

# SAFER RECRUITMENT POLICY

THIS POLICY IS REVIEWED ON AN ANNUAL BASIS

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**Policy approved by:** Robert Berry – Director of Operations

**Review date:** 31/03/2021

**Submission:** 31/03/2021

**Version:** v3.3

**Policy actioned from:** 18/01/2021

**Next review date:** 31/08/2021

**Reviewer's Signature:** 

**Approver's Signature:**



Please note: 'School' refers to Chatsworth Schools; 'parents' refers to parents, guardians and carers.

This is a whole school policy, which also applies to the Early Years Foundation Stage.

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## Introduction

Chatsworth Schools is committed to promoting and safeguarding the welfare of children and young people and expects all staff and volunteers to share this commitment. Chatsworth Schools recognises that the effectiveness and safety of its recruitment policy and procedures make a major contribution to child protection by helping to deter, reject or identify people who might be unsuitable for working with children.

With regard to the provisions we make for safeguarding and safer recruitment, the Nursery takes into account the nature, age range and other significant features of the Nursery, including EYFS pupils.

The Recruitment Policy and Procedures are based on and conform to statutory and non-statutory guidance contained in 'Keeping Children Safe in Education 2020', the EYFS Framework 2017, the updated 'Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings April 2020' and the ISI Commentary on the Regulations, September 2020. This policy also has due regard for Prevent Duty Guidance: for England and Wales (updated April 2019, supplemented by the non-statutory advice and a briefing note The Prevent Duty: Departmental Advice for Schools and Childminders and The Use of Social Media for Online Radicalisation (July 2015).

This policy applies to the whole Nursery, including the Early Years Foundation Stage.

Throughout the selection and recruitment procedure, the Nursery will have regard to the guidance as set out in the aforementioned documents as well as the current Independent Schools Standards Regulations (ISSRs), together with any associated guidance from ISI and Ofsted. The school is committed to ensuring that no-one will be appointed unless they have a clear understanding of the specific issues regarding safeguarding that apply generally as well as specifically to EYFS children.

This will involve:

- Including the Nursery's Safeguarding and Child Protection policy statement in any job advertisements
- Requiring applicants to complete an application form, requesting information as set out in the 'Application' section, below.
- Providing a Job Description and Person Specification, which contains the School's Safeguarding and Child Protection policy statement
- Ensuring all recruitment documents also clearly state "applicants must be willing to undergo safeguarding and child protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service"
- Asking candidates appropriate questions at interview relating both to their skills and their reasons for wanting to work with children

## Staff

The Nursery follows ISSR definition of "staff", as set out by ISI and Ofsted, which is as follows:

"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".

## Application

All applicants for employment will be required to complete an Application Form asking for the following:

- Full, identifying details of the applicant, including current and former names, current address and National Insurance Number

- A full, chronological career history since leaving secondary education. The applicant will be asked to clarify any gaps
- Any academic and/or vocational qualifications that are required by or relevant to the position for which he/she is applying
- A declaration of any existing contacts in the Nursery
- Details of two referees; (references will be taken up before interview for shortlisted candidates)
- In accordance with the [DBS filtering guidance](#), as updated in November 2020, a declaration of any convictions, cautions, reprimands or final warnings, except for those protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended 2013)
- A self-declaration of physical and mental fitness to undertake the role advertised

Filtering guidance is published to candidates in the document entitled 'The Application and Recruitment Process'. Candidates will be asked to complete any incomplete forms. A Curriculum Vitae will not be accepted in place of the completed application form. Along with the Application Form, applicants will receive the following:

- A Job Description
- A Person Specification
- A statement of the terms and conditions relating to the post
- The School's Safeguarding and Child Protection Policy statement
- An introduction to the School

#### Required Evidence and Further Checks

Candidates will be asked, usually at interview, to provide documentary evidence of the following

- Identity (original documents, not a photocopy) consistent with those required to undertake a DBS application and fulfil safer recruitment requirements
- Right to work in the UK
- Passport or, in the absence of a passport, birth or adoption certificate
- Original documents (not photocopies) confirming any educational and professional qualifications that are required by or relevant to the position
- Overseas check, if required and if from a country where this must be obtained by the applicant.

The following checks, as applicable, will be undertaken in respect of the successful candidate

- EEA & Overseas checks
- A check on Prohibition from Teaching
- A check on Prohibition from Management
- Childcare Disqualification (the Nursery no longer checks Disqualification by Association, as an exemption has been introduced for non-domestic settings)

Further details of these recruitment checks can be found in the 'appointment procedure for staff' section, below.

If a member of staff transfers into the school's employment under a TUPE arrangement, in line with regulatory requirements, recruitment information will be passed to the new employer and a note made on the single central register that details have been accepted under TUPE.

Candidates will be asked to complete any incomplete forms. A Curriculum Vitae will not be accepted in place of the completed application form.

#### Appointment Procedure for Staff



The School follows the recommendations set out in the EYFS Framework Statutory Requirements with regard to the recruitment of staff by undertaking the following checks prior to the first day at work:

## Career/Employment History

Candidates are asked for a full, chronological career history since leaving secondary school. They will be asked to provide reasons for any gaps in the Career History section of the Application Form. The resolution of any gaps in employment history is required as part of having regard to KCSIE.

## References

- The School will request two references for each candidate, which must include the candidate's current, or if not currently working, most recent employer and the most recent instance of working with children. Ideally, these should cover roughly five years in a person's career history. References should be taken up directly from the referee before interview and all references must be followed up with a telephone call
- Referees will be asked to state the following in the School's Reference Form:
  - Where the referee is a current or previous employer, the period of employment
  - Any disciplinary or child protection issues
  - Any concerns about the candidate not being suitable to work with children
  - The candidate's reasons for leaving
- Referees will also be asked to write a general reference as part of the reference form, in order to provide a better picture of the candidate
- If a reference is taken over the telephone, detailed notes will be taken, dated and signed. Notes on a telephone reference must include
  - Date and time of the call
  - The name and post of the referee
  - A detailed summary of the information provided

Such a reference must be subsequently confirmed in writing. In situations where a written reference has not yet been received by the new employee's intended start date, the employee may commence work if a telephone reference has been received, providing that the telephone reference is subsequently confirmed in writing.

- The Nursery will not accept references from relatives or referees writing solely in the capacity of friends
- References should be from a senior person with 'appropriate authority'. Normally, 'open references' or 'testimonials' will not be accepted. However, this is standard practice in some countries and so may be necessary for candidates applying from overseas. Information provided directly by the candidate should be verified.
- The Nursery must verify that electronic references originate from a legitimate source.
- Further advice on references can be found on the ACAS website here: <http://www.acas.org.uk/index.aspx?articleid=5072>
- References are not obligatory for people taking up voluntary positions. Instead, the school must take steps to ascertain whether there are any objections within the local community.

## Identity Check

This is carried out in line with DBS requirements. Candidates will be asked to provide the following:

- Passport
- Driving Licence (photocard)
- Utility bill or bank statement which is less than three months' old

- Any evidence of a change of name

If the candidate cannot provide any of the above, guidance issued from the DBS will be followed. Copies will be taken and kept on the candidate's file.

### DBS Check

It is anticipated that all regular positions (whether voluntary or paid) will fall within the definition of 'Regulated Activity' and will therefore require an Enhanced DBS check. A check against the barred list will be undertaken on all staff, either within the enhanced DBS disclosure or separately. Until the School has had sight of the original Disclosure Certificate, the candidate will be treated as unchecked. Some companies who provide a DBS service, supply a scan or email confirmation of the DBS certificate to the Nursery when the certificate is posted to the candidate's home address. Whilst this may offer reassurance as to the content of the DBS certificate, it is not to be considered as a substitute for seeing the original document.

The Disclosure may be obtained either by asking the individual to apply for a new DBS Certificate, or by them producing a DBS Certificate which has been registered on the DBS Update Service. For additional information on undertaking a check using the DBS Update service, refer to Appendix 3.

