



WESTMINSTER
SCHOOL

SAFER RECRUITMENT POLICY

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Date: September 2022
Review Date: December 2024



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INTRODUCTION

Westminster School ("the School") is committed to ensuring the best possible environment for the children and young people in its care. 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 shared commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the School's Application Form and recruitment process should be directed to the Director of Human Resources.

An entry will be made on the School's Single Central Register (SCR) for all current members of staff at the School, members of the governing body, volunteers, supply staff, contractors and those employed as third parties.

All offers of employment are conditional based on receipt of satisfactory completed pre-employment checks. All checks will be made in advance of appointment.

OVERVIEW

See Appendix A for an overview of the recruitment process.

SCOPE

Classifications of staff and visitors

See Appendix B.

Employees and workers

This policy refers and applies to all individuals working for the School, whether they are employees or workers.

Agency and contract workers

In the case of agency or contract workers, the School will set out their safeguarding requirements in the contract between the organisation and the School. Written confirmation will be obtained from the agency or company that it has carried out the appropriate checks, including as appropriate:

- Identity
- Enhanced Disclosure and Barring Service (DBS) (which must be on the DBS update service)
- Right to work in the UK
- Barred list
- Prohibition from management
- Qualifications
- Overseas checks
- Those checks set out in KCSIE as “pre-employment” checks.

The Single Central Register will show these checks have been made. Additionally, the School conducts identity checks on agency and contract workers on arrival at the School and, in all cases, (including agency supply staff), the School must be provided with a copy of the appropriate level of DBS check, which must be on the DBS update service.

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.

Senior managers

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the governing body, and who carries overall responsibility for the day-to-day management and control of the charity. At Westminster School this would be the Head Master for the Great School, and the Master for the Under School.
- A person who is accountable only to the Head or the governing body, and who is responsible for the overall management and control of the charity's finances. At Westminster School this would be the Bursar.

Being disqualified means that a person cannot take on, or stay in, a senior manager position – even on an interim basis, unless the Charity Commission has removed (or “waived”) the disqualification.

Transfer of Undertakings (Protection of Employment) Regulations (TUPE) staff

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 their information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

ADVERTISEMENTS

All vacancies will be advertised on the School's website, job boards and via recruitment agencies as appropriate.

All advertisements will contain an appropriate safeguarding statement:

Westminster School is committed to safeguarding and to the protection of the welfare of children: all applicants must be willing to undergo Child Protection screening appropriate to the post applied for including with past employers and the Disclosure and Barring Service.

APPLICATION FORMS AND CHECKS

Pro forma applications

The School will only accept applications from candidates completing the relevant application form in full and this will be supplemented by the candidate's CV and covering letter. CVs, submitted solely, will not be accepted in substitution for completed application forms.

All applicants are required to declare whether they have the right to work in the UK.

All applicants will be required to provide sufficient reference details and a complete employment history.

All candidates are required to sign a declaration that the information they have provided in their application form is accurate.

All internal applicants for externally advertised posts will need to follow the same process as that followed by external applicants including the submission of complete application forms. For posts that are exclusively internally advertised a covering letter and CV will be required.

Safeguarding responsibilities for candidates and the School

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 for which they are applying.

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.

The School takes its responsibility to safeguard children very seriously and any staff member and / or successful candidate who is aware of anything that may affect their suitability to work with children must notify the Head Master and Director of HR immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings they may receive.

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.

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, Children's Services and / or other external agencies, such as DBS and the Teacher Regulation Agency.

INVITATION TO INTERVIEW

Shortlisting

The School will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. At least two people will carry out the shortlisting exercise; consider any inconsistencies; look for gaps in employment and reasons given for them; and explore all potential concerns.

Shortlisted applicants will then be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail.

References

The School may obtain references prior to interview for any post. This allows any concerns raised to be explored further with the referee and to be taken up with the shortlisted candidate at interview.

Online searches

As part of the School's pre-employment checks, a member of the School's HR team may use Google or another search engine to search for any references to an applicant. A record will be kept on file.

Any concerns about an applicant that come about as a result of the search may be picked up at interview or thereafter.

Interview panels

All formal interviews will have a panel of at least two but preferably three people chaired by a senior member of staff; there may be more than one panel interview. At least one person on any panel will have undertaken safer recruitment training.

The Chair of Governors will chair the panel for the Clerk's, Bursar's, Head Master's and Master's appointment. Other governors may assist with interviews for those applying for senior management roles.

For all interviews, 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 Chair of the Nominations Committee should decide whether the Chair should withdraw from the panel.

The interview will be conducted in person (except where the prevailing conditions do not allow this to happen) and the areas which it will explore will include suitability to work with children including where appropriate, any discussion of information shared by a candidate in their self-declaration form. Typically, this section of the interview will be conducted by the Designated Safeguarding Lead (DSL) for members of the teaching staff or a senior manager for administrative and supportive staff; the discussion will explore safeguarding awareness and will typically also include a response to a safeguarding scenario.

