countries using the Teaching Regulation Agency Teacher Services system.

10.2 Prohibition from management check

The School is required to check whether any applicant for a management position is subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (a **section 128 direction**).

This check applies to appointments to the following positions made on or after 12 August 2015:

- Head
- teaching posts on the senior leadership team
- teaching posts which carry a departmental head role; and
- support staff posts on the senior leadership team.

All individuals who are appointed to the governing body will be subject to a section 128 direction check.

The relevant information is contained in the enhanced DBS disclosure certificate (which the School obtains for all posts at the School that amount to regulated activity). It can also be obtained through the Teaching Regulation Agency Teacher Services system. The School will use either, or both, methods to obtain this information.

In addition, the School asks all shortlisted applicants for management roles to declare in the application form whether they have ever been the subject of a referral to the Department for Education, or are subject to a section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

It is the School's position that in order to fully assess the suitability of an applicant for a management role it must be provided with the above information. Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body whether that resulted in the imposition of a section 128 direction or other sanction, or where a section 128 direction or other sanction has lapsed or been lifted, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

10.3 Disqualification from acting as a charity trustee or senior manager

Background Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the

grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

Who is covered

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

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

There is no single list or register that covers all of the disqualification criteria and the School therefore adopts a pragmatic approach to checking whether a person is disqualified. This is achieved by the use of a self-declaration form and the checking of relevant publicly accessible registers.

Self-declaration

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

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

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

Checks by the School

To ensure that it has accurate and up to date information the School will also check the following registers in respect of each governor and senior manager who is already in post or is appointed in future:

- (a) the Bankruptcy and Insolvency Register;
- (b) the register of disqualified directors maintained by Companies House; and
- (c) and the register of persons who have been removed as a charity trustee.

Waiver

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

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

11.0 Criminal Records Check

Due to the nature of the work, the school applies for an enhanced disclosure from the DBS in respect of all prospective staff members, governors and volunteers.

Prior to 29 May 2013 an enhanced disclosure contained details of all convictions on record (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 could also contain non-conviction information from local police records which a chief police officer considered relevant to the role applied for at the school.

As of 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions, details can be found in the school's policy on the recruitment of ex-offenders.

The school applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the school which amount to 'regulated activity' as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. Any position undertaken at, or on behalf of, the school (whether paid or unpaid), will amount to 'regulated activity' if it is carried out:

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

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

This definition will cover nearly all posts at the school. Limited exceptions could include an administrative post undertaken on a temporary basis in the school office outside of term time.

It is for the school to decide whether a role amounts to 'regulated activity' taking into account all the relevant circumstances.

The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the school. It is a condition of employment with the school that the **original** disclosure certificate is provided to the school, in person, within two weeks of it being received by the applicant. A convenient time and date for doing so should be arranged with the HR Office as soon as the certificate has been received. Original certificates should not be sent by post. Applicants who are unable to attend at the School to provide the certificate are required to send in a certified copy by post or email within [* two weeks] of the original disclosure certificate being received. Certified copies must be sent to the HR Department. Where a certified copy is sent, the original disclosure certificate must still be provided [*prior to the first day of work/on the first working day].

Employment will always remain conditional upon the original certificate being provided and it being considered satisfactory by the school before starting work.

If there is a delay in receiving a DBS disclosure the Headmaster, Bursar, or HRD has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. The School will take into account the “DBS unusual addresses guide” in such circumstances. These applicants may also be asked to provide further information, including a criminal records check from the relevant jurisdiction(s) if this is practically possible.

The School takes into account the guidance issued by the NSPCC when deciding whether to request overseas information from applicants, which recommends that such information should be sought on those who have lived overseas for periods of three months or more in the last five years. However, the School recognises that Education (Independent School Standards) Regulations 2014 do not specify that a minimum period of overseas residence is required. The School therefore assesses each applicant's situation on its individual facts.

Where applicants are provided further overseas information this will include a criminal records check from the relevant jurisdiction(s) or a certificate of good conduct (as appropriate) and/or references from any employment held.

Work can only commence once sufficient overseas information has been received and only if the School has considered that information and confirmed that the applicant is suitable to commence work at the School.

In addition, where an applicant for a teaching position has worked as a teacher outside of the UK, the School will ask the applicant to obtain from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher, evidence which confirms that they have not imposed any sanctions or restrictions on the applicant and that they are not aware of any reason why the applicant may be unsuitable to work as a teacher. The School will also ask shortlisted applicants (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction issued by, the regulator of the teaching profession in the countries in which they have carried out teaching work.

Sanctions and restrictions issued by the regulating authority of another country will not prevent a person from working as a teacher at the School. However, the School will take all relevant information into account in determining whether an applicant is suitable to work at the School.

The School may allow an applicant to commence work pending receipt of a formal check from a particular country if it has received a reference and/or letter of professional standing from that country and considers the applicant suitable to start work. Decisions on suitability will be based on all of the information that has been obtained during the recruitment process. Unless expressly waived by the School, continued employment will remain conditional upon the School being provided with the outcome of the formal check and it being considered satisfactory.

If no information is available from a particular country the School may allow an applicant to commence work if they are considered suitable based on all of the information that has been obtained during the recruitment process.

The School will take proportionate risk based decisions on a person's suitability in these circumstances. All suitability assessments must be documented and retained on file

If the formal check is delayed and the School is not satisfied about the applicant's suitability in the absence of that information, the applicant's proposed start date may be delayed until the formal check is received.

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

12.0 Regulated activity

The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant

is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. Any position undertaken at, or on behalf of the School will amount to "regulated activity" if it is carried out:

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

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances.

