



THE ORATORY
PREPARATORY SCHOOL

Recruitment, Selection and Disclosures Policy and Procedure

1. General

The Oratory Preparatory School ("the School") is committed to ensuring the best possible learning environment for the children and young people in its care. Within this commitment, safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

An entry will be made on the Single Central Register for all current members of staff at the School, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties. Please see the Single Central Register Policy for further details.

All checks will be made in advance of appointment or as soon as practicable after appointment.

All queries on the School's Application Form and recruitment process must be directed to the Headmaster's PA in the first instance [k.saunders@oratoryprep.co.uk.]

2. Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. The School conducts identity checks on agency and contract workers on arrival in School and, in the case of agency workers which includes supply staff, the School must be provided with a copy of the DBS check for such staff.

The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure, right to work in the UK, barred list/list 99, prohibition, qualifications, overseas checks plus in line with KCSIE two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and the School carries out its own identity check and has a copy of the disclosure.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. The School will determine the appropriate level of supervision depending on the circumstances.

Any staff who TUPE transfer into the School's staff will be required to undertake the statutory requirements with regard to safer recruitment checks.

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

3. Application Form

The School will only accept applications from candidates who have completed the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

As the position for which candidates are applying usually involves substantial opportunity for access to children, it is important that applicants provide the School with accurate and honest answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School will consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a

separate sealed envelope which will be seen and then destroyed by the Bursar. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Bursar for advice.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position. Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children.

The Disqualification by Association no longer applies to childcare settings from September 2018, although the Disqualification under the Childcare Act still applies to those who work in a childcare capacity. Therefore, applicants applying to work with children in Nursery to Year 4 (birth to aged 8) need to self-declare that they are not disqualified under the Childcare Act. An enhanced DBS certificate will confirm this for new staff, but this will apply throughout employment, so employees must self-declare.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made the offer will be subject to a Prevent duty risk assessment [more guidance for schools from the DfE on this can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf].

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

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If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.

4. Invitation to Interview

The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least two people chaired by the Head/Business Manager or another designated senior member of staff (depending on the nature of the role). It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Business Manager's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The School requests that all candidates invited to interview also bring with them:

1. A current driving licence including a photograph or a passport or a full birth certificate;

2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

Please note that originals of the above are required; photocopies or certified copies are not acceptable.

Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

5. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed as a teacher, a check that that the candidate is not subject to a prohibition order issued by the Secretary of State Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
 - Planning and preparing lessons and courses for pupils;
 - Delivering and preparing lessons to pupils;
 - Assessing the development, progress and attainment of pupils;
 - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
7. Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered;
8. Satisfactory medical fitness;
9. Confirmation from you that you are not disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (June 2016) **OR** Receipt of a signed Staff Suitability Declaration form showing that you are not

disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (June 2016);

10. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department; and
11. For a candidate that has lived or worked outside the UK, an EEA check using the NCTL Teacher Services system for information about any teacher sanction or restriction.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Job Applicant Privacy Notice and Data Protection Policy. 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 workload, extra-curricular activities, layout of the School.

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

6. References

The School will seek the references referred to in section 5 above for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will ask all referees if the candidate is suitable to work with children.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

7. Criminal Records Policy

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:

