

SAFER RECRUITMENT POLICY & PROCEDURE

Policy Owner HR Manager	Applies to Prior Park Schools (Trust Wide)	Superseded documents Safer recruitment Policy and Procedure v3
Associated documents Safeguarding Policy Staff Code of Conduct Data Protections Policy Equal Opportunities Policy Policy for the Processing of Special Category Data Prevent Duty Policy Visiting Speakers Policy Visitors and Contractors Access and Supervision Policy Recruitment Privacy Notice	Review frequency Every year (unless the legislation/regulations update before this time) Implementation date 29 September 2022	Legal Framework KCSIE 2022 Disqualification under the Childcare Act 2006 Prevent Duty Guidance DBS Code of Practice Working Together to Safeguard Children 2018 Equality Act 2010 Data Protection Act 2018

This policy is reviewed annually, or more regularly as required, prior to approval by Trustees

Last reviewed by:	HR Manager (Kasia Niec), Head of Compliance (Emma Wickham)
Date last reviewed:	August 2022
Approved by Trustees:	PEB
Date last approved:	29 September 2022
Date for next approval:	August 2023

Table of Contents

1.	INTRODUCTION	3
2.	AIM	3
3.	SCOPE.....	4
4.	AUTHORISATION OF POSTS.....	4
5.	ADVERTISING OF POSTS	4
6.	JOB DESCRIPTION AND PERSON SPECIFICATION.....	4
7.	BEFORE APPLYING FOR A POSITION AT PPS.....	4
8.	APPLICATION FORM AND FULL EMPLOYMENT HISTORY	5
9.	SHORTLISTING	5
10.	DISCLOSING A CRIMINAL RECORD	6
11.	INTERVIEW	6
12.	CONDITIONAL OFFER OF EMPLOYMENT: PRE-APPOINTMENT CHECKS	7
13.	AGENCY, CONTRACTOR STAFF AND OTHER THIRD PARTY WORKERS.....	12
14.	TUPE	13
15.	TRAINEE/STUDENT TEACHERS	13
16.	RECRUITMENT OF TRUSTEES	13
17.	RECRUITMENT OF VOLUNTEERS	15
18.	VISITING SPEAKERS AND THE PREVENT DUTY	17
19.	CHECKS ON EXISTING STAFF AND OTHER ADULTS	17
20.	RECRUITMENT OF EX-OFFENDERS AND SECURITY OF DISCLOSED INFORMATION	17
21.	RETENTION, SECURITY OF RECORDS AND DATA PROTECTION	19

1. Introduction

Prior Park Schools (PPS) is a family of Christian schools based in Bath and Gibraltar. Prior Park College (PPC) and The Paragon School (TP) are incorporated in England as Prior Park Educational Trust Ltd. Prior Park School Gibraltar (PPSG), is incorporated in Gibraltar as Prior Park School Ltd. Both are companies limited by guarantee and registered charities.

The Prior Park Schools mission, underpinned by shared values, is to steward a thriving family of communities with love for the young people they serve at their heart. These vibrant communities cultivate creativity, foster integrity, and transform lives.

Prior Park Schools Values:
Curiosity - Generosity - Courage

For the purposes of this Policy, any reference to School refers to each individual school within the Trust and the Trust as a whole (PPS).

2. Aim

- 2.1. **Safeguarding and child protection are at the forefront of all that we do and underpin all relevant aspects of process and policy development.**
- 2.2. **PPS are committed to safeguarding and promoting the welfare of children and young people and to providing the highest quality education. PPS recognises that it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment, and in return it provides a supportive and flexible working environment for all its staff and volunteers.**
- 2.3. **As part of PPS' safeguarding culture, robust recruitment procedures are adopted that deter and prevent people who are unsuitable to work with children from applying for, securing employment, or volunteering at PPS.**
- 2.4. PPS will act reasonably in making decisions about the suitability of any prospective staff based on checks and evidence. This policy and procedure aims to:
 - ensure compliance with all relevant legislation, recommendations and guidance, including the statutory guidance published by the Department for Education (DfE), Keeping children safe in education (September 2022) (KCSIE), National Minimum Standards for Boarding (5 Sept 2022), Disqualification under the Childcare Act 2006 (DUCA), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS);
 - ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks;
 - ensure fair and consistent treatment of all job applicants in accordance with the Equality Act 2010; and
 - appoint staff based on their merits, abilities and suitability for the position.
- 2.5. Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy and procedure.