If the DBS is delayed, the Head may allow the member of staff to start work, on the following conditions:

- The appointment is not confirmed
- The DBS application has been made in advance
- A Risk Assessment is written and kept on file; the risk assessment includes an assessment of the extent to which the new appointment must be supervised in order to enable work to start
- A supervision agreement is signed by both the new employee and the person(s) appointed to supervise him/her
- A separate Barred List check is made and kept with the Risk Assessment
- All other required recruitment checks have been completed successfully
- The Risk Assessment is reviewed every two weeks until the Disclosure Certificate arrives
- The member of staff is informed as to what these safeguards are

In cases where the head wishes a new employee to commence work prior to the return of a DBS certificate, the Nursery will use the 'DBS Risk Assessment Checklist' (Appendix 1) to complete the risk assessment and record the process. This document will be retained in the employee's file.

The Disclosure and Barring Service requires that employers have a policy on the secure storage, handling, use, retention and disposal of Disclosure and Barring Service (DBS) certificates and certificate information. This can be found at Appendix 7. This policy should also be read in conjunction with the DBS Disclosure and Recruitment Policy, found at Appendix 8.

The Nursery has regard to the DBS Filtering Guide (November 2020). In this respect, candidates will not be asked to declare warnings, reprimands and youth cautions. A request to declare convictions will be made in the application form or prior to interview, and not for the first time at interview, to enable applicants who may have a conviction sufficient time to take professional advice on which convictions need to be disclosed. Candidates are invited to consult the Ministry of Justice website for further advice.

### Barred List Check

The barred list check is undertaken in relation to people who will or may be involved in regulated activity to determine whether they are prohibited from taking up the post. In most cases, the barred list check will be



obtained as part of the DBS application process. However, there are occasions when the Nursery will need to obtain a barred list check separately from the DBS process. This is an absolute requirement if

- the Nursery accepts a DBS check for an employee from another employer or organisation
- a person is required to start work prior to the arrival of the DBS certificate (see Appendix 1).

When a barred list check is required separately from the DBS process, it is obtained either through the Teachers Pensions Online website, which hosts this service, or through the Nursery's DBS provider.

### DBS and Barred List Flowchart

The flowchart, found below at Appendix 4, taken from KCSIE, provides additional guidance on undertaking DBS and barred list checks.

### Prohibition from Teaching Check

The School will undertake a Prohibition from Teaching Check using the DfE's Employer Online service on any person to be employed to carry out teaching work since April 2012 before he or she begins work at the school. For any appointments who do not have QTS or who qualified overseas, the school will search by name. A definition of 'Teaching work' is provided in The Teachers' Disciplinary (England) Regulations 2012 and cited in the ISI Commentary on the Regulations. In summary, *each* of the following is considered as teaching work;

- Preparing lessons
- Delivering lessons
- Assessing the pupils' progress
- Reporting on the pupils' progress

The Nursery will judge each appointment on a case-by-case basis to determine whether the role includes 'teaching work'.

### Prohibition from Management of Independent Schools Check ("section 128 direction")

The Nursery will check whether staff appointed to management positions are subject to a section 128 direction. The posts, which would fall under this definition are:

- Governors and Proprietors
- Head
- Senior Leadership Team staff (including non-teaching staff)
- Teaching positions with departmental headship

Since summer 2018, any staff member promoted internally to a position of management in these three categories must also be checked.

### EEA Teacher Prohibition Check and letters of professional standing

Prior to 1st January 2021, the Nursery undertook the EEA check in relation to anyone who had undertaken 'teaching work' in another EEA country, to determine whether any prohibition order had resulted from such employment. This check was undertaken by accessing a database via the DfE Employer Online service. However, following the end of the Brexit transition period, UK schools no longer have access to this database. The school now undertakes this check for prohibition orders by asking the applicant to provide a 'letter of professional standing' from the relevant teacher regulation body in the country or countries in which he or she has undertaken teaching work. The KCSIE January 2021 update does not restrict the guidance to obtaining a letter of professional standing to those who have worked in the EEA. Therefore the school applies this guidance in relation to any



appointments who have undertaken teaching work overseas. However, the school recognises that, in some countries, it may not be possible to obtain such a letter of professional standing. In such situations, a risk assessment will be undertaken and alternative methods of checking suitability will be considered. New appointments are guided to contact the [National Recognition Information Centre for the United Kingdom](#), for information on which regulatory or professional body to contact.

## Disqualification from Childcare

The Nursery must not knowingly employ someone to work in childcare or in the management of childcare who is disqualified from working in childcare and asks relevant members of staff to complete a Disqualification from Childcare Self-Declaration Form, both prior to the start of employment and annually on an affirmation form. This applies to those members of staff who work in or manage the School's EYFS provision (aged 5 and under) and those who care for pupils up to the age of eight either in before- or after-school provision.

Care is needed to ensure that staff are not asked to sign the declaration if they do not fall under the requirements of the legislation. It is usual to ask all classroom staff at primary level to sign the declaration because they are likely to be involved in duties or cover with responsibilities for children in these age groups. The requirement also includes any staff who supervise or work with EYFS children at lunchtimes and in after school clubs, instrumental music lessons, ballet, etc. However, the legislation does not, as a default, apply to healthcare staff, cleaners, maintenance and admin staff, unless their role also extends to supervising or working with children in EYFS or children up to the age of 8 in wraparound provision.

## Right to Work in the UK

This will usually be the candidate's UK passport. However, the Nursery will follow Government-issued guidance in cases where a candidate is unable to provide an UK passport. A holder of an Irish, Channel Islands or Isle of Man passport has a right to work in the UK arising from the Common Travel Area arrangements, which predate the formation of the EU. Therefore, such a passport can be accepted as evidence of right to work in the UK.

In October 2020, the Home Office introduced new requirements relating to Right to Work in the UK, arising due to the end of the Brexit transition period. The requirements necessitate additional measures for schools and nurseries in relation to any current or future employees of EU, EEA or Swiss nationality. For full details, please refer to Appendix 2.

## Overseas Check

If a candidate, whether of British or overseas nationality, has lived overseas, prior applying for a post at the Nursery, the Nursery must consider whether an overseas check is required. There is no regulatory stipulation of the time spent abroad nor how recent this must have been. However, NSPCC guidance of '3 months in the last 5 years' is accepted as a reliable benchmark by the DfE and the inspectorates. The Nursery follows this guidance. The intention is to obtain the closest equivalent to a DBS check as is available in each overseas country where the candidate has lived. This may be a Police Check, a Certificate of Good Conduct or an application to a national database, similar to the DBS. In some countries the candidate is responsible for obtaining the check and showing it to the future employer. In other countries, the responsibility for obtaining the check rests with the Nursery. Where the responsibility for obtaining the check lies with the applicant, in some countries it is impossible to obtain the check after having left the country. In such cases, the Nursery will seek to advise the future employee, for example at interview, to obtain the check prior to returning permanently to the UK.

In all cases, the Nursery's starting point is the [Home Office website](#). The website provides an alphabetical list of countries, together with details of what checks are available in that country and how to obtain them. The Nursery is aware that in some countries, the authorities may accept financial inducements to enable an applicant to cover up past misdemeanours, thus undermining the trust which can be placed in the country's checks. The Home Office





website is also a source of information on the trustworthiness of checks in overseas countries. Where the Home Office casts doubt on the faith which can be placed in a check, the Nursery follows DfE guidance in obtaining additional references from someone in the country in question to compensate for the reduced faith in the overseas check.

If a candidate applies for a post in education in the UK from an overseas country and a visa is required, the UK Visa agency (UKVI) now insists that an overseas check is obtained as part of the visa application process. The qualifying period of time to be checked, which UKVI considers as relevant, is the last 10 years as an adult. (Some schools adopt this period as a benchmark in preference to the NSPCC benchmark. Either is acceptable). Where a candidate has obtained a UKVI visa in order to work in the UK, the Nursery can be confident that the overseas check has been undertaken and does not need to repeat the process. However, the school must still see evidence of the overseas check.