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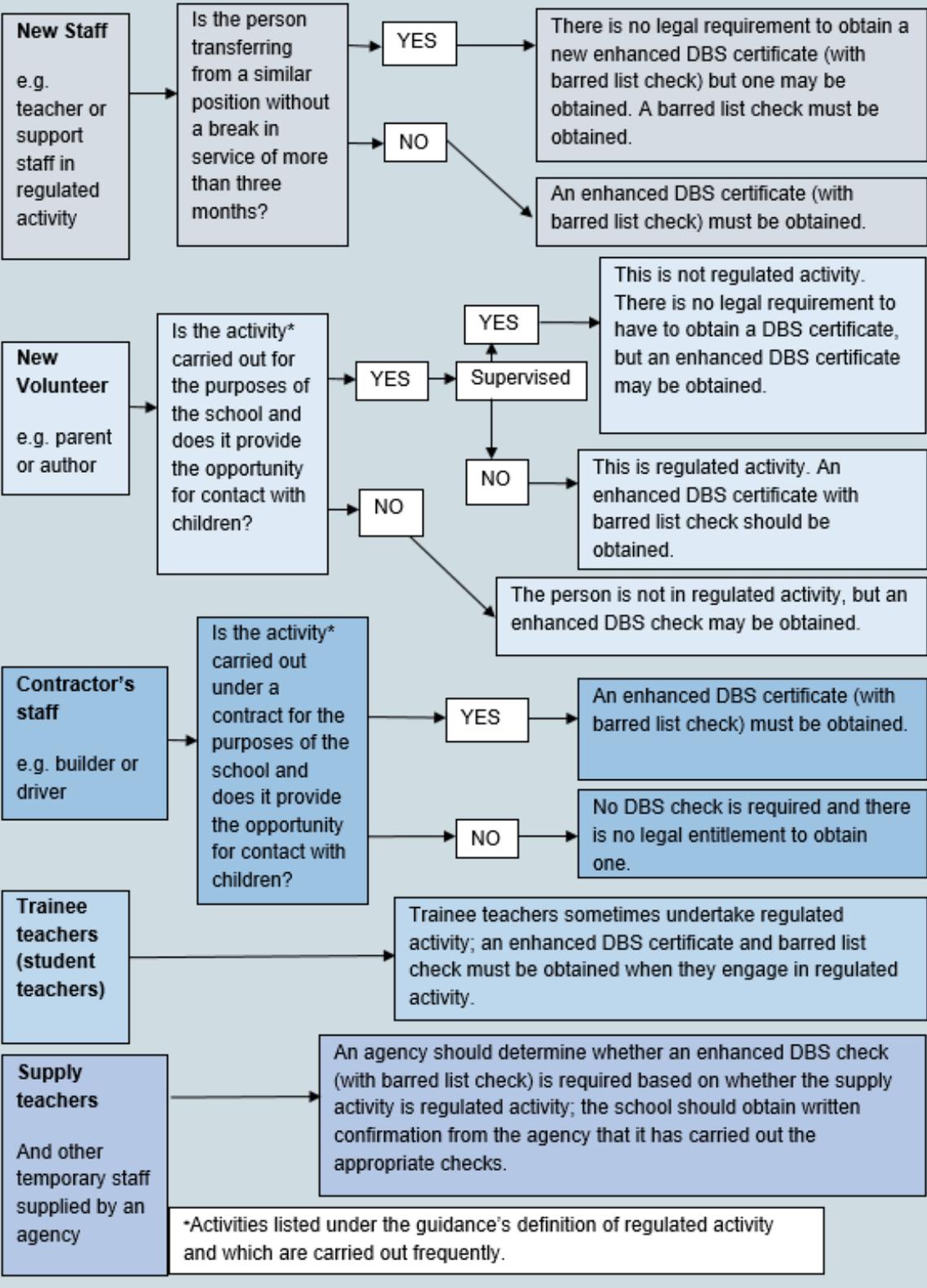
<https://www.gov.uk/government/publications/dbs-code-of-practice>.

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required as per paragraph 229 of KCSIE 2021.

The flow chart on the next page, taken from KCSIE 2021, provides additional guidance on the DBS process:

FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS



If disclosure is delayed

Only in exceptional circumstances may a person be brought onto site before their DBS certificate is processed or seen. If this is the case, the following points must be met:

1. The DBS application must have been made
2. HR will complete a Barred List check.
3. The member staff requesting the worker must have in place a completed risk assessment form for them highlighted measures in place (see Appendix A).
4. The worker must be escorted at ALL times they are on site.
5. The risk assessment and measures must be reviewed within 2 weeks.
6. Copies of all paperwork must be submitted to HR for records.

8. Retention, Security of Records and Data Protection Obligations

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Job Applicant Privacy Notice and the Data Protection Policy.

9. Internal Recruitment

All vacancies will be advertised internally so all employees are aware and to ensure fair and consistent practice. Generally the same recruitment process will be followed as for external candidates, so an application form will be completed and interviews/assessment completed. If the internal role is in addition to an employees current role, the process may be communicated to a specific group of employees (i.e. teaching staff) by an email with the job description, asking for applications to be by letter of intent stating how they would perform in the new role.

Appendix

Policy on the Recruitment of Ex-Offenders

The School will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (June 2016), whether by association, or otherwise.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the Police and/or the DBS if:

- the School receives an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- the School has serious concerns about an applicant's suitability to work with children.

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;

- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

Appendix B Recruitment and Selection Checklist

This checklist, once completed, should be retained in the applicant's personnel file

The school should **not** retain copies of (or original) DBS certificates for longer than 6 months. The DBS number and the date the certificate was seen by the school should be recorded on the SCR. Otherwise, evidence of checks, consistent with this checklist and the SCR, should be retained in the appointed person's personnel file. For clarity, every check in this checklist which should be supported by an evidence document in the personnel file is marked with an asterisk *. It may not always be possible to produce written evidence of a prohibition from teaching check if the appointed person is not a UK qualified teacher.

