



**MILLFIELD**



**MILLFIELD  
PREP SCHOOL**



**MILLFIELD  
PRE-PREP SCHOOL**

## **SAFER RECRUITMENT, SELECTION AND DISCLOSURE POLICY**

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THIS POLICY APPLIES TO MILLFIELD, MILLFIELD PREP SCHOOL AND MILLFIELD PRE-PREP SCHOOL INCLUDING EYFS TOGETHER REFERRED TO IN THIS POLICY AS "MILLFIELD".

The school staffing process is governed by the Keeping Children Safe in Education Guidelines (KCSIE), as well as the schools' principles of non-discrimination. The school is 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 share this commitment.

Millfield relies on the skills, competencies and contribution of all employees to ensure the smooth running of the schools. The overall aim of this policy is to therefore:

- 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, colour, nationality, ethnic or national origin, religion or religious beliefs, sex or sexual orientation, marital or civil partner status, disability or age. Millfield is committed to tackling discrimination and promoting inclusion through equality and diversity. We ensure that our recruitment procedures (advertisements, shortlisting and interview procedures) are without any hint of direct or indirect discrimination. Millfield will make reasonable adjustments in order to ensure that disabled staff or prospective staff are not placed at a disadvantage in comparison with non-disabled staff.
- to ensure compliance with all the relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), the Prevent Duty Guidance for England and Wales 2015 and any guidance or code of practice published by the Disclosure and Barring Service (DBS)
- to ensure that the schools meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all the necessary pre-employment checks.

The safety and wellbeing of all our pupils at Millfield is our highest priority. We all share an objective to help keep children and young people safe by contributing to providing a safe environment for children. We therefore take great care in the recruitment and selection process at Millfield to achieve this to the best we can.

A comprehensive step by step Selection and Recruitment Checklist outlining the recruitment and selection process at Millfield can be found on the Xtranet and within the school Safeguarding and Child Protection Policy.

### **Data Protection**

The school is legally required to carry out the pre-employment checks detailed in this 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 Regulations Agency (previously known as the National College for Teaching and Leadership (NCTL)). 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.

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 by third parties.

### **Recruitment and Selection Procedure**

All posts (both new and replacement) must be authorised by the Executive Group (EG), who meet once a week during term time, to ensure consistency of employment practice and that the budget requirements are met. The Executive Group is made of the Head (Senior and Prep), the Finance Director and Head of Human Resources. For all positions an [Authority to Recruit form \(ATR\)](#) needs to be completed and can be obtained from the Xtranet.

All agreed appointments of three months duration or more may be advertised and subject to competitive selection procedure. Advertisements may be internal only or published simultaneously internally and externally. Posts may be advertised internally where it is anticipated that a suitable field of candidates exist and in response to specific needs such as redeployment. All advertisements, whether internal or external, must contain the schools' safeguarding statement. The aim of advertising is to attract a wide range of high quality candidates from diverse backgrounds.

A draft advertisement will be drawn up by the Human Resources Department and forwarded to the relevant line manager where it will be checked before Human Resources advertise the role. All adverts will state that employment is subject to an enhanced DBS check, satisfactory references and any other employment checks.

Prior to advertising, a job description which describes the purpose, duties and responsibilities of the post should be prepared. The qualifications, skills, experience, knowledge, aptitudes and abilities that are essential and desirable for the post should also be identified. They will not include any potentially discriminatory requirements.

All applicants for employment will be required to complete an application form containing questions about their academic and employment history, as well as their suitability for the role. A curriculum vitae will not be accepted in place of a completed application form.

Short listing will be based on the selection criteria for the role and compared against the information contained within the candidates application form; this will assess the candidate's qualifications, skills, experience, knowledge, aptitudes and abilities. The capability of the individual to perform in the position will be the major factor and in certain roles the ability to work with others will be taken into account.

At least one individual conducting the interview must have completed the Safer Recruitment in Education Training. Candidates will be asked both technical / competency based questions as well as

questions that attest to the match of the job description. All shortlisted applicants will be tested at interview about their suitability to work with children. The interview team will ensure that candidates with a disability or special needs are fully provided for at the interview, providing notification has been made in advance.

If it is decided that an offer of employment following an interview is to be made, any such offer will be conditional on the following pre-employment checks:

1. The agreement of a mutually acceptable start date and the signing of a contract incorporating the schools standard terms and conditions of employment.
2. The receipt of two written references (one of which must be from the applicant's most recent employer) which the school considers to be satisfactory.
3. Verification of the applicants' education and employment history, with explanation of any gaps within their education or employment history since the age of 16 years.
4. Verification of relevant qualifications which the school deems a requirement for the post, or which the applicant cites of their application.
5. Verification of the applicants' identity, including address and date of birth (where this has not previously been verified).
6. Where the position amounts to "regulated activity" the receipt of an Enhanced Disclosure and Barring Service (DBS) check which the School considers to be satisfactory\*.
7. Where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List\*.
8. Should the individual have lived or worked abroad within the last 10 years for a period of 3 months or more, and where the school deems necessary, then an overseas criminal records check, certificate of good conduct or professional references may be required.
9. Where the individual has been offered a teaching position and where they have worked as a teacher outside of the UK, the teacher will be requested to provide proof of their past conduct as a teacher in the form of a letter of professional standing issued by the professional regulating authority in the country in which they worked.
10. Medical Declaration form to be completed confirming the applicants' medical fitness for the role. This includes both physical and mental fitness.
11. Verification of the applicant's right to work in the UK.
12. Where applicable confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children.