3. Scope

- 3.1. The Safer Recruitment 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.

- 3.2. All internal candidates who apply for a new role at the School will have their application assessed in accordance with the principals of this policy and procedure.

4. Authorisation of posts

- 4.1. All appointments are authorised by the Head and /or the Director of Operations and Finance to ensure consistency of employment practice and budget requirements.

5. Advertising of posts

- 5.1. The job adverts contain:

- PPS' commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken
- the safeguarding responsibilities of the post as per the job description and person specification, and
- the exemption from the Rehabilitation of Offenders Act 1974 statement.

- 5.2. All agreed appointments will normally be advertised internally and externally (in the media and on the School's website) and will be subject to a competitive selection procedure. The aim is to attract a wide range of suitable, high calibre candidates from diverse backgrounds.

- 5.3. There may be some occasions where positions will not be advertised or advertised internally only. This will usually be in response to a specific need such as redeployment, business need or succession planning, and where it is anticipated that there is a suitable internal candidate.

6. Job Description and Person Specification

- 6.1. Prior to advertising, a job description and a person specification will be prepared by the recruiting manager in liaison with the Recruitment Coordinator.

- 6.2. The job description and the person specification will include reference to the importance of Safeguarding and Child Protection.

- 6.3. 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.

7. Before applying for a position at PPS

- 7.1. Candidates are encouraged to familiarise themselves with the following materials available on the School website, before making an application:

- This policy
- Job Description and Person Specification
- Application and Recruitment Process Explanatory Note
- Nacro* Filtering flowchart (this gives information about the filtering processes which may apply to some candidates)
- Equal Opportunities policy
- Recruitment Privacy Notice

**National Association for the Care and Rehabilitation of Offenders*

8. Application Form and full employment history

- 8.1. A full employment history is required from all candidates as part of the School's commitment to Keeping Children Safe in Education (September 2022). Incomplete application forms will not be considered. A CV will not be accepted in lieu of the completed application form.
- 8.2. All applicants for employment are required to fully complete an application form which needs to be sent, along with the supporting letter, to our central Recruitment Department (recruitment@priorparkschools.com) or by post to Prior Park College, Bath for the attention of the Recruitment Department.
- 8.3. The School checks previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks are then compared against references which, where possible, are obtained prior to the interview, and any anomalies, discrepancies or gaps are discussed with the candidate at 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.
- 8.4. Applicants are asked to sign a declaration on the application form confirming the information they have provided is true.
- 8.5. All candidates should be aware that provision of false information at any stage of the process 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.

9. Shortlisting

- 9.1. The School shortlists applicants according to the relevance and applicability of their professional attributes and personal qualities to the role based on the job description and person specification. At least two people carry out the shortlisting exercise, consider any inconsistencies, look for gaps in employment and reasons given for them and explore all potential concerns. The capability of the individual to perform in the position is the major factor in addition to their suitability to work in a school environment with children and young people, and to work as part of the wider staff team.
- 9.2. The School asks all referees if the shortlisted candidate is suitable to work with children and to provide facts of any substantiated safeguarding concerns/allegations that meet the harm threshold set out in Part 4 of the statutory guidance 'Keeping Children Safe in Education'.
- 9.3. As part of the shortlisting process, the School considers carrying out an online search on shortlisted candidates as part of its due diligence. This may help to identify any

incidents or issues that have happened, and are publicly available online, which the School may want to explore with an applicant at interview. This forms part of the School's wider safeguarding due diligence which aims to prevent and/or deter individuals who may be unsuitable to work with children from working in a school environment.