The overseas check must be seen as an addition to, and not an alternative to the DBS check. The DBS check must always be undertaken, even if the applicant claims never to have previously visited the UK, since such a claim may be an attempt to conceal a conviction arising from a previous visit. Where the candidate has worked in a school in the UK since moving from overseas and has not returned for a period of work overseas, the ISI Commentary on the Regulations notes that the Nursery does not need to repeat the check. The Nursery may, nevertheless, ask for evidence of the check, or for confirmation from the previous employer that the check was undertaken.

## Medical Fitness Check

Prior to confirmation of an appointment, candidates will be required to make a medical self-declaration, as specified in safeguarding regulations, namely they know of no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the post in question. After the appointment has been confirmed, the successful candidate will be asked to complete a pre-employment Health Questionnaire to enable the Nursery to fulfil its obligations under the Equality Act 2010, in making reasonable adjustments, if necessary, to enable people to carry out their duties effectively.

## Qualifications Check

The qualifications check applies to all positions in which a qualification is noted as being required in the job specification. The school must check and retain copies of;

- Evidence of all qualifications required by the job specification
- Any qualifications declared by the applicant which are relevant to the post.

Therefore, the qualifications check does not just apply to teaching positions and may also encompass, for example;

- Secretarial or bookkeeping qualifications for admin staff
- Health and safety qualifications for a site manager or caretaker
- A driving licence check with the required categories for a minibus driver
- Qualifications which are required in order to meet ratio requirements in EYFS and Level 2 English and maths qualifications for those appointed to a Level 3 position.

All candidates will be asked to provide original proof of any qualifications they hold which are either required for, or relevant to, the position. If no original is to be found, the Nursery will ask the candidate to order replacement certificates or will request confirmation of the qualification in writing from the organisation or institution concerned. The confirmation will be kept on file.

**As a rule of principle, all required checks will be made in advance of appointment or as soon as practicable after appointment. No appointment can be confirmed until all required checks have been successfully**



completed. Until such a point, any offer of employment remains provisional, and conditional on the successful completion of the required checks. KCSIE makes provision for a new employee to begin work, under controlled conditions, before the return of the DBS certificate. If such a situation arises, the school follows the procedures as set out in this policy. Otherwise, KCSIE requires that all required checks, as listed in this policy, are successfully completed before work starts in regulated activity.

## Outcomes of the Application and Recruitment Process

Where the following apply, the School will report the facts to the Police, the Disclosure and Barring Service and/or the Teaching Regulation Agency (TRA), as relevant:

- The candidate is found to be on the Barred List, or the DBS Disclosure shows s/he has been disqualified from working with children by a Court or
- The candidate is found to have been prohibited from the teaching profession
- A candidate has provided false information in, or in support of, his or her application or
- There are serious concerns about a candidate's suitability to work with children

## Appointment and Safeguarding Procedures for Others

### Agency Supply Staff

The Nursery may engage professional supply agencies to provide staff to cover temporary staffing needs in, for example, teaching, teaching assistants, EYFS staff, catering and cleaning. The Nursery obtains written confirmation from the relevant supply agency that the required checks have been carried out (identity, enhanced DBS disclosure, right to work in the UK, barred list check, prohibitions (as relevant from teaching, from management and from teaching in another country), qualifications, overseas checks, references, declaration of medical fitness, employment history and, if applicable, disqualification from working in childcare. The Nursery will carry out an identity check on the supply staff on or before the first working day and keep a record of the number of the DBS disclosure. A record is maintained on file of the agency's confirmation that checks have been completed, together with the date that such confirmation was received. It is mandatory to record information on the checks on supply staff and the date of receipt of confirmation in the SCR (even if the person works for only one day). The Nursery may accept the confirmation of recruitment checks in the format provided by the supply agency if such confirmation is deemed to be sufficiently comprehensive. The use of a phrase such as "all the required checks" does not meet with requirements since each check undertaken needs to be named. If the Nursery has any doubt about the thoroughness of the supply agency's letter of confirmation, it will use the template letters provided at Appendix 6, intended for use in relation to third party employees. In accordance with the requirement that work cannot start in regulated activity until all the required checks have been confirmed, the Nursery will not allow agency staff to begin work in regulated activity until the letter of confirmation has been received.

According to the terminology of the regulations, "supply staff" refers to staff brought in from an agency to fill a temporary position, such appointments remaining as the employee of the agency. The Nursery may source temporary staff directly, such as a retired teacher who returns on an ad hoc basis and, colloquially, may call them "supply staff". However, in the terminology of the regulations, such staff are not supply staff, but rather they are employees, since they are paid directly by the school. Checks are undertaken on such staff according to the requirements for "staff".

On occasion, the Nursery may engage someone on a temporary basis from a supply agency and then subsequently offer him or her a permanent position as an employee. In such cases, this is considered as new employment, even though there may be continuity in working at the school. As the new employer, the school must undertake its own recruitment checks according to this policy and cannot carry over the checks confirmed by the supply agency.



## Visiting Professionals

Individuals such as psychologists and other public-sector staff will have been checked by their employing organisation (for example, LA, Primary Care Trust or Strategic Health Authority). The Nursery will, therefore, ask for confirmation from the employer that the required checks have been undertaken and require evidence of identity. There is no obligation to require sight of a DBS certificate, though this may be offered. The Nursery will require the visiting professional to provide proof of identity upon arrival. This can, but does not need to be the documents usually associated with a DBS application. The school can accept sight of an official identity badge from the employee's company. However, if the individual is self-employed, the same checks will apply as those for staff.

## Visiting Speakers

The Nursery checks visiting speakers in line with current requirements. For full details, please refer to the Visitors and Visiting Speakers policy.

## Volunteers (including pupils from other schools aged 16 or over undertaking work experience)

There are no set regulations for the vetting of volunteers, unless they are involved in regulated activity. The school decides first of all, therefore, whether the volunteer will be in regulated activity. In summary, the following constitute regulated activity;

- Engaging in personal care
- Engaging in activity which includes an overnight\* stay
- Being unsupervised and being present frequently or regularly
  - The definition of "frequent and regular" is as follows:
    - Once a week, or more often
    - On 4 or more days in a 30-day period

A volunteer who is always supervised does not fall under the heading of regulated activity unless he or she is undertaking personal care. When a volunteer is supervised, the supervision must be undertaken by someone who has DBS clearance, it must be regular and day-to-day, and must be reasonable in relation to the circumstances to protect the pupils. Further details can be found in Annex F of KCSIE.

An unsupervised volunteer, whose presence is frequent and regular, is in regulated activity and must be fully checked, including an enhanced DBS and a barred list check. A DBS check is not required for a volunteer who is not in regulated activity, but the Nursery is entitled to request one. However, the Nursery is not entitled to obtain a barred list check for someone who is not in regulated activity. Therefore, for a volunteer who is not in regulated activity, the school must request an enhanced DBS check without barred list information.

A one-off volunteer, for example for an event or a day-time\* school trip does not require vetting checks, but must not be allowed unsupervised access to children.

\* in relation to regulated activity, 'overnight' is defined as between the hours of 2am and 6am.

In all cases, the procedure for the appointment of a new volunteer includes;

- An informal interview
- An identity check
- Checking for any concerns within the Nursery community
- A risk assessment which includes consideration of the person's suitability, temperament and experience in relation to the role and the age and nature of the pupils involved. Such a risk assessment is completed in writing and retained on file. A template risk assessment for volunteers not in regulated activity can be found [here](#).



In some cases, depending on the nature of the role of the volunteer and the nature of the pupils, further procedures will be included in the recruitment of a new volunteer. These may include;

- Talking up references
- Checking qualifications
- Undertaking overseas checks
- Undertaking a prohibition from teaching check if the role includes teaching work
- Asking for a childcare disqualification declaration if the role falls under these regulations

The Nursery maintains a record of recruitment checks undertaken on volunteers on the SCR. Although this is not a regulatory requirement, the DfE advises strongly that this is done.

To aid the procedure for checking volunteers, a flowchart is provided at Appendix 5.

### School Governors

The Nursery will carry out the following checks on all new governors, in accordance with the requirements of the ISSRs and KCSIE:

- Enhanced DBS Certificate
- Identity Check
- Overseas Checks (where appropriate)
- Right to work in the UK
- Prohibition from management check ("section 128 direction")
- Childcare Disqualification Declaration (if directly involved in the oversight of the school's EYFS or Wraparound provision for pupils up to the age of 8)

A barred list check will not be requested as part of the Enhanced DBS check, unless the governor is in regulated activity at the school.