13. For positions which involve “teaching work”, information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulations Agency which renders them unable or unsuitable to work at the school.
14. Where applicable information about whether the applicant has ever been referred to the Department for Education, or confirmation that the applicant is not 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.
15. Confirmation that the applicant is not disqualified from acting as a trustee/governor or senior manager of a charity under the Charities Act 2011 (if applicable).
16. Confirmation that where the applicants’ role will involve providing care for pupils under 8 the applicant is not disqualified under the requirements of the Childcare Act 2006 (Act) and the Childcare (Disqualification) Regulations 2009 (Regulations) and the related DfE statutory guidance, Disqualification Under the Childcare Act 2006 (DUCA) (if applicable).
17. Any other employment check that may be necessary.

\* The school is not permitted to check the Children’s Barred List unless an individual will be engaging in “regulated activity”. Whether the position amounts to “regulated activity” will therefore be considered by the school. Any position undertaken at, or on behalf of the school amount to “regulated activity” if it is carried out:

- Frequently, meaning once a week or more; or
- Overnight, meaning between 2.00am and 6.00am; or
- Satisfies the “period condition”, meaning four times or more in a 30 day period; and
- Provides the opportunity for regular contact with children.

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 regulated activity if carried out more frequently.

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 likely that in nearly all cases at the school, they will amount to regulated activity and as such an enhanced DBS check and Children’s Barred List check will be conducted.

### **Pre-Employment Checks**

Pre-employment checks are an essential part of our responsibility as set out in Keeping Children Safe in Education (KCSIE) the Disqualification under the Childcare Act 2006 (DUCA), the requirements of the Education (Independent School Standards) Regulations 2014 and the Boarding schools: national minimum standards and are conducted in respect of all prospective employees.

In addition to these checks 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. This may include internet and social media searches.

Whilst no system will guarantee that no one unsuitable is ever recruited to Millfield, a high standard of scrutiny should reduce the potential for harm being done to the children in our care. Once these safeguarding checks have been completed a newly appointed employee can begin their employment. Their details are recorded on the schools Single Central Register of Appointments, which is maintained by the Human Resources department.

#### *Verification of identity, address and qualifications*

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.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage adoption, statutory declaration) they will be required to provide documentary evidence of the change.

The school asks for the date of birth of all applicants to assist with the vetting of the 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.

#### *References*

Reference will be taken up on short listed applicants prior to interview for all teaching vacancies. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

All offers of employment will be subject to the receipt of a minimum of two reference which are considered satisfactory by the school. One of the reference must be from the applicants' 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 work 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 to 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.

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

The school will compare all references with any other 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.

Where a reference is not received prior to interview it will be reviewed on receipt. Any discrepancies identified between the reference and the application form and/or interview will be considered by the

school. The applicant may be asked to provide further information or clarification 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 additional references 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.

All internal candidates who are successful in being appointed to a new role at the school will have their application accessed in accordance with this procedure. References will be taken up on successful internal candidates as part of the application process but can be provided by colleagues as the school will be the most recent employer.

#### *Criminal records checks*

Since 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 which can be accessed via the following link <https://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates/filtering-rules-for-dbs-certificates-criminal-record-checks>

The DBS issues the disclosure certificate to the subject of the check only, rather than to the school. It is a condition of the employment with the school that the original disclosure certificate is provided to the school within two weeks of it being received by the applicant, or as soon as practical possible. Employment at the school will remain conditional upon the original certificate being provided and it being considered satisfactory by the school.

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

#### *Applicants with periods of overseas residence*

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no UK residence.

The school will request overseas information from applicants, where they have lived overseas for periods of three months or more in the last ten years. 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 an individual has worked in a school in the UK since returning from overseas, without going back overseas, and an overseas check has subsequently been obtained, it will not be necessary to repeat process.

Where applicants are asked to provide 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.

#### *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 Regulations 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 Regulations Agency.

It is the school’s position that this information must be obtained 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. If there is any doubt as to whether the applicant has taught previous, or whether they may teach in the future, the check will be undertaken, including for sports coaches.

#### *Prohibition for 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, this includes internal appointments.

This checks applies 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.

It also applies to appointments to the governing body.

The relevant information is contained in the enhanced DBS disclosure certificate. 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.

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.

#### *Disqualification from acting as a charity trustee or senior manager*

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.

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 trustee 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, Finance Director and potentially other senior staff who report directly to the governors.

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.

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.