10. Disclosing a Criminal Record

- 10.1. Shortlisted applicants will be asked to complete a self-declaration form about their suitability to work with children and this will include information about criminal records. The purpose of the self-declaration is to enable candidates to share relevant information and to allow this to be discussed and considered at interview before the DBS certificate is received. 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.
- 10.2. PPC only: The position for which candidates are applying in a boarding school environment may involve substantial opportunity for access to children. It is therefore important that applicants provide the School with legally accurate answers regarding their criminal record. Upfront disclosure of a criminal record will not necessarily 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. If candidates would like to discuss this beforehand, they are asked to telephone in confidence the Head (for teaching roles) or the Director of Operations or Finance (for support roles).
- 10.3. Any convictions or cautions, including those which are 'spent', must be disclosed to the School, except for certain convictions or cautions which 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.
<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

11. Interview

- 11.1. Shortlisted applicants will be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.
- 11.2. 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.
- 11.3. The School requests that all candidates invited to interview also bring with them:
 - A current driving licence including a photograph or a passport and 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.

- 11.4. Interview procedures will vary according to whether the vacancy is for an academic or support role. The interview will usually be conducted in person but this will always be considered on a case-by-case basis. In some instances, first interviews may take place via Microsoft Teams if it is difficult for the applicant to attend the interview (this will mainly apply to applicants from overseas or to accommodate applicants with disabilities). Where this is the case, whenever possible, this will normally be followed by a face-to-face interview at the final stage prior to appointment. During an interview the candidate will be given the opportunity to ask questions about the role, familiarise themselves with the School, future colleagues and the working environment. In some instances, it may be appropriate for in-tray tasks to take place or for second interviews to be arranged.
- 11.5. Applicants for all posts are to be formally interviewed by no less than two people, one of whom will have completed the Safer Recruitment Training. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and where this is the case, a judgement will be made as to whether or not an interviewer should withdraw from the panel.
- 11.6. All teaching staff and teaching ancillary staff are recruited by one of the Heads. Support staff are recruited by or on the authority of the Director of Operations and Finance (the procedure is often carried out by the Head at The Paragon School).
- 11.7. A set of questions and issues to be explored with each candidate is to be decided prior to interview. The panel will normally ask both technical and competency-based questions.
- 11.8. In all cases, an important part of the interview process will be to explore the applicant's understanding of safeguarding and child protection as well as their suitability to work in a school/boarding environment with children including, where appropriate, any discussion of information shared by a candidate in their self-declaration form.
- 11.9. Candidates with a disability who are invited to interview should inform the School (via the Recruitment Department) of any necessary reasonable adjustments or arrangements to assist them in attending the interview.
- 11.10. A meeting will be held post interview to discuss the candidates' suitability for the role.

12. Conditional Offer of Employment: Pre-Appointment Checks

- 12.1. In accordance with the recommendations set out in KCSIE, DUCA and the requirements of The Education (Independent School Standards) Regulations 2014 and the Boarding schools: national minimum standards, the School carries out a number of pre-employment checks in respect of all prospective employees. All checks will be made in advance of appointment or, where permitted, as soon as practicable after the appointment has commenced.
- 12.2. The School takes its responsibility to safeguard children 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 School immediately. This includes any staff who are disqualified from childcare or registration as well as notification of any convictions,

cautions, court orders, reprimands or warnings they may receive in accordance with the prevailing legislation.

12.3. 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 others employed as third parties.

12.4. Any offer to a successful candidate will be conditional upon:

a. Receipt of at least two references which the School considers to be satisfactory

The School will seek to obtain references for shortlisted candidates (including internal applicants) before the interview. Where a reference is not received prior to interview it will be reviewed upon receipt. The School will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the applicant may be asked to provide further information or clarification before an appointment can be confirmed. The School reserves the right to call all referees to verify the details of the written reference provided.

One of the references must be from the applicant's current or most recent employer. 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 current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Where neither the current nor previous employment has involved working with children, the School will still ask the current/most recent employer about the candidate's suitability to work with children. The School will seek to verify the most recent period of employment and reasons for leaving.

Any reference from the current employer should be completed by a senior person with appropriate authority and if the referee is school-based, the reference should be confirmed by the Head/Principal as accurate in respect to disciplinary investigations. All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children.

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.

b. Verification of identity

Prospective employees will be asked to provide documents confirming their identity including photographic evidence. Proof of address will also be required.

c. Verification of evidence of the right to work in the UK or in Gibraltar

All employers in the UK and in Gibraltar have a responsibility to prevent illegal working. The School prevents illegal working by conducting right to work checks before employing someone, to make sure the individual is not disqualified from carrying out the work in question by reason of their immigration status. In the UK this is called 'establishing a statutory excuse against liability for a penalty'. Guidance on how the right to work is checked and what documents can be accepted, please visit: Right to work checks: an employer's guide - GOV.UK (www.gov.uk).

d. Verification of professional qualifications including, where appropriate, Qualified Teacher Status, any or any other qualifications which the School takes into account in making the appointment decision.

e. A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS.