13.0 Volunteers

The school will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the school (the definition of regulated activity set out in section 10.0 above will be applied to all volunteers).

The school will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day to day supervision by a fully checked member of staff or by a volunteer who the school has deemed appropriate to supervise and ensure the safety of those pupils in their care.

Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with pupils.

It is the school's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the school for three consecutive months or more. Those volunteers who are likely to be involved in activities with the school on a regular basis may be required to sign up to the DBS update service as this permits the school to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition the school will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source;
- an informal safer recruitment interview.

13.0 Visiting speakers, the Prevent Duty and other matters

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised. Other matters relating to keeping pupils safe from manipulation, indoctrination and exploitation also require these protocols to be followed

The school is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the school.

All visiting speakers will be subject to the School's usual visitors protocol in the Visitors and Security Policy. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff between appointments.

The school will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the school. In doing so the school will always have regard to the Visitors and Site Security Policy, the Prevent Duty Guidance, the potential for manipulation, indoctrination and exploitation, and the definition of "extremism" set out in KCSIE which states:

"Extremism" is vocal or active opposition to our fundamental British values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces. Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups."

In fulfilling its Prevent Duty and other obligations the school does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

14.0 Contractors and Agency Staff (Supply Staff)

Agencies and Contractors who supply staff to the school must also complete the pre-employment checks which the school would otherwise complete for its staff. The school requires confirmation that these checks have been completed before an individual can commence work at the school.

The school will independently verify the identity of staff supplied by contractors or an agency in accordance with Section 8 above and requires the provision of the DBS disclosure certificate before those individuals can commence work at the School.

More detailed Policy Guidance can be found in the school's policy on the use of contractors and supply staff.

15.0 Whistleblowing and exit interviews

All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the School's policies (including the Whistleblowing policy, the Safeguarding policy and the Staff Code of Professional Conduct). All staff receive training so that they understand the School's expectations. Safeguarding children is at the centre of the School's culture and is accordingly considered formally during staff performance development reviews and appraisal and finally at an exit interview which may be held with leavers.

The school's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, but is under no obligation to do so.

Referrals to the DBS and Teaching Regulation Agency

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the School also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children; or
- has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the Teaching Regulation Agency.

16.0 Queries

If an applicant has any queries on how to complete the application form or any other matter he/she should contact the HR Office via recruitment@wincoll.ac.uk.

17.0 Policy Review

This policy will be reviewed annually to ensure it complies with current legislation. It may be reviewed more frequently, upon the updating of relevant legislation.

* The **job description** describes the post in detail and is a guide to the level and range of responsibilities the post holder will be expected to undertake initially. It is not exhaustive and may be changed from time to time to meet changing circumstances and demands. It will not form part of the post holder's contract of employment.

** The **person specification** is a list of criteria identifying the skills, knowledge, abilities, aptitudes and qualifications or experience required to carry out the duties of the job effectively. The criteria must be clear, fair and justifiable, but not directly or indirectly discriminatory. The criteria must also be job-related, reasonable and focussed on skills rather than personality. Specific headings are:

- Qualifications and experience – what qualifications or equivalent (where there is a specific requirement for the job) and experience the candidate needs;
- Knowledge, skills, aptitude and abilities – the other qualities the candidate will need in order to do the job.

The person specification should identify which criteria are essential and which desirable.

† The **formal interview** may be either a one-to-one interview or a panel interview. It may involve more than one stage. The nature and complexity of the interview will depend on the nature and complexity of the role being applied for. Candidates will be informed of the nature of the interview when they are invited to interview.

Note

All driving licences must be valid.

If a document in the list of valid identity documents is:

denoted with * - it should be less than three months old

denoted with ** - it should be less than 12 months old

List of valid identity documents

Group 1: primary identity documents

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

Group 2a: trusted government documents

- current driving licence (photocard - full or provisional (all countries outside the UK excluding Isle of Man and Channel Islands))
- current driving licence (paper version if issues before 1998; UK / Isle of Man / Channel Islands and EEA; full or provisional)
- birth certificate - issued after time of birth (UK, Isle of Man and Channel Islands)
- marriage / civil partnership certificate (UK and Channel Islands)
- Immigration document, visa or work permit (issued by a country outside the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa / permit must relate to the non UK country in which the role is based)
- HM Forces ID card (UK)
- fire arms licence (UK, Channel Islands and Isle of Man)

Group 2b: Financial and social history documents

- mortgage statement (UK)**
- bank / building society statement (UK and Channel Islands)*
- bank / building society statement (countries outside the UK)*
- bank / building society account opening confirmation letter (UK)*
- credit card statement (UK)*
- financial statement - e.g. pension, endowment, ISA (UK)**
- P45 / P60 statement **(UK and Channel Islands)
- council tax statement (UK and Channel Islands)**
- letter of sponsorship from future employment provider (non UK only; valid only for applicants residing outside the UK at the time of application; must be valid at time of application)
- utility bill (UK; not mobile telephone bill)*
- benefit statement - e.g. child benefit, pension (UK)*
- a document from central or local government/ government agency / local council giving an entitlement - e.g. from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs, Jobcentre, Jobcentre Plus, Social Security (UK and Channel Islands) *
- EEA national ID card (must be valid at time of application)
- cards carrying the PASS accreditation logo (UK, Isle of Man and Channel Islands; must be valid at time of applications)
- letter from Head or College Principal (UK: for 16-19 year olds in full-time education. This is only used in exceptional circumstances if other documents cannot be provided; must be valid at time of application).

Reference: VWV Employer Safer Recruitment Policy Procedure August 2022 (Revised 22/08/2022)