### Staff from Other Organisations (known as Third Party employees)

The Nursery ensures that any company which provides employees who will have access to areas where unsupervised contact with children is possible, provides written confirmation that it has undertaken the required recruitment checks on its employees. This requirement also applies to staff who may work with, and have opportunity for unsupervised contact with, children at the Nursery at another venue. Template letters to seek and receive such information can be found at Appendix 6. Copies of the written confirmation are retained, together with a note of the date on which such confirmation is received. The information, including the date of receipt is added to the school's SCR. Whilst it is not a regulatory requirement to use the SCR for this purpose, it is a requirement to keep a record of the information and the SCR is deemed to be the best location so that all recruitment information is stored in one place. In accordance with the requirement that work cannot start in regulated activity until all the required checks have been confirmed, the Nursery will not allow third party employees to begin work in regulated activity until the letter of confirmation has been received.

The vetting checks undertaken on staff who work centrally for Chatsworth Schools are recorded on an SCR which is maintained at the Chatsworth Support Office. The information is circulated to the schools and nurseries, to be added as a page in each Nursery's SCR.

The Nursery's safeguarding procedures require that, where services or activities are provided separately by another body, supervising the children either on or off school site, the Nursery seeks assurance that the body concerned has appropriate policies and procedures in place for safeguarding children and child protection and there are arrangements to liaise with the school on these matters where appropriate. The template letters at Appendix 6 make provision for this confirmation.

## Vetting Check Exemptions

In line with the ISI Regulatory Requirements, the School will not conduct vetting checks on the following:

- Visitors to the Head/other staff
- Those who have only brief contact with children in the presence of a teacher
- Pupils aged under 16 on work experience or similar
- Those on the school site only when pupils are not present
- Visitors carrying out repairs or servicing equipment, delivery staff and refuse collectors
- Pupils aged over 18 who are registered as pupils at the school

The School does not re-check staff returning from maternity leave, sabbaticals or similar, where continuity of employment is maintained, because they are still on the school staff roll. Such staff, and any who are on zero hours contracts have 'continuity of employment' if they have a contract of employment, even if this is one that does not provide them with certainty of hours.

## The Three-Month rule

It is a premise of DBS requirements that a custodial sentence of less than 3 months is unlikely to indicate a criminal offence leading to unsuitability to work with children. On this basis, any employee who has a gap in employment of three months or more must have a new DBS check. For the same reason, as a general rule, schools should not apply for a DBS certificate more than three months before work starts. However, this is permissible if there is a reason to do so, such as a new employee having a notice period of three months or more in his or her previous employment and needing confirmation of the new position before giving notice.

## Induction

All new staff will take part in an induction programme designed to help familiarise them with the School's policies and procedures, including safeguarding, safe practice and the standards of conduct and behaviour expected of staff and pupils in the school. The programme also includes attendance at safeguarding, risk assessment and online safety training as appropriate to the role. For further information, refer to the induction policy.

## The Single Central Register of Appointments

In accordance with current legislation, the Nursery keeps a Single Central Register of Appointments, indicating whether or not the following checks have been completed on all current members of staff at the school, the governors, and all individuals who work in regular contact with children including volunteers, supply staff, peripatetic staff, and those employed as third parties:

- Identity checks
- Qualification checks for any qualifications legally required for the position
- Enhanced Disclosure (or DBS Status Check)
- Barred List check (date of DBS check unless a separate earlier barred list check was undertaken)
- Right to work in the UK
- Overseas checks, where applicable
- Prohibition from Teaching Check (where appropriate)
- Prohibition from management check (where appropriate)
- EEA Prohibition check/letter of professional standing
- References





- Career/Employment History
- Medical Declaration
- Childcare Disqualification Declaration

A checklist, as found at Appendix 9 is completed with regard to the recruitment checks outlined in this policy. The completed checklist is stored in each member of staff's personnel file. For further information, please refer to the SCR policy.

## Recruitment Process Summary

### 1. Planning & Advertising

- Produce Job Description and Person Specification
- Produce Advert, including statement re Safeguarding, references and DBS
- Update all standard recruitment letters:
  - Applicants & Referees spreadsheet
  - Application Form
  - Application & Recruitment Process
  - Reference Request Form
  - Acknowledgement Letter
  - 'No' Letters
- Agree recruitment panel and interview questions

### 2. Response to Advert

- Keep details of all enquiries
- Send an application pack to each enquirer consisting of:
  - Job Description and Person Specification
  - Application Form
  - Chatsworth Schools Application and Recruitment Process Explanation
  - Safeguarding and Child Protection Policy Statement

### 3. Applications

Number each application in the order in which they arrive. Keep original in HR Office and give copies to each member of the recruitment panel.

### 4. References

When the recruitment panel has decided on a short list of candidates, proceed with requesting references, with the intention of receiving references prior to interviews. Seek two references and ensure that referees are suitable by ensuring, as far as is possible, that:

- One reference is from the current or most recent employer
- One reference is from the most recent case of working with children
- A period of roughly five years is covered

### 5. Interviews

The recruitment panel will consist of at least two people. For appointments to leadership positions, the Nursery will invite the Chatsworth Director of Operations to nominate a member of Chatsworth Support Office staff to join the panel. At least



one member of the recruitment panel will have undertaken training in safer recruitment within the last five years. A member of admin staff may be asked to take notes at the recruitment panel's short-listing meetings and the interviews.

Long-listed applicants may be invited to a brief, informal, initial interview to enable a more accurate short-listing process. Short-listed applicants will be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. Depending on the position, interviews will normally consist of skills-related questions and a Safer Recruitment interview. There will be a lesson observation for teaching positions and an equivalent activity or a skills test for non-teaching positions.

The Safer Recruitment interview will include determining the candidate's reasons for wanting to work with children. Written records of all interviews, observations and other activities and skills tests will be kept on the successful applicant's personnel file. If there are any gaps in the employment history, as set out in the application form, which have not been resolved prior to interview, these will be discussed during the Safer Recruitment interview. The candidate may be asked to resubmit the application form with the gaps explained. The candidate's responses in explaining any gaps will be recorded in the interview notes. Candidates should be asked if there is anything they wish to declare in light of the requirement for a DBS check. If references are not obtained prior to the interview, the candidate should also be asked at interview if there is anything, he/she wishes to declare or discuss in light of the questions that have been (or will be) put to their referees. It is a requirement of KCSIE that references are obtained and scrutinised before a person's appointment is confirmed and before he or she starts work.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional upon the satisfactory completion of the checks listed in the section, 'Appointment Procedures for Staff', above.

## 6. Recruitment Decision and Checks

The interviewer contacts the successful candidate directly to informally offer him or her the position. Informal acceptance of the position at this stage will result in the generation of a Letter of Appointment, to be produced in conjunction with, where relevant the new employee's future line manager or other appropriate member of staff. The Letter of Appointment will include details of;

- Start and end dates of the contract and hours of work
- Salary
- A summary of the induction process and any training or professional development required prior to starting work
- Review period
- A list of the checks that need to be completed before the first day at work
- If relevant, invitation to familiarisation and/or handover days prior to starting

Letters to unsuccessful candidates should be sent once the position has been formally accepted, including to those who have been on 'hold'.

## 7. Payroll

The Nursery ensures that the candidate has:

- Handed in a P45 or completed an HMRC New Starter Checklist
- Been advised of the Pension policy and procedure
- Completed any further Chatsworth Schools paperwork
- Completed the following:

- Letter of Acceptance
- Signed Contract
- Statutory Safeguarding Induction
- Confirmed reading and understanding the following:
  - Keeping Children Safe in Education, Part 1 and Annex A
  - Other documentation required in KCSIE to be covered at induction (see Induction Policy)
  - Any other policies and procedures relevant to the post to which he or she has been appointed.