The School will refer to the KCSIE and any amended version in carrying out the necessary required DBS checks. The School will comply with the [DBS Code of Practice](#).

Regulated Activity

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

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

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis (for further information please read the Recruitment of Trustees and Volunteers section of this policy).

It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the School amount to regulated activity. Limited exceptions could include voluntary posts which are supervised.

DBS certificate

The DBS issues the DBS disclosure certificate to the subject of the check only, rather than to the School. The original disclosure certificate must be provided to the School upon receipt for verification. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

Starting work pending receipt of the DBS disclosure

If the DBS has been applied for but there is a delay in receiving it the Head and the Director of Operations and Finance have discretion to allow an individual to begin work pending receipt of the disclosure certificate. This will only be allowed if all other checks, including a separate, clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place. Such arrangements will always be risk assessed. Boarding staff whose DBS certificate is delayed, may start work pending return of the DBS on the same conditions as for day staff, though the assessed risks may be more severe and the mitigating measures more extensive.

f. Overseas checks (criminal records checks and letter of professional standing)

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff. In addition, the PPS must make any further checks it thinks appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

Criminal Records Check

For applicants who are living overseas, or who have lived overseas previously, obtaining a DBS certificate alone may be insufficient to establish their suitability to work at the School. Where the successful candidate has worked or been resident overseas for at least 3 months in the last 10 years, the School will obtain 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 may include an overseas criminal records check, certificate of good conduct or professional references.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. The School will take into account the "DBS unusual addresses guide" in such circumstances.

When requesting such information the School has regard to relevant government guidance [Criminal records checks for overseas applicants - GOV.UK \(www.gov.uk\)](https://www.gov.uk).

The School recognises that formal checks are not available from some countries, that they can be significantly delayed or that a response may not be provided. In such circumstances the School will seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country. The School may allow the applicant to commence work pending receipt of the formal check provided that the check has been applied for, that an additional, satisfactory reference has been obtained and the applicant is considered suitable on the basis of other information the School has obtained. A risk assessment must be documented and retained on file. Continued employment will remain conditional upon the School being provided with the outcome of the formal check and it being considered satisfactory by the School. If the formal check is delayed and references are not available, the applicant's proposed start date will normally be delayed until the formal check is received.

If no information is available from a particular country, the School will carry out an assessment of whether the applicant is suitable to work at the School on the basis of all other suitability information that has been obtained. The School will take proportionate risk based decisions on a person's suitability in such circumstances. The suitability assessment must be documented and retained on file.

Letter of Professional Standing

In addition, where an applicant for a teaching position has worked as a teacher outside of the UK, the School will ask the applicant to obtain from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher, evidence which confirms that they have not imposed any sanctions or restrictions on the applicant and that they are not aware of any reason why the applicant may be unsuitable to work as a teacher. This will normally be in the form of a letter of professional standing from the professional regulating authority in the country in which they have worked. Applicants can find contact details of regulatory bodies in the EU/EEA and Switzerland on the [Regulated professions database - European Commission \(europa.eu\)](https://ec.europa.eu/europa.eu/regional_policy/en/information/publications/2014/01/01/regulating-professions-database) but this requirement applies to all countries, world-wide.

The School will also ask shortlisted applicants (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction issued by, the regulator of the teaching profession in the countries in which they have carried out teaching work.

g. Medical fitness

The School must satisfy itself of the medical fitness of staff to carry out their duties. The successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be reviewed by a member of HR team and, where necessary referred to Occupational Health Physician. Medical 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. Information will be held by the School in strictest confidence and processed in accordance with the Recruitment Privacy Notice and Data Protection Policy.

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.

h. Prohibition orders - 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, an interim prohibition order, or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012.

Teaching work is defined in the Teachers' Disciplinary (England) Regulations 2012 to encompass:

- Planning and preparing lessons and courses for students;
- Delivering and preparing lessons to students;
- Assessing the development, progress and attainment of students; and
- Reporting on the development, progress and attainment of students.

i. Verification of successful completion of statutory induction and probation period (for teaching posts - applies to those who obtained QTS after 7 May 1999).

j. Where appropriate, receipt of a 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".