Name of applicant:		
Pre-interview:		
Planning - Timetable decided: job specification and description and other documents to be provided to applicants, reviewed and updated as necessary. Application form seeks all relevant information and includes relevant statements about references etc.		
Vacancy advertised (where appropriate) Advertisement includes reference to safeguarding policy, that is, statement of commitment to safeguarding and promoting welfare of children and need for successful applicant to be DBS checked.		
*Applications on receipt - Scrutinised - any discrepancies/anomalies/gaps in employment noted to explore if candidate considered for short-listing.		
Short-list prepared		
<p>*References (professional and character) – seeking Sought directly from referee on short-listed candidates, preferably prior to interview*; References should always be obtained from the current employer; if there is no current employer, verification of the most recent period of employment and reasons for leaving should be obtained. Where the proposed employment involves working with children, if the current employment does not involve working with children, a reference should be sought from the candidates previous employment with children. References should be from a senior person with 'appropriate authority'. Information provided directly by the candidate should be verified. The school should verify that electronic references originate from a legitimate source.</p> <p>The request for a reference should seek confirmation of dates of employment and ask the recommended specific questions, including on suitability and include statement about liability for accuracy. Further advice on references can be found on the ACAS website here: http://www.acas.org.uk/index.aspx?articleid=5072</p> <p>* If a candidate requests that a referee is not contacted prior to interview, the school should give consideration to accepting this request and also evaluate whether the reasons for such a request are positive.</p>		
*References - on receipt - Checked against information on application; scrutinised; any discrepancy/issue of concern noted to take up with referee and/or applicant (at interview if possible). References must have been obtained before work starts. However, if a reference is delayed, a telephone reference can bridge the gap. The school must obtain the name and position of the person giving the reference, make notes on the call and follow it up by receiving written confirmation.		
Invitation to interview - Includes all relevant information and instructions		

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Interview arrangements - At least two interviewers; panel members have authority to appoint; have met and agreed issues and questions/assessment criteria/standards At least one person involved in the interviews holds a current safer recruitment qualification.		
Face to Face Interview - Explores applicants' suitability for work with children as well as for the post.		
Note: identity and qualifications of successful applicant verified on day of interview by scrutiny of appropriate original documents; copies of documents taken and placed on file; where appropriate applicant completed application for DBS disclosure.		
*Conditional offer of appointment: pre-appointment checks Offer of appointment is made conditional on satisfactory completion of the following pre- appointment checks pre-appointment checks and, if relevant, a probationary period.		
*References (professional and character): (if not obtained and scrutinised previously)		
*Identity (if that could not be verified at interview) Note best practice in KCSIE 2021 states that check of name on birth certificate is best practice		
*Qualifications (if not verified on the day of interview) The qualifications to be verified are: <ul style="list-style-type: none"> ● all qualifications required by the post (eg in the job spec) ● all relevant qualifications declared by the candidate. 		
*Right to work in UK Obtain a copy of the applicant's passport (or birth/adoption certificate if the applicant does not have a passport) and add to personnel file.		
DBS certificate - where appropriate satisfactory DBS certificate received		
*DBS Barred list - person is not prohibited from taking up the post. See guidance notes relating to circumstances when this check needs to be obtained separately from the DBS check. Note: The school is entitled to undertake a barred list check only if the appointed person will be engaged in regulated activity.		
*Overseas Check - see note above and Home Office website for more information		
*Health - the candidate is physically and medically fit for the post as described in the specification. There is provision for candidates to make this declaration on the Bellevue template for a job application form.		
*Prohibition - (for posts involving teaching work) the teacher has not been included in the prohibition list or interim prohibition list		
*EEA Prohibition Check – for teaching work where the applicant has lived or worked outside England, but within the EEA. This check is for appointments from 5 th September 2016.		
*Prohibition from Management Check - (applicable for SLT and teaching heads of department roles and, at Head Office level, those involved in school governance) Since May 2018 this is also required for internal promotions to management.		
*Childcare Disqualification Regulations Self Declaration - to obtain for those required.		
*Qualified Teacher Status (QTS) - (for teaching posts in maintained schools) the teacher has obtained QTS or is exempt from the requirement to hold QTS (for teaching posts in FE colleges) the teacher has obtained a Post Graduate Certificate of Education (PGCE) or Certificate of Education (Cert. Ed) awarded by a higher education institution, or the FE Teaching Certificate conferred by an awarding body		
*Statutory NQT induction (for teachers who obtained QTS after 7 May 1999)		
*School Induction (refer to the Bellevue Induction Policy and Checklist and annotate here when the induction checklist is complete). To cover all induction requirements stipulated by ISSRs, EYFS requirements, NMS and KCSIE, including Child Protection training , Health and Safety, first aid and fire procedures, Safe Working Practice, staff code of conduct, whistleblowing, the role of the DSL, evacuation routines and the reading and understanding of required policies etc.		

FINAL CONFIRMATIONS

I confirm that all the required appointment checks have been completed and have been entered in the single central register.

Signed _____ Headteacher

I confirm that the initial stage of induction (prior to starting work) has been completed and this member of staff has signed to confirm that he/she has read and understands all the policies, as required at induction.

Signed _____ Headteacher

No person may start work or volunteering with the school until the Headteacher has signed this form to confirm that all the required recruitment checks and procedures have been successfully completed.