## 8. Safeguarding and Child Protection Training

The Designated Safeguarding Lead (DSL) takes responsibility for the safeguarding and child protection training of newly appointed staff. He or she will, prior to the newly appointed person starting work;

- Establish when he or she most recently undertook formal safeguarding training and, as necessary, organise for such training to be done or refreshed
- Ensure that he or she completed the statutory safeguarding elements of induction, as required in KCSIE
- Include him or her in the Nursery's programme of at least annual safeguarding updates and ensure an understanding of the aspects of safeguarding procedures which particular to the school
- Brief him or her, as appropriate, regarding any children with whom he or she will be involved for whom there is a safeguarding concern, including details of any vulnerable children and any who are foster children, looked after or previously looked after children or who have a social worker.
- Ensure that he or she completes the Post-Training Document and Annual Affirmation to confirm reading and understanding Chatsworth Schools policies and related Government guidance.

### Interpretation

In this policy, the term "senior manager" means a School Head and their designated deputies.

This policy applies to all employees in all Schools (save for Schools with their own procedure which shall prevail) and other work environments within Chatsworth Schools

This policy applies within all companies, which are wholly owned subsidiaries of Chatsworth Schools Ltd, a company registered in England, registered number 11552579.

The registered office of all companies is Crimea Office, The Great Tew Estate, Great Tew, Chipping Norton, Oxfordshire, OX7 4AH. Any enquiries regarding the application of this policy should be addressed to the Director of Operations at the above address.

This policy does not form part of any employee's contract of employment and may be amended at any time.



**Appendix 1: DBS Risk Assessment Checklist**

This document enables the school to consider the three requirements related to judging whether a member of staff can start work prior to the DBS certificate having been seen by the school. The risk assessment should be completed to calculate whether to allow a new member of staff to start work before a new DBS certificate has been received and the level of supervision which is required in such circumstances.

Name of Person .....

Role .....

Interview Date .....

Proposed Start Date .....

DBS Check application date .....

[The person must not start without a DBS application having been submitted]

- Is the person in 'Regulated' Activity? Yes  No

**1. Starting work prior to DBS Certificate being seen**

Reason for proposing starting before seeing a new DBS Check

- Continuity of the school's provision to pupils
- Other (please state) .....

**Known Information**

All the following checks, as required for the post, must have been satisfactorily completed (tick or mark as n/a as appropriate).

- Identity check (photographic) [Essential]
- Verification of current address [Essential]
- Barred list check (if legally appropriate) [Essential]
- Prohibition checks:
  - Teacher Prohibition check (for those doing teaching work)
  - EEA check/letter of professional standing (those have done teaching work in another country)
  - Prohibition from Management (those appointed to management or governance)
- Overseas checks (where relevant)
- Right to Work in the UK [Essential]
- Confirmation of qualifications [Essential]
- Two references [Essential]
- Declaration of Medical Fitness [Essential]
- Employment/Career History [Essential]

Any other information (please state)

.....

.....

Previous DBS Certificate

If the person has a previous DBS, on what date was it issued? .....

When was the person's last day at work in their previous nursery, school or college? .....

If the person has a DBS certificate from the previous school or college and the proposed start date and the last day of employment at the previous school or college are less than three months apart, then a new Enhanced DBS check is not required in law, although it is considered as best practice. Therefore, providing there is sufficient other information, the person could be assessed to be of low risk.

Please complete the checklist for a new starter prior to the return of the DBS certificate (above), attach it to this document and keep the documents as evidence in the new person's personnel file.

Summary of factors leading to decision

.....

.....

.....

Decision (tick to indicate selected option)

High Risk –

Example: Person should not be allowed to start without a new Enhanced DBS, as there has been a break in service of more than three months (or they do not have an Enhanced DBS certificate) and/or there is insufficient information about the person in the 'Known Information' list above. A candidate whose work involves mainly one-to-one tuition may also be considered as high risk.

Medium Risk – option (a)

Medium Risk – option (b)

Example: Person may start work and, although there is sufficient other information listed above, because there is a gap in service of three months or more (or they do not have an Enhanced DBS certificate), the person must be (a) supervised at all times and should not undertake 1:1 work, personal care activities or residential visits. The unchecked person must always be 'within sight and hearing' of a supervising person with an Enhanced DBS check; or (b) mostly supervised and should not undertake 1:1 work, personal care activities or residential visits. The unchecked person must mostly be 'within sight and hearing' of a supervising person with an Enhanced DBS check, but may from time to time, for example teach a group of children in an adjacent room or break-out space.

Low Risk –

Example: Person may start work, without additional supervision, already holding an Enhanced DBS check and there is no break in service of three months or more and all other checks have been satisfactorily completed.

**2. Supervision Agreement and Authorisation**

Signatures:

Supervising Person(s) .....Date.....

Person Under Supervision .....Date.....

Head ..... Date.....

Safeguarding Governor .....Date.....

**3. Review of the Supervision Arrangement**

It is a requirement that these arrangements are reviewed by the head with a frequency of not less than every two weeks. This table should be completed to annotate each review

Date of review	Notes on Review meeting	Head's initials

## Appendix 2: Employing EU, EEA and Swiss citizens in the UK

In October 2020, the Home Office introduced new requirements related to the UK's new immigration system. These requirements must be considered when appointing citizens from the EU, EEA and Switzerland, and also when checking the right to work in the UK of citizens from these countries who were already living in the UK before 1st January 2021, including citizens of these countries who were already employed by the Nursery.

### Section 1 – Checking an EU, EEA or Swiss citizens' right to work in the UK until 30th June 2021

The means of checking these citizens' Right to Work in the UK, as part of the recruitment process, remains unchanged until 30th June 2021. Such applicants can still use their passport or identity card.

Employers can also [check the applicant's right to work online](#), if he or she has used the [online right to work checking service](#) and given the employer a share code.

Employers have a duty not to discriminate against EU, EEA or Swiss citizens and so cannot require them to show their status under the EU Settlement Scheme (see below) until after 30 June 2021.

### Section 2 - Checking an EU, EEA or Swiss citizens' right to work in the UK after 30th June 2021

New rules for recruiting people from outside the UK apply from 30<sup>th</sup> June 2021. Anyone seeking to come to the UK for work from these countries, except Irish, Channel Islands and Isle of Man\* citizens, after 1<sup>st</sup> January 2021 will need to seek permission first. They will need to apply to work in the UK via the 'Skilled Worker' or another permissible worker route.

From 1 January 2021, prospective employees recruited from outside the UK through the Skilled Worker route will need to demonstrate that:

- they have a job offer from a Home Office licensed sponsor
- they speak English at the required level
- the job offer is at the required skill level of RQF3\*\* or above
- they'll be paid at least £25,600 or the 'going rate' for the job offer, whichever is higher.

If the job will pay less than this - but no less than £20,480 – the applicant may still be able to apply by 'trading' points on specific characteristics against their salary. For example, if they have a job offer in a [shortage occupation](#) or have a PhD relevant to the job. There are different salary rules for workers in some health or education jobs, and for "new entrants" at the start of their careers. Further information on which occupations are at the required skill level and the salaries for these occupations can be found in Annex E of the [UK points-based immigration system: further details statement](#). There will not be a general route for employers to recruit from outside the UK for jobs offering a salary below £20,480 or jobs at a skill level below RQF3.

There will not be a requirement to make retrospective checks for existing employees.

Employers need a sponsor licence in order to employ EU, EEA and Swiss citizens coming to the UK for work after 1<sup>st</sup> January 2021. Employers who are already a licenced Tier 2 (General) visa sponsor will be automatically granted a new skilled worker licence. Employers who may want to hold a sponsor licence from 1<sup>st</sup> January 2021 should apply now. Further information on the application process can be found here: <https://www.gov.uk/apply-sponsor-licence>.

\*The right of Irish, Channel Islands and Isle of Man citizens to work in the UK arises from the Common Travel Area arrangements, which predate the formation of the EU. Under the CTA, these citizens and British citizens



can move freely and reside in each jurisdiction and enjoy associated rights and privileges, including the right to work and study. Therefore, the method by which such citizens need to prove their right to work in the UK remains unchanged. Further information can be found here:

<https://www.gov.uk/government/publications/common-travel-area-guidance>

\*\*Regulated Qualifications Framework, in which, for example, Level 2 is equivalent to GCSE, Level 3 to A Level and Level 6 to a Bachelor's Degree.

