

## **Vetting and Safer Recruitment Policy Statement**

Appropriate vetting of potential employees and volunteers is an essential aspect of ASL's commitment to safeguarding the welfare of children.

### **Purpose**

Safeguarding and promoting the welfare of children are integral to school management. Robust and rigorous recruitment and selection practices help reject or deter unsuitable applicants from gaining positions within the school and help to ensure that the community is fully committed to the welfare of children, contributing to a safe and secure school environment. The purpose of this policy is to:

- collate principles of good practice and to provide guidance that incorporates statutory requirements.
- ensure that ASL fulfils its obligations to safeguard and promote the welfare of children by preventing as far as possible the recruitment of individuals who are unsuitable to work with children and by recruiting and training individuals who have positive safeguarding attitudes.
- ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- 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 2019) (**KCSIE**), Disqualification Under the Childcare Act 2006 (**DUCA**), the Rehabilitation of Offenders Act 1974 (**ROOA**) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**).

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

### **Scope**

The measures described in this policy are applied in settings where adults are in contact with children directly or indirectly whilst undertaking paid or unpaid work for ASL or delivering services as part of a contractual agreement with an external organization.

### **Roles and Responsibilities**

All trustees, staff and volunteers have a responsibility to ensure that the school environment is safe and secure for children and that appropriate procedures are followed. It is the responsibility of those involved with recruitment, selection and induction of trustees, staff and volunteers to ensure a full and satisfactory vetting process has been followed.

Those arranging interviews must ensure that at least one person on the interview panel has completed safe recruitment training either via the NSPCC website or through a recognized

training provider. A list of those who have received appropriate training is available from the HR department.

### **Equal Opportunities**

- ASL is committed to securing genuine equality of opportunity. All applicants will be considered fairly and consistently. No applicant will be treated unfairly on any grounds including race, age, disability, sexual orientation, marriage and civil partnership, pregnancy and maternity, gender reassignment, religion or belief.

### **Safeguarding Statement**

The following statement should be used in recruitment and induction documentation where appropriate:

*The American School in London is committed to safeguarding and promoting the welfare of children and young people and expects all trustees, employees and volunteers to share this commitment. All new appointments will be subject to appropriate checks: Disclosure and Barring Service (DBS enhanced), Disqualification by Association Self-Declaration, Declaration of Criminal Record, checks against the Prohibition List (Teacher Status Checks) including Identity, Address, Date of Birth, a Full Employment History, Right to Work in the UK, overseas checks where applicable, EEA checks, at least 2 references (one with current or most recent employer, where appropriate) and original documentation of Qualifications (where appropriate). For positions into Senior Management a Prohibition From Management Check (s128 Directive) will also be undertaken.*

### **The Vetting and the Recruitment Process for Employees**

The following elements of the recruitment process should be used to deter and reject unsuitable candidates:

- Job descriptions must be up to date and make reference to the responsibility for safeguarding and promoting the welfare of children as well as include the 'safeguarding statement'.
- The person specification must include specific reference to suitability to work with children.
- Advertisements must include the 'safeguarding statement' provided above.
- Application forms should be used by interviewers to obtain and scrutinize comprehensive information about applicants and to explore any gaps in employment. Applicants will be asked at or prior to interview stage to account for gaps in employment.
- The application form will ask candidates about safeguarding, including their attitudes towards children and their knowledge and experience of safeguarding. It will also ask candidates to inform the School if they are disqualified from working with children and to disclose details of any previous criminal convictions, cautions, reprimands or final warnings which are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013).
- At least two suitable references\*\* must be obtained (with at least one from the most recent employer).

- 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.
- All reference requests sent by ASL will include questions relating to the individual's suitability to work with children.
- The HR department will compare all references with any information given on the application form. The School may at its discretion make telephone contact with any referee to verify the details for the written reference provided.
- Face to face interviews must be conducted, and where this is not possible, video conferencing (such as Skype) should be used.
- At each interview the candidate will be asked questions which are designed to ascertain their suitability to work with children. All staff interviewing candidates will be aware of their safeguarding responsibilities throughout the interview.
- Verification of identity, right to work documents, and original proof of relevant qualifications must be provided prior to taking up the role.
- Completion of mandatory employment checks, such as the Children's Barred List and Enhanced Criminal Records check via the Disclosure and Barring Service will be obtained for all individuals recruited by or working for ASL (including those contracted through an agency, except those not working in regulated activity). The vast majority of individuals working for ASL will be carrying out regulated activity and as such require an enhanced DBS check with barred list\*\*. Only relevant information will be taken into account. Please see the policy on Recruitment of Ex-Offenders for further guidance.
- Overseas background checks will be sought in accordance with the guidance below.
- Verification that the applicant is medically fit to carry out their role will be sought by requesting that they provide a 'Fitness to Work' certificate from their doctor. This will be offered once a conditional offer has been made.
- For teachers, the Employer Access Online Service must be checked for any prohibition orders (including EEA sanctions) which have been made by the UK Secretary of State.
- For trustees and members of the senior leadership team, a prohibition from management check will be carried out.