#### *Medical Fitness*

The school is legally required to verify the medical fitness of anyone to be appointed to a post at the school, after an offer of employment has been made but before the appointment can be confirmed.

Successful applicants will be required to complete a medical statement which will be reviewed against the job description and person specification for the role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra circular activities, layout of the school etc. If there are any doubts in regards to an applicant's fitness the school will consider reasonable



adjustments in consultation with the applicant. The school may also seek further medical or specialist opinion 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.

### *Childcare Disqualification*

In accordance with the requirements of the Childcare Act 2006 (Act) and the Childcare (Disqualification) Regulations 2009 (Regulations) and the related DfE statutory guidance, Disqualification Under the Childcare Act 2006 (DUCA) it is a criminal offence for a school to employ a person to work in connection with early or later years provision who is disqualified from doing so under the Regulations. It is also an offence for a disqualified person to provide early or later years provision or to be directly concerned in its management.

The criteria for which a person will be disqualified from working in connection with early or later years provision are set out in the Regulations. They include:

- being barred from working with children (by inclusion on the Children's Barred List)
- having been cautioned for, or convicted of, certain violent and sexual criminal offences against children and adults
- various grounds relating to the care of children, including where an order is made in respect of a child under the person's care.

However, should you like further details about the nature of matters that are covered please see table A of DUCA or contact the Human Resources department on a confidential basis.

The school will process personal information disclosed in accordance with its Staff Privacy Notice. It will only be disclosed to specified members of the school's leadership team and out professional advisers in order to satisfy ourselves that you are not disqualified under the Regulations.

Should you disclose information which appears to disqualify you from working in early or later years provision then we are required to notify Ofsted.

There may be the option of applying to Ofsted for a waiver of the disqualification. The school's aim is to help staff through this process and also to ensure that an offence is not committed by staff or the school. The school cannot apply for the waiver however, it is a matter for you as an individual but we will seek to support you confidentially during this process. Please do complete the form and do speak to us confidentially about any concerns you may have. Guidance from Ofsted is available at <https://www.gov.uk/government/publications/applying-to-waive-disqualification-early-years-and-childcare-providers>

Where irrelevant information is provided the school will destroy this as soon as possible.

## **Contractors and Agency Staff (including Trainee Teachers)**

Contractors and agency staff are deemed by the School as anyone engaged to undertake works, or an activity, on behalf of the school who is not considered to be a member of staff or a volunteer at the school. The extent of the checks required by the school will be dependent on the works and activity being undertaken and will be assessed on an individual basis.

The School obtains written confirmation from contractors, supply agencies or third-party organisations that agency staff or other individuals who may work in the school have been appropriately checked and are suitable to work with children. Where a contractor, supply agency or third-party organisation is unable to supply written confirmation of the appropriate checks, the school will undertake the necessary checks on their behalf to enable the individual to commence work at the school.

Trainee teachers will be checked either by the school or by the training provider, from whom written confirmation will be obtained confirming their suitability to work with children.

The school will independently verify the identity of individuals supplied by contractors or an agency, and requires the provision of the DBS disclosure certificate before those individuals can commence work at the school.

## **Volunteers**

Volunteers at Millfield School bring with them a range of skills and experience that can enhance the learning opportunities of children at our school. Where a Volunteer falls into the definition of regulated activity, the school will request an enhanced DBS disclosure, and Children's Barred List check. Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with pupils. The School may seek to obtain further suitability information about a volunteer as it considers appropriate in the circumstances, please refer to the [School Volunteer Policy](#).

## **Visiting Speakers**

In having regard for the Prevent Duty Guidance, Visiting Speakers, whether invited by pupils or staff, should be appropriately supervised by a member of staff, under no circumstance should they be left alone with pupils and they are required to follow the Millfield Visitor Policy.

Appropriate actions should be taken by the member of staff or pupil inviting the Visiting Speaker into the school to ensure their suitability in doing so the school will always have regard to the Prevent Duty Guidance and the definition of "extremism" as set out in KSCIE.

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.

For complete guidance please refer to the Millfield [Visiting Speaker Protocol](#).

## **Policy Recruitment of Ex-Offenders**

The school will not unfairly discriminate against any applicant for employment on the basis of conviction or other details disclosed. The school makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar them from employment with the school. Each case will be decided on its merits in accordance with the objective assessment criteria.

All positions within the school are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.

A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

It is unlawful for the school to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the school. The school will make a report to the Police and / or the DBS if:

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

### **Assessment criteria**

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; and
- the circumstances surrounding the offence and the explanation(s) offered by the applicant.

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; or
- 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 [within the last ten years].

### **Assessment procedure**

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 carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Head of Human Resources before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the school may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### **Retention and security of disclosure information**

The school's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

### **Queries**

If an applicant has any queries on how to complete the application form or any other matter he/she should contact the Human Resources department.

Policy owner	Christy Hawksworth
Reviewed on	June 2020
Review by date	July 2021
Audited by Governor Committee	
Audited on	
Audit by date	
Publication	Website/Xtranet