### Section 3 – Requirements regarding EU, EEA and Swiss citizens already employed before 1st January 2021

The new arrangements noted in Section 2 do not apply to EU, EEA and Swiss citizens whom an employer already employs. These employees and their family members must apply to the EU settlement scheme if they wish to continue working in the UK after 30<sup>th</sup> June 2021. They have until this date to do so.

Employers of citizens from these countries are encouraged to share information with them about the EU Settlement Scheme and how to apply. The employer toolkit, which provides employers with the materials and information to support their employees in applying to stay in the UK can be found here: <https://www.gov.uk/government/collections/eu-settlement-scheme-employer-toolkit>. This includes a template letter, provided by the Home Office, to employees who are EU, EEA and Swiss nationals. The application process is now open. Further details for employees from these countries can be found here: <https://www.gov.uk/settled-status-eu-citizens-families>.

Employers have a duty not to discriminate against EU, EEA or Swiss citizens and so cannot require them to show their status under the EU Settlement Scheme until after 30 June 2021.

### Conclusion – Action for Schools and Nurseries

- Consider whether you need a sponsor licence in order to employ citizens from the EU, EEA or Switzerland and take appropriate action.
- If you plan to appoint any citizens from the EU, EEA or Switzerland from now on, follow the requirements noted in Sections 1 and 2 above.
- If you already employ any citizens from the EU, EEA or Switzerland and envisage that they will continue in employment after 30<sup>th</sup> June 2021, advise them of the new requirements, encourage them to apply to the EU Settlement Scheme and support them in the application process.
- In each case, track and date each stage of the required process in the employee's personnel file, with a summary in the 'Notes' column of your Single Central Register.

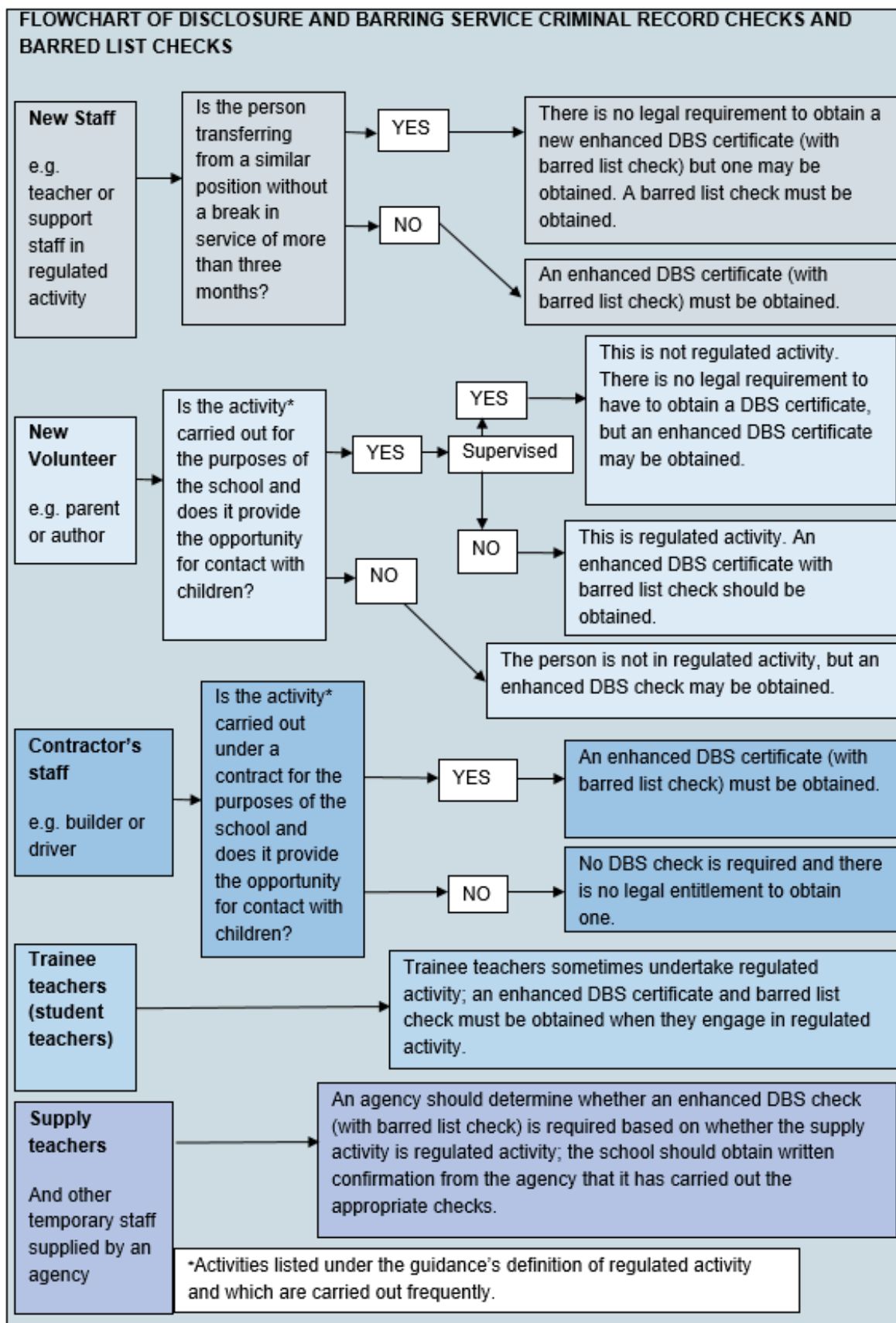
### Appendix 3: DBS Update Service – additional information

The DBS Update Service is a facility which enables holders of DBS certificates who have subscribed to the service to permit schools to undertake an immediate DBS check at no cost. The service is only available in relation to DBS Certificates which have been issued since 17 June 2013. A subscriber must apply to register with the Update Service either when applying for a DBS certificate or within a few days of receipt. The service cannot be accessed and added to a DBS certificate at a later date. Employers must have the DBS certificate holder's consent to use the Update Service; the Nursery will ask the candidate to sign a statement to give Chatsworth Schools permission to access his or her record on the DBS Update Service.