\* A suitable referee will usually be a Principal or Head of School for teaching positions. For other positions it may be the supervisor or line manager. For those who were previously self-employed, clients may be suitable referees. Academic references are also acceptable. Colleagues, peers and character references will not normally be considered acceptable. Electronic references will be vetted to ensure they come from a credible source.

\*Supervisors must discuss each case with the Human Resources Director or Manager in order to establish what vetting checks are appropriate to the situation.

### **Disclosure and Barring Service Checks**

All employees (including ancillary staff) at the School require an enhanced DBS Certificate with a check of the barred lists, which must be obtained before the commencement of employment

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of any new employee and must be no older than three months prior to their first date of employment. The School reserves the right to request updated DBS Certificates. This extends to any employee that takes leave (paid or unpaid) for a period of more than three months and would need to take place before any return to work. Members of staff should be aware of their obligation to inform the Head of School or the HR Department of any cautions or convictions that arise between these checks taking place.

### **Overseas Background Checks**

Those applicants who (a) have lived outside the UK within the last ten years, for more than three months, or (b) whose last period of employment working with children was overseas, or (c) whose country of nationality is not the UK and who have lived and worked in that country for more than three months, will be asked to provide an appropriate background check from the country they have been living/working as well as from the applicant's country of nationality if different. The School also reserves the right to request overseas background checks from other countries lived and worked in, even if they do not fall into the categories above. Where it is not possible to produce a criminal background check or certificate of conduct from their country's embassy, they will be asked to provide additional professional references. It should be noted that when applying for background checks from overseas, there will be unavoidable variation in the quality of information available from different countries and the level of vetting that is practically possible. For further information about overseas criminal records checks please see the Gov.uk [guidance](#).

### **Risk Assessment pending arrival of check(s)**

All pre-employment checks and references must be obtained and followed up (if necessary) before a trustee, staff member or volunteer is allowed to commence work. Only in exceptional circumstances, where the express permission of the Head of ASL is given and an assessment of potential risks has been conducted, will an individual be allowed to start work before their check(s) have been completed. In all such cases appropriate supervision arrangements will be put in place, the member of staff will not be allowed to accompany residential school trips or have unsupervised access to children until all check(s) have been obtained.

### **Repeat Checks**

Vetting checks will not normally be repeated unless the School has good reason to do so (for example, when an employee returns from a period of leave exceeding three months, or as part of a disciplinary investigation). Ancillary staff with irregular patterns of employment, such as coaches and substitute teachers, will be asked to repeat the DBS check every three years, or when there has been a break in their employment of 6 months or more (not including the summer vacation).

### **On-going vigilance**

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 his/her suitability to work with children must notify the school immediately. This will include notification of any convictions,

cautions, court orders, reprimands or warnings he/she may receive. All staff caught by the Disqualification by Association regulations must also notify the School immediately if he/she moves into a household where anyone who has been disqualified from working with children or from registration for the provision of childcare. Failure to declare any convictions (that are not subject to DBS filtering) may be considered gross misconduct and disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently

### **Disqualification from Childcare (including by Association) – Early and Later Years Staff and Managers**

The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009 apply 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 state that it is an offence for the School to employ anyone in connection with early years provision (EYP) or later years provision (LYP) who is disqualified, or for a disqualified person to be directly involved in the management of the EYP or LYP.

Any members of staff who provide or manage childcare for children under the age of 8 are within the scope of the Disqualification by Association regulations and all candidates applying for a post which is caught by these regulations will be required to sign a declaration confirming that they are not disqualified from working with children or from providing childcare, including by association. Staff and/or successful candidates who are disqualified from childcare or registration, including 'by association' 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 waiver is confirmed.