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.

k. Prohibition from taking part in the management of an independent school

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 Trustees, Senior Leadership Teams, teaching heads of department and all those with the responsibility for the management of staff.

l. Disqualification under the automatic disqualification rules

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Being disqualified means that a person can't take on, or stay in, a senior manager position - even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

For a candidate to be employed into a senior leadership/management position such as Head or Director of Operations and Finance or Trustee, 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.

m. Prevent Duty training

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, it will include the requirement to undergo the Prevent duty training.

13. Agency, contractor staff and other third party workers

- 13.1. In the case of agency staff (supply staff) or workers employed by the contractor company, as two distinct groups, PPS will set out its safeguarding requirements in the contract with the organisation.
- 13.2. PPS require written confirmation from the employing organisation that it has completed the pre-employment checks on its staff which the PPS would otherwise complete for its staff before any such individual can commence work at the School. **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.**
- 13.3. PPS conduct 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 appropriate level of DBS check for such staff.
- 13.4. The Single Central Register will show that these checks have been made and the School carries out its own identity check and, for agency staff, has seen a copy of the disclosure (whether or not it discloses any information).
- 13.5. If an individual is self-employed, PPS will consider obtaining the DBS check, as self-

employed people are not able to make an application directly to the DBS on their own account. Further checks will also normally be required, commensurate with the role, as part of PPS's duty to safeguard and promote the welfare of children.

14. TUPE (Transfer of Undertakings (Protection of Employment))

- 14.1. 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.

15. Trainee/Student Teachers

- 15.1. Where applicants for initial teacher training are salaried by PPS, the PPS will ensure that all necessary checks are carried out. If these trainee teachers are engaging in regulated activity relating to children (which in most cases by the nature of the work, they will be), an enhanced DBS check (including children's barred list information) must be obtained.
- 15.2. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. PPS will obtain written confirmation from the provider that it has carried out all pre-appointment checks that PPS would otherwise be required to perform, and that the trainee has been judged by the provider to be suitable to work with children.
- 15.3. There is no requirement for PPS to record details of fee-funded trainees on the Single Central Register.

16. Recruitment of Trustees

- 16.1. PPS are aware of the importance of identifying the appropriate mixture of skills and experience that are needed to manage the multi-faceted affairs of a modern school, which is also a medium sized business and an important local employer, with some 300 staff across three schools.
- 16.2. As Trustees of a registered charity, the Trustees of PPS, or one of the Schools, are responsible for the selection and appointment of new Trustees and Associate Governors. This is a legal responsibility that cannot be delegated.
- 16.3. Vacant positions are usually advertised externally but it is also encouraged that the Head(s), Director of Operations and Finance and other senior staff, or those who are close to the School, such as parents, suggest the names of potential candidates.
- 16.4. Each appointment is ratified by the full Board for an initial 3-year term of office. Two further terms of 3 years may be served on reappointment on a 3-term basis (i.e. 9 years in total).
- 16.5. PPS does not appoint or retain Trustees or Associate Governors who are automatically disqualified from being a trustee, unless the Charity Commission has given a waiver. All potential Trustees and Associate Governors must complete a charity trustee positions automatic disqualification declaration before beginning the selection process.
- 16.6. When a potential Trustee or an Associate Governor has completed their disqualification

declaration and once they are deemed potentially suitable, he or she will be invited to visit one of the Schools and to meet the Head informally, and to have a tour of the school with the Director of Operations and Finance (or their delegate). If the Chair of Trustees or the Chair of the Local Board relevant to the school, is not present at that stage, a separate informal meeting will be arranged, sometimes in the company of another, experienced Trustee. At that meeting, discussions will be had regarding our strategic vision for the next 3-5 years and the direction in which the Trustees see the school(s)/Trust moving.