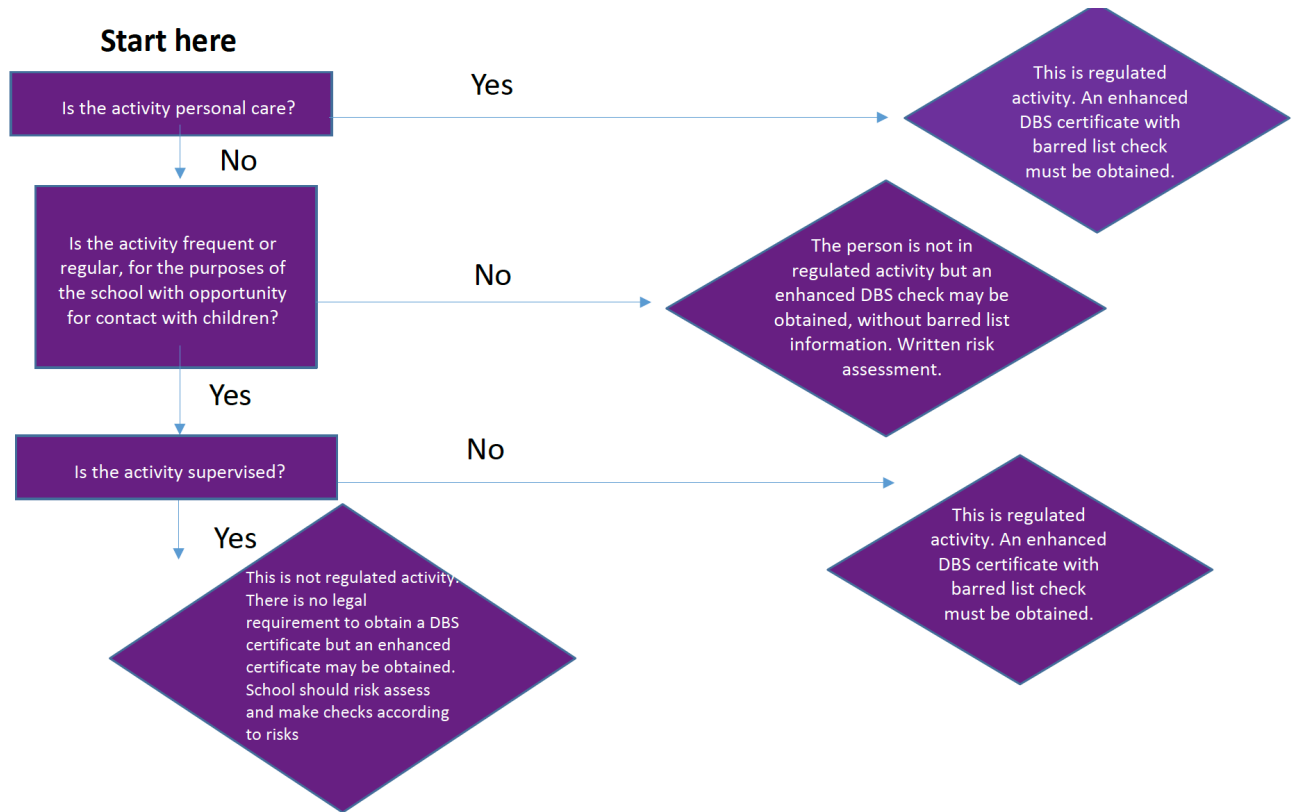
The DBS Update Service is most useful for people who work in several schools or nurseries, such as peripatetic music teachers, sports coaches and after-school activity providers. It avoids the need to obtain a new DBS each time such a person accepts work at a new school. The DBS Update Service is useful for the Nursery because it provides an instant response and represents an economy in costs. It is as robust as a new DBS certificate because it draws on a fresh reference to the DBS database, whereas the acceptance of a DBS certificate obtained by a previous employer, whilst permissible, can relate only the situation at the time the certificate was obtained.

Candidates who have registered with the DBS Update Service must produce the original of their DBS Certificate, along with the required proofs of identity. On undertaking the check, using the reference numbers provided by the candidate, the Nursery receives notification as to whether there have been any changes to the DBS record since the certificate was issued. This notification must then be considered alongside the information contained on the candidate's original certificate. If the Update Service check results in a notification that there has been a change in the candidate's record, the Nursery must proceed with a full new DBS check. If the response is that there has been no change and there are no concerns arising from the original certificate, the Nursery can consider the DBS check to be complete and can continue the appointment process.

Appendix 4: DBS and Barred List Flowchart



Appendix 5: Flowchart for the checking of volunteers



## Appendix 6: Template letters for seeking and receiving confirmation of recruitment checks in relation to Third Party employees

The Nursery personalises these letters with its own details and those of the company to whom the request is being made. The first letter is a letter to the employer requesting the required information and the second letter is completed by the employer and returned to the Nursery.

Chatsworth Preparatory School  
Education Lane  
Teachington  
SE18 NQT  
{Date}

Dear xxx

In order to comply with safer recruitment regulations, we are required to receive confirmation from all businesses whose employees work at **Chatsworth Preparatory School** or with children from the school, that they were appointed in accordance with correct safer recruitment procedures. I should be grateful, therefore, if you would complete the letter below, sign it and return it to me for our records.

We are required to ensure that no adults who work with our children are disqualified from working with children under the terms of the Childcare (Disqualification) Regulations 2009. I should be grateful if you could also confirm in the letter below. **(This paragraph is to be removed for schools where there is no EYFS, nor wraparound provision up to the age of 8).**

I also need to receive your confirmation that you will inform **the headteacher** of any declared convictions arising from CRB/DBS checks on your employees who may be due to work at the **Nursery**. The **headteacher** will then need to decide whether it is appropriate for them to work with us. The letter below also covers this requirement.

Finally, in accordance with the **Nursery's** safeguarding procedures, please confirm, if you provide services or activities which involve working with the children either on or off the **Nursery** site, that your company has appropriate policies and procedures in place for safeguarding children and child protection. In this respect, if your staff have any safeguarding or child protection concerns, we ask you or them to liaise with our Designated Safeguarding Lead, **NAME**.

Many thanks in anticipation of your help.

Yours sincerely

xxx

Head's Secretary

Name of business  
Business address  
Date

Mrs xxx  
Chatsworth Preparatory School  
Education Lane  
Teachington  
SE18 NQT

Dear Mrs xxx

Following the request in your letter of "date", I am writing to confirm that all employees of "xx Company" who work at Chatsworth Preparatory School, or with children who attend the Nursery, were appointed in accordance with safer recruitment procedures and that the required checks were successfully undertaken, namely\*

- identity
- employment history
- references
- qualifications
- overseas checks (where required)
- prohibition from teaching check (if undertaking teaching work)
- EEA prohibition from teaching check, prior to 1/1/21 or letter of professional standing since 1/1/21 (if undertaking teaching work, having previously taught in another country)
- prohibition from management check (if applicable)
- right to work in the UK
- declaration of medical fitness
- enhanced DBS (or CRB) clearance
- children's barred list.

\* Please tick the boxes to confirm that the check has been undertaken, or mark as n/a if the check is not required for this position.

I also confirm that, in accordance with the Childcare (Disqualification) Regulations 2009, none of our employees to whom these regulations apply, who work with Chatsworth Preparatory School children, are disqualified from working with children under the terms of the regulations. (This paragraph is to be removed for schools where there is no EYFS, nor wraparound provision up to the age of 8).

The following is a list of employees who work or are likely to work with children at Chatsworth Preparatory School, together with their DBS or CRB number:

<u>Name</u>	<u>CRB/DBS Number</u>
Name	eg 1/2345678

I confirm, if I provide services or activities which involve working with the children, either on or off the Nursery site, that the company has appropriate policies and procedures in place for safeguarding children and child protection.

I understand that should I need to ask a different employee to work at Chatsworth Preparatory School, who has not worked at the Nursery before, I will use only an employee for whom the above checks have also been



completed and also that I will notify the **Nursery** in advance of any change. I will advise the employee that he/she will need to provide evidence of identity (including photographic identification) on first arrival at the **Nursery**.

I also understand that I must inform the **headteacher** at **Chatsworth Preparatory School** should any CRB or DBS check on an employee who is due to work at the school result in a criminal offence being declared. The **headteacher** will then decide whether it is appropriate for that person to work at the school.

Yours sincerely

For and on behalf of **xx Company**

## Appendix 7: Policy on the secure storage, handling, use, retention and disposal of Disclosure and Barring Service (DBS) certificates and certificate information

### 1.1 General Principles

As an organisation using the Disclosure and Barring Service checking service to help assess the suitability of applicants for positions of trust, the Nursery complies fully with the [DBS code of practice](#) regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. It also complies fully with its obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

### 1.2 Storage and access

Certificate information is kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### 1.3 Handling

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it. It should be noted that inspection bodies may be legally entitled to retain the certificate for the purposes of inspection. Standard practice is that the Nursery does not retain DBS certificates or copies for more than six months (the retention period). If any requirement should arise to retain certificates in order to demonstrate 'safer recruitment' practice for the purpose of safeguarding audits, there may be a legal entitlement to retain the certificate. However, such practice must be compliant with the Data Protection Act, Human Rights Act and General Data Protection Regulation (GDPR).

### 1.4 Usage

Certificate information is used only for the specific purpose for which it was requested and for which the applicant's full consent has been given.

### 1.5 Retention

Once a recruitment (or other relevant) decision has been made, other than recording the information noted in the second paragraph of 1.6, below, the Nursery does not keep certificate information for any longer than is necessary. This retention will allow for the consideration and resolution of any disputes or complaints, or be for the purpose of completing safeguarding audits. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

### 1.6 Disposal

Once the retention period has elapsed, the Nursery will ensure that any DBS certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). The Nursery will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate beyond the 6-month period noted above. However, notwithstanding the above, the Nursery will keep a record of the date it had sight of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

### 1.7 DBS logo

The DBS logo is protected by crown copyright, the copying and use of the DBS logo is not permitted without prior approval of the DBS.