### **Key Responsibilities for Continuous Training and Monitoring**

- The Designated Safeguarding Lead will ensure that all employees (including ancillary staff, such as substitute teachers and coaches) receive formal safeguarding and child protection training which is every two years and briefings and updates regularly and at least annually.
- All new employees (including ancillary staff) will undertake induction training, which will include Child Protection/Safeguarding training, health, safety, responsible use of technology, safe working practices, and whistleblowing. The induction programme will clearly identify the School's policies and procedures (particularly the Safeguarding Policy) and will make clear the expectations and code of conduct which govern how members of staff carry out their roles and responsibilities. All staff will be required to read and acknowledge the fact that they have read, "Keeping Children Safe in Education part 1 and Annex A (September 2018)"
- Divisional Principals and supervisors should ensure that local induction programs, training and performance management practices ensure a safeguarding children culture is adopted and embedded into continuing practice.

### **Central Record of Pre Employment Checks**

In addition to the various staff records kept in schools and on individual personnel files, a single central record of recruitment and vetting checks will be kept in accordance with Ofsted requirements.

The record will contain details of checks on the following people:

- All employees of the School;
- All substitute teachers, sports coaches, and other ancillary staff working with children;
- All personnel who are working at the School but employed by third parties;
- All others who have been chosen by the school to work in regular contact with children.

This will cover volunteers, trustees, and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members, e.g. a specialist sports coach or artist. The central record will also include whether written confirmation has been received from supply agencies that all relevant checks have been conducted for supply staff.

The record of checks will be kept up to date and be readily available for Ofsted Inspections.

### **Those Employed by a Third Party**

For the purposes of creating the record of checks for agency/contracted staff provided through a third party who are engaged in regulated activity (e.g. catering staff, bus drivers, and specialist activity providers) the School will request written confirmation from the supplier that they have satisfactorily completed all relevant checks for referred personnel working at ASL. These will include:

- Identity checks;
- A minimum of two recent references;
- Medical fitness check;
- Qualification checks for any qualifications legally required for the job;
- Checks of permission to work in the United Kingdom;
- The Children's Barred List checks;
- DBS Enhanced Disclosure;
- Further overseas criminal records checks where appropriate.

When the company does not have the capacity to independently make DBS applications, ASL may agree with a supplier to conduct the DBS checks on their behalf. Information disclosed as a result of a DBS application will be shared with the employer.

The supplier will not refer any new or additional personnel to ASL without completing the checks and notifying their contact at the School. In addition, any employee of a third party will be required to bring with them their original DBS certificate and either their current valid passport or driving license (provided this is a valid driving license with a photograph) on arrival or before starting, and report to HR before commencing work.

For contractors working onsite for limited periods, a risk assessment will be completed in order to determine the appropriate checks required under ISI and KCSIE guidance

## **Trustees**

Members of the Board of Trustees are considered school proprietors and will therefore be required to provide an Enhanced DBS check including a prohibition from management check (s128 direction via the Department of Education). At least one member of the Board of Trustees will have oversight of safeguarding procedures at ASL and may visit the HR department at any time to spot check the effectiveness and rigor of vetting processes at ASL, in addition to being trained in Child Protection and Safer Recruitment.

The Chair of the Board of Trustees will also be subject to an enhanced disclosure countersigned by the Secretary of State.

## **Volunteers**

The level of check carried out on a volunteer will depend on whether or not the volunteer is to be engaged in Regulated activity, how well the volunteer is known to the school and the level of responsibility the volunteer will have. Volunteers who are supervised, even if they are working directly with children, will not be considered in regulated activity and therefore will not be subject to full vetting checks. Unsupervised volunteers are in regulated activity and must undergo the same checks as staff employed at the School. This will especially include all volunteers who accompany residential School trips. 'One-off' volunteers for day outings, concerts etc. do not require vetting checks but must be supervised at all times by a suitably checked member of staff and may not undertake any kind of personal care of pupils.

## **Student Workers**

Students are frequently engaged to work in after-school programs, mentoring opportunities, and as camp counselors. Students will not be required to undergo full vetting checks, but will be required to provide proof of right to work in the UK. Summer camp counselors will additionally be required to provide an Enhanced DBS check and two recent references. Student workers will also receive induction training, including safeguarding, health and safety, and safe working practices from the Designated Safeguarding Lead, which will make clear the expectations and code of conduct which govern how members of staff carry out their roles and responsibilities

## **Visitors Not in Regulated Activity**

Some visitors may visit the campus on an infrequent basis to work under supervision – for example, a visiting specialist running a workshop. Identity checks will be carried out when such staff arrive at the School.