Documents to be brought to interview

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:

- A current driving licence including a photograph and passport or a full birth certificate.
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address.
- Where appropriate, any documentation evidencing a change of name.
- Where applicable, proof of entitlement to work and reside in the UK.

Originals of the above are necessary. Photocopies or certified copies are not sufficient.

Reasonable adjustments

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.

PRE-EMPLOYMENT CHECKS AND CONDITIONAL OFFER OF EMPLOYMENT

DBS checks

A successful applicant will be required to complete a disclosure form from the DBS for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. 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. This includes any staff who are disqualified from childcare or registration with the Teaching Regulation Agency.

Disqualification

The statutory guidance "Disqualification under the Childcare Act 2006" applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 and to those who are directly concerned in the management of that childcare.

Staff and / or successful candidates who are disqualified from childcare or registration with the Teaching Regulation Agency may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such a waiver is confirmed. The Head Master of the Great School or the Master of the Under School and Director of HR should be consulted in such circumstances.

Prevent duty

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 may be subject to a Prevent duty risk assessment.

Self-declaration

All candidates will be asked to complete a self-declaration form in relation to their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

Conditional offer of employment requirements

Any offer to a successful candidate will be conditional upon:

- Receipt of at least two satisfactory references (if not already received).
- Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK (if not already received).
- A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS.
- 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 or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012 and its successor body, the Teacher Regulation Agency. 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.
- Verification of professional qualifications, including Qualified Teacher Status, where appropriate.
- For teaching posts, verification of successful completion of the statutory induction period (applies to those who obtained QTS after 7 May 1999).
- Where the successful candidate has worked overseas or been resident overseas for three consecutive months within the last 10 years, such further checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the candidate providing the School with proof of their past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which they have worked.
- Evidence of satisfactory medical fitness.
- Confirmation that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006", or receipt of a signed self-declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006".
- For a candidate to be employed into a senior management position as set out above under "Scope", receipt of a signed "senior charity manager positions: automatic disqualification declaration" confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities.
- 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 managers and middle managers, such as teaching Heads of Department, Housemasters and Heads of Year.

Health checks

It is the School's practice that a successful candidate must provide a completed pre-employment health declaration. The information contained in the declaration will then be held by the School in strictest confidence and processed in accordance with the Recruitment 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, and/or 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.

REFERENCES

The School will seek references for shortlisted candidates (including internal applicants) from at least two referees and will approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant's current or most recent employer. References must be received by the Director of HR or their delegated deputy. 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 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 verify all references. Where references are received electronically, the School will ensure they originate from a legitimate source.

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.

DISCLOSURE AND BARRING SERVICE (DBS) CHECKS

Type of disclosures

There are three levels of Disclosure: Enhanced, Standard and Basic. The Enhanced level is for posts involving a high degree of contact with children. In general, the type of work will involve regular caring for, supervising, training, or being in sole charge of children. This check involves an additional level of checking than the Standard Disclosure, in that it includes a check of Police records.

The School will only undertake checks on staff at the Enhanced level.

Processing application forms

The Director of HR is the lead and countersignatory. In their absence, the Bursar assumes this responsibility. The list of documents required by the Director of HR from the applicant for completion of the application forms is at Appendix C.

DBS checks

The School will refer to "Keeping Children Safe in Education" 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:

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

There are limited circumstances where the school will accept a check from another educational institution and this can apply where the new member of staff ("M") has worked in:

- A school or a maintained school in England in a position which brought M regularly into contact with children or young persons.
- A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons.
- An institution within the further education sector in England or in a 16 to 19 academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons.

This will have taken place during a period which ended not more than three months before M's appointment.

In these circumstances the School may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

DBS certificates

DBS certificates are issued to employees and not to the School; therefore such certificates are the property of the employee. Copies of certificates should not be requested or kept on employee files. The School will, however, require all new employees to show their certificate to a member of the HR team who will make a note on the personnel file and in the Single Central Register of the certificate number and date of issue.

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.

Recruitment of ex-offenders

The DBS Code of Practice states that employers should: “treat all applicants for positions who have a criminal record fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed. It also obliges them to have a written policy on the recruitment of such individuals, which can be given to all applicants for positions where a Disclosure is requested and to ensure that a body or individual at whose request applications are countersigned has such a written policy.” The School’s position statement is at Appendix D.

If disclosure is delayed

A short period of work is allowed under controlled conditions, at the Head Master’s, Master’s or Bursar’s discretion; however, if an “enhanced disclosure” is delayed, they may allow the member of staff to commence work:

- Without confirming the appointment.
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily.
- Provided that the DBS application has been made in advance.
- With appropriate safeguards taken (for example, a risk assessment and supervision).
- Safeguards reviewed at least every two weeks by the Director of HR and the relevant line manager.
- The person in question is informed what these safeguards are.
- A note is to be added to the Single Central Register and evidence kept of the measures put in place.

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 the School’s Data Protection and Records Management Policies. Copies of DBS certificates will not be taken or retained on file.