- 16.7. The aim at the informal meeting is to ensure that every prospective Trustee or Associate Governor has a clear understanding of the commitment expected of him or her, in terms of time and attendance and is given sufficient material about the Trust/School that is in the public domain (prospectus, latest ISI Inspection Report, Statutory Accounts and Annual Return for the previous year) to allow a well-informed judgement to be made before committing themselves to the appointment process. HR should be informed at this stage of a potential new Trustee.
- 16.8. At the informal meeting, all potential candidates are briefed about the range of statutory checks that are required as part of the appointment process.
- 16.9. For the second step in this process, the prospective Trustee or an Associate Governor will be asked to submit an application form under a covering letter to the Chair of Trustees and to the Nomination Committee. Prospective Trustees and Associate Governors are interviewed by the Nomination Committee who will in turn recommend all appointments to the full Board of Trustees. Care is taken to select Trustees and Associate Governors who are prepared to serve for a minimum of three, and preferably, five years (which is the normal length of a term of appointment), and to be prepared to commit the time necessary to get to know the school(s) and Trust.
- 16.10. All new appointments are formally recorded in the minutes of the Board, and a formal letter of appointment is sent by the Chair, which specifies the term of the appointment, the total tenure for a Trustee or an Associate Governor, and, if appropriate, the sub-Committee(s) to which they have been appointed.
- 16.11. The Director of Operations and Finance in their role as Clerk to Trustees for PPS, will delegate to HR the process of obtaining the following from the new potential trustee or an Associate Governor before their appointment is confirmed:
 - an enhanced DBS
 - a barred list check
 - identity check
 - evidence of right to work in the UK or in Gibraltar (as appropriate)
 - in the case of an individual for whom, by reason of that individual living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish the individual's suitability to work in a school, such further checks as are considered appropriate
 - prohibition from teaching orders (TRA) (if they will teach)
 - a declaration that they are not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)"
 - completion of the prohibition from leadership and management directions (s128) check
 - confirmation that they are not disqualified from acting as a Charity Trustee or Company Director, for example by virtue of an undischarged bankruptcy (the initial disqualification declaration)

- a minimum of two satisfactory references

If the new Trustee is also to be appointed as a Company Director, a completed Form AP01 (downloadable from <https://www.gov.uk/government/publications/appoint-a-director-ap01>) will be sent to Companies House to register the appointment.

16.12. When the Chair of Trustees changes, PPS will ensure that in addition to the checks set out above, the DfE obtains confirmation that an enhanced criminal records check has been made relating to the individual which is countersigned by the Secretary of State; the Chair's disclosure application has to be made by the DfE; the School cannot handle it as they would for all other Trustees. So, even if a Trustee, whom the school has already checked, becomes Chair, the DfE has to make yet another check.

16.13. Trustees will be provided with training on the following once in post, during their induction:

- **Face to face training**

Face to Face Safeguarding/Child-on-Child Abuse
Face to Face Prevent Duty
Face to Face Low-Level Concerns/Whistleblowing
Face to Face Data Protection

- **Online training**

EduCare- Safeguarding
EduCare- Prevent Duty
EduCare- H&S in Education: Senior Leadership

- **Policies and documents (specific to the School and the Trust)**

Safeguarding
Child-on-Child Abuse
Prevent Duty
Low-Level Concerns
Code of Conduct- Trustees and Volunteers
Raising a Concern at Work 'Whistleblowing'
E-Safety
Behaviour Policy
KCSIE

17. Recruitment of Volunteers

17.1. Volunteers at the School bring with them a range of skills and experience that can enhance the learning opportunities of students. The Board of Trustees, therefore, welcomes and encourages volunteers from the local community to assist in its day to day running. The kinds of activities that volunteers may assist with are hearing students read, working with small groups of students to assist them in their learning, working alongside individual students, as an additional tutor, or accompanying school visits.

17.2. Volunteers will be recruited and vetted via the process set out below. Volunteers who take part in a regulated activity will be subject to appropriate safer recruitment checks.