## Appendix 8: DBS Disclosure and Recruitment Policy

Chatsworth Schools is committed to safeguarding and promoting the welfare of children and young people within its School and expects all staff and volunteers to share this commitment.

The Recruitment Policy and Procedures are based on and conform to statutory and non-statutory guidance contained in the most recent editions of 'Keeping Children Safe in Education', 'Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings', the 'EYFS Statutory Requirements' and the 'ISI Commentary on the Regulations'. This policy also has due regard for Prevent Duty Guidance: advice for schools and childcare providers (as updated in April 2019) and The Use of Social Media for On-line Radicalisation (July 2015)).

- Chatsworth Schools is committed to the fair treatment of its staff, potential staff or users of its services, regardless of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation, or offending background.
- Chatsworth Schools actively promotes equality of opportunity for all with the right mix of talent, skills, and potential, and welcomes applications from a wide range of candidates.
- Candidates will be selected for interview based on their skills, qualifications and experience, as assessed from the information provided by the applicant when completing the application form.
- As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for employment, Chatsworth Schools complies fully with the [DBS Code of Practice](#). It undertakes to treat all applicants for positions fairly and will not discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
- Chatsworth Schools is required to obtain a Disclosure for all appointments, except those noted in the 'Vetting Check Exemptions' section of this policy, above. All application forms and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- Chatsworth Schools is required to ask questions about the applicant's entire criminal record, including "spent" convictions as defined in the Rehabilitation of Offenders Act 1974 when recruiting to any position within an educational establishment.
- Chatsworth Schools ensures that all those who are involved in the recruitment of staff and volunteers have been suitably trained to identify and assess the relevance and circumstances of offences. Chatsworth Schools also ensures that they have received appropriate guidance and training in the relevant legislation and statutory guidance relating to the employment of ex-offenders.
- At interview, or in a separate discussion, Chatsworth Schools ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- All applicants will be made aware of the existence of the DBS Code of Practice and a copy made available on request.
- The DBS disclosure process will be completed before an appointee starts work and not usually earlier than three months before. There is provision for a DBS certificate to be sought earlier than three months before the intended start date, should circumstances require this. For further information, see the "The Three-month Rule" section of this policy, above. Although not a legal requirement, Chatsworth Schools completes new DBS checks every three years.
- Chatsworth Schools undertakes to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- Having a criminal record will not necessarily bar an applicant from working with Chatsworth Schools. This will depend on the nature of the position and the circumstances and background of the applicant's offences. The decision will be made by the Head of Nurseries unless the applicant is for a post on the SLT in which case the decision will be made by the Director of Early Years
- If the applicant is turned down for a position because of his or her criminal record, an appeal can be made to the Director of Operations. This will be conducted using a procedure based on the Complaints Policy.

\*The Nursery uses the ISSR definition of 'staff' as set out by ISI and Ofsted's and found under the heading 'staff' near the start of this policy.

## Appendix 9: Recruitment and Selection Checklist

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

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

Name of applicant:		
Pre-interview:	Initials	Date
<b>Planning</b> - Timetable decided: job description, person specification and other documents to be provided to applicants, reviewed and updated as necessary. Application form seeks all relevant information and includes relevant statements about references, safeguarding etc.		
<b>Vacancy advertised</b> (where appropriate) Advertisement includes reference to safeguarding policy; that is, statement of commitment to safeguarding and promoting welfare of children and need for successful applicant to be DBS checked.		
<b>*Applications on receipt</b> - Scrutinised - any discrepancies/anomalies/gaps in employment noted to explore if candidate considered for short-listing.		
<b>Short-list prepared</b>		
<b>References (professional and character) – seeking</b> Sought directly from referee on short-listed candidates; References should always be obtained from the current employer; if there is no current employer, verification of the most recent period of employment and reasons for leaving should be obtained. For posts involving working with children, if the applicant is not working with children in the current post, a reference will be sought from a previous employment involving working with children, where possible. References should be from a senior person with 'appropriate authority'. Information provided directly by the candidate should be verified. The Nursery should verify that electronic references originate from a legitimate source. The request for a reference should ask the recommended specific questions, including on suitability and include statement about liability for accuracy.		
<b>*References - on receipt</b> - Checked against information on application; scrutinised; any discrepancy/issue of concern noted to take up with referee and/or applicant (at interview if possible).	1.	1.
	2.	2.
<b>Invitation to interview</b> - Includes all relevant information and instructions		
<b>Interview arrangements</b> - At least two interviewers; panel members have authority to appoint; have met and agreed issues and questions/assessment criteria/standards At least one person involved in the interviews holds a current safer recruitment qualification.		
<b>Face-to-Face Interview</b> - Explores applicants' suitability for work with children as well as for the post. Checks any gaps in employment history as yet still unexplained.		
<b>Note:</b> identity, right to work in the UK and qualifications of successful applicant verified on day of interview by scrutiny of appropriate original documents; copies of documents taken and placed on file; where appropriate applicant completed application for DBS disclosure.		
<b>*Conditional offer of appointment:</b> Offer of appointment is made, conditional on satisfactory completion of the following pre-appointment checks and, if relevant, a probationary period.		
<b>*Identity</b> (if that could not be verified at interview)		
<b>*Qualifications</b> (if not verified on the day of interview)		

* <b>Right to work in UK</b> Obtain a copy of the applicant's passport (or birth/adoption certificate if the applicant does not have a passport) and add to personnel file.		
<b>DBS certificate</b> - where appropriate, satisfactory DBS certificate – original seen.		
* <b>DBS Barred list</b> - person is not prohibited from taking up the post. See guidance notes relating to circumstances when this check needs to be obtained separately from the DBS check. <b>Note:</b> The Nursery is entitled to undertake a barred list check only if the appointed person will be engaged in regulated activity.		
* <b>Overseas Check</b> - see policy section and Home Office website for more information.		
* <b>Health</b> - the candidate self declares as physically and mentally fit for the post, as described in the specification. Candidates to make this declaration on the job application form.		
* <b>Prohibition from teaching work</b> - the candidate has not been included in the prohibition list or interim prohibition list.		
* <b>EEA Prohibition Check/letter of professional standing</b> - for teaching work where the applicant has undertaken teaching work in another country. <b>Prior to 1/1/21</b> – checked against the EEA prohibition list on the Secure Access website. <b>Since 1/1/21</b> – applying this check worldwide, obtain from the applicant a letter of professional standing from the relevant overseas teacher regulation body.		
* <b>Prohibition from Management Check</b> - (applicable for Headteacher, SLT and teaching heads of department roles and those involved in Nursery governance) Since May 2018 this is also required for internal promotions to management.		
<b>Childcare Disqualification Self-declaration</b> – confirming that the applicant is not disqualified from working in childcare.		
* <b>Qualified Teacher Status (QTS)</b> - (statutory requirement only for teaching posts in maintained education) the teacher has obtained QTS; the teacher has obtained a Post Graduate Certificate of Education (PGCE), Bachelor of Education (B Ed) or Certificate of Education (Cert. Ed) awarded by a higher education institution.		
* <b>Statutory NQT induction</b> (for teachers who obtained QTS after 7 May 1999)		
* <b>Nursery Induction</b> (refer to the Induction Policy and annotate here when the induction checklist is complete) To cover all induction requirements stipulated by ISSRs, EYFS and KCSIE, including Safeguarding training, Health and Safety, first aid and fire procedures, Safe Working Practice, staff code of conduct, whistleblowing, the role of the DSL, evacuation routines and the reading and understanding of required policies etc.		
<b>FINAL CONFIRMATIONS</b>		
I confirm that all the required appointment checks have been completed and have been entered in the single central register.		
Signed _____ Head		
I confirm that the initial, statutory stage of induction (prior to starting work) has been completed and this member of staff has signed to confirm that he/she has read and understands all the policies, as required at induction.		
Signed _____ Head		
No person may start work or volunteering with the Nursery until the Head has signed this form to confirm that all the required recruitment checks and procedures have been successfully completed.		