The School will comply with its data protection obligations in respect of the processing of criminal records information.

APPENDIX B

STAFF AND VISITORS TO THE SCHOOL

All non-pupils over the age of 18 that come onto the School grounds fall into one of two groups.
Group 1: School Community or Group 2: Visitors.

GROUP 1

This group includes:

- Teaching staff
- Administrative and support staff
- Governors
- Visiting music teachers
- Visiting drama teachers
- Sports coaches
- Non-staff School residents over the age of 16 who have access to areas used by pupils
- Temporary (will be visiting the School repeatedly over a period of weeks) departmental assistants e.g.: set designers, life models
- Nominated call-out contractors who attend the School regularly during term time
- Volunteers who have unsupervised access to pupils.

Everyone who comes under Group 1 requires an Enhanced DBS check prior to starting work. This group is likely to be engaged in regulated activity. The Safeguarding Vulnerable Groups Act 2006 defines regulated activity as “if the activity is carried out frequently by the same person” or if the “period condition is satisfied”. The period condition refers to the person carrying out the activity does so at any time on more than 3 days in any period of 30 days.

Non-resident members of staff may start work prior to the DBS being completed with the permission of the Bursar / Director of HR on the basis that they are never left unsupervised with children. In these circumstances, a Risk Assessment should be completed by the line manager, countersigned by the Director of HR and reviewed every two weeks until satisfactory DBS clearance is received and the certificate has been verified by a member of HR. Supervision of staff on a Risk Assessment may be undertaken by members of staff or contractors who are fully cleared to work in the School.

Staff resident in boarding houses and other buildings that share access with pupils must have completed the DBS process before they start work.

GROUP 2

This Group includes:

- Prospective parents
- Visiting speakers/teachers (for one off events)
- Other contractors not on the School's main list
- Former pupils (OWW) attending events / meetings / being given a tour of the School
- Volunteers who will not have unsupervised access to pupils.

Visitors to the School (Group 2) will not be DBS checked and should be escorted at all times in accordance with the School's Health and Safety: Section 35 Visitors Policy.

APPENDIX C

DBS IDENTITY CHECKS

INTRODUCTION

Original documents must be produced for the identity check. At least one document must verify the applicant's current address and one document should display the applicant's date of birth with picture confirmation of identity.

DOCUMENTS

Route A

The applicant must be able to show:

- One document from Group 1, below
- Two further documents from either Group 1, or Group 2a or 2b, below

At least 1 of the documents must show the applicant's current address.

Route B

If the applicant does not have any of the documents in Group 1, then they must be able to show:

- One document from Group 2a
- Two further documents from either Group 2a or 2b

At least one of the documents must show the applicant's current address.

Group 1: Primary identity documents

Document	Notes
Passport	Any current and valid passport
Biometric residence permit	UK
Current driving licence – photocard with paper counterpart	UK, Isle of Man, Channel Islands and EU (full or provisional)
Birth certificate – issued within 12 months of applicant's birth	UK and Channel Islands – including those issued by UK authorities overseas, e.g.: embassies, high commissions and HM Forces
Adoption certificate	UK and Channel Islands

Group 2a: trusted government documents

Document	Notes
Current valid driving licence – photocard (if you were issued a paper counterpart but do not give it to your checker)	All countries (full or provisional)
Current valid driving licence – paper version	UK, Isle of Man, Channel Islands and EU (full or provisional)
Birth certificate – issued within 12 months of applicant's birth	UK and Channel Islands
Marriage/civil partnership certificate	UK and Channel Islands
HM Forces ID card	UK
Firearms licence	UK, Channel Islands and Isle of Man

Group 2b: Financial and social history documents

Document	Notes	Issue date and validity
Mortgage statement	UK or EEA	Issued in last 12 months
Bank or building society statement	UK and Channel Islands or EEA	Issued in last 3 months
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK or EEA	Issued in last 3 months
Financial statement, e.g.: pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Work permit or visa	UK	Valid up to expiry date
Letter of sponsorship from future employment provider	Non-UK or non-EEA only – valid only for applicants residing outside of the UK at time of application	Must still be valid
Utility bill	UK – not mobile telephone bill	Issued in last 3 months
Benefit statement, e.g.: Child Benefit, Pension	UK	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, e.g.: from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
EU National ID card	N/A	Must still be valid
Cards carrying the PASS accreditation logo	UK and Channel Islands	Must still be valid
Letter from head teacher or college principal	UK: for 16 to 19 year olds in full time education – only used in exceptional circumstances if other documents cannot be provided	Must still be valid

EXTERNAL VALIDATION

The organisation conducting their ID check must then also use an appropriate external ID validation service to check the application.

APPENDIX D

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 them 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, Children's Services and / or other external agencies, such as DBS and the Teacher Regulation Agency.

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 statutory guidance "Disqualification under the Childcare Act 2006".

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, Children's Services and / or other external agencies, such as DBS and the Teacher Regulation Agency 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
- 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.
- Whether the conviction or caution is "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account).
- 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 a waiver from disqualification.
- 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.