- 17.3. The prospective volunteers are asked to fully complete a Trustee and Volunteer application form and submit it to the Recruitment team.
- 17.4. Volunteers are subject to a semi-formal selection process which may involve a meeting with Head or another member of staff to whom the Head had delegated that responsibility, to discuss the requirements of the School and the skills of the volunteer. The purpose of this meeting will be to understand whether the prospective volunteer has any previous relevant experience and find out whether the expectations and requirements of each party meet and whether there is a volunteering opportunity at the School.
- 17.5. If both, the School and the volunteer, would like to proceed, the recruiting manager should submit Volunteer Notification Form. The Volunteer Notification Form and a volunteer risk assessment, both of which need to be completed by the recruiting manager, will allow the HR team to determine the level of checks required.
- 17.6. Any volunteering placement may be offered subject to any of these checks (please note that the list is non-exclusive):
- an enhanced DBS check
 - barred list check
 - evidence of their right to work in the UK or in Gibraltar, as appropriate
 - medical declaration
 - satisfactory references
 - completion of the prohibition from management directions (s128)
 - completion of the prohibition from teaching orders (TRA)
 - if the successful candidate will be undertaking a regulated activity and 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
 - a declaration that they are not disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)” (The Paragon School)
 - depending on the nature of the role, the volunteer may also be asked to sign a confidentiality statement.
- 17.7. Only once the member of the HR team has informed the recruiting manager that all the necessary safeguarding checks have been completed, can the recruiting manager confirm the volunteer’s start date.
- 17.8. Once the volunteer is appointed, they will be asked to sign an agreement which sets out the obligations and the responsibilities of both parties.
- 17.9. Volunteers will be provided with training on the following matters once the volunteering placement commences:
- Safeguarding Policy and safeguarding obligations
 - KCSIE
 - Prevent Duty
 - Volunteer Code of Conduct
 - Health and Safety Policy and health and safety obligations
 - Confidentiality obligations
 - Supervision

- Data Protection Policy and data protection obligations
- Raising a Concern at Work 'Whistleblowing' Policy
- Low-Level Concerns Policy

18. Visiting speakers and the Prevent Duty

- 18.1. The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by students, are suitable and appropriately supervised.
- 18.2. 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.
- 18.3. The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so the School will always have regard to the Visiting Speakers Policy, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE.
- 18.4. All visiting speakers will be subject to the Visiting Speakers Policy. This will include signing in and out at Reception, the wearing of a visitors' badge at all times and being escorted by a fully vetted member of staff between appointments.

19. Checks on existing staff and other adults

- 19.1. There are limited circumstances where the School needs to carry out new checks on existing staff. These are when:
 - an individual working at the School moves from a post that was not regulated activity with children into work which is considered to be regulated activity with children. In such circumstances, the relevant checks for that regulated activity must be carried out
 - there has been a break in service of 12 weeks or more, or
 - there are concerns about an individual's suitability to work with children.
- 19.2. For all persons over 16 who live on the School premises but are not employed by the school, an enhanced certificate with barred list information will be obtained from the Disclosure and Barring Service (DBS). There is also a written agreement between the School and any such person, specifying the terms of their accommodation, guidance on contact with boarders, their responsibilities to supervise their visitors, and notice that accommodation may cease to be provided if there is evidence that they are unsuitable to have regular contact with children.

20. Recruitment of ex-offenders and security of disclosed information

- 20.1. All positions at PPS are exempt from the Rehabilitation of Offenders Act 1974, the Exemptions Order 1975, 2013 and 2020. This means that when applying for a job at PPS, applicants must disclose their cautions or convictions even if they are considered spent under the 1974 Act, unless they are considered to be 'protected', in which case they do not need to be disclosed, and if they are disclosed, they will not be taken into account. Further information about filtering offences can be found in the [DBS filtering guide - GOV.UK \(www.gov.uk\)](#)

- 20.2. PPS fully complies with the [DBS Code of Practice](#) and undertakes not to 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.
- 20.3. 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 in the relevant settings and is disqualified from providing childcare under the statutory guidance “Disqualification under the Childcare Act 2006”.
- 20.4. 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.
- 20.5. 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 an Ofsted waiver from disqualification; and
 - the circumstances surrounding the offence and the explanation(s) offered by the convicted person.
- 20.6. 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.
- 20.7. 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.

- 20.8. 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.

21. Retention, Security of Records and Data Protection

- 21.1. It is vital that people who take up appointments with PPS do not pose a risk to the children in their care. The School is legally required to carry out the pre-appointment 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.
- 21.2. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (TRA). Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations.
- 21.3. The School will comply with its data protection obligations in respect of the processing of criminal records information as set out in the Recruitment Privacy Notice and the Data Protection Policy.
- 21.4. 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.