



Stormont School

18a RECRUITMENT, SELECTION AND DISCLOSURES POLICY

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Next review

Published by Head & Bursar

**The policy will be published on the website for current and prospective parents,
governors, volunteers and staff.
Hard copies are available from the School Office.**

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Recruitment documents listed below are available from the Bursar on request. Items marked ‘*’ will always be sent in response to expressions of interest in vacancies advertised.

- App A – Information for candidates
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BACKGROUND

It is the policy of Stormont School to attract and select the best available candidates. In so doing, the School is committed to applying its equal opportunities policy at all stages of recruitment and selection. Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, experience and skills will be assessed at the level that is relevant to the job. In accordance with the Equality Act 2010, the following protected characteristics are recognised and respected: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

The School encourages the career and personal development of all its employees and therefore equal consideration will be given to internal applicants where they meet the specified criteria.

OBJECTIVES

The objective of this policy is to ensure that the School hires applicants and promotes employees in a fair and consistent manner free from discrimination.

Stormont School is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment.

The School seeks to minimise the risk of appointing someone unsuitable through thorough recruitment procedures and pre-employment vetting, in accordance with the following:

1. DfE Statutory Guidance 'Keeping Children Safe in Education' 2021:
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
2. In the Education (Independent Schools Standards) (England) Regulations 2014, revised 2015, referenced in:
3. ISI Handbook for the Inspection of Schools – the Regulatory Requirements September 2021

1. General

Stormont School ("the School") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the School's Application Form and recruitment process must be directed to the Head / Bursar.

An entry will be made on the Single Central Register for all current members of staff at the School, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

All checks will be made in advance of an appointment being confirmed.

2. Scope of this Policy

The Recruitment, Selection and Disclosures 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.

This policy also includes procedures for all those who are not employed by the school, but who may still need checks as part of having regard to KCSIE as they may be in regulated activity at some point. The school will make a risk-based decision in each case and this will be recorded as a note on the SCR (Single Central Register).

This would include individuals in the categories listed below:

- Visiting professionals
- Visiting speakers
- Volunteers
- Contractors and employees of third parties
- Employees of contractors
- Self-employed contractors
- Occasional contractors

In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. The School conducts 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 evidence of the Disclosure and Barring Service (DBS) check for such staff.

The School will also check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every 3 years, right to work in the UK, barred list/list 99, prohibition, qualifications, and overseas checks plus in line with KCSIE two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and the School carries out its own identity check and has a copy of the disclosure.

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.

Any individual who TUPE transfers into the School's staff will be required to meet the statutory requirements with regard to safer recruitment checks.

If individuals are transferred under TUPE (gap of three months or less and information complete) information will be sought from the previous employer and a note made on the Single Central Register that details have been accepted under TUPE.

Policy Framework – Principles

- The recruitment process must not commence until authorisation has been received from the Senior Leadership Team.
- External advertising must be approved and adhere to Stormont standards.
- Any candidate with a disability will not be excluded unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role, having taken into account reasonable adjustments. Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of his/her disability.

- The interview process must be undertaken by an experienced interviewer being fully aware of the content of the School's Equal Opportunities policy.
- All paperwork relating to recruitment must be processed swiftly and filed appropriately in accordance with the School's data protection policy.

Policy Framework - Procedure

The following procedure must be followed when recruiting.

3. Planning and Advertising

Planning is vital to successful recruitment. It is important to be clear about what mix of qualities, qualifications and experience a successful candidate will need to demonstrate, and whether there are any particular matters that need to be mentioned in the advertisement for the post in order to prevent unwanted applications. It is essential to plan the recruitment exercise itself, identifying who should be involved, assigning responsibilities and setting aside sufficient time for the work needed at each stage to be completed so that safeguards are not skimmed or overlooked. For example, it is important to organise the selection process to allow references to be obtained on shortlisted candidates before interview.

The person specification will need careful thought and drafting. It is also good practice to make sure at the outset that all the other material, e.g. the application form, job description and information or guidance for applicants that will form part of the pack to be sent to prospective applicants is up to date and clearly sets out the extent of the relationships and contact with children and the degree of responsibility for children that the person will have in the position to be filled. All work in an educational establishment or similar setting involves some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.

The time and effort spent in this stage of the process should help minimise the risk of making an unsuitable appointment.

Internal Recruitment

All vacancies will be highlighted through communication from the SLT.

Internal candidates who meet the requirements listed in the job description and person specification will be shortlisted and considered for interview.

A record must be made of the interview content and the rationale behind the decision to appoint/not appoint. This must be passed to the Bursar and will be retained on the employee's file.

Where a suitable internal candidate is appointed, the transfer of role date will be agreed. A member of the Senior Leadership Team is responsible for informing unsuccessful internal candidates and, if requested, providing them with feedback.

External Recruitment

Where a need is identified to recruit externally, the appropriate member/s of the Senior Leadership Team will write and agree the proposed advertisement and select the most appropriate form of media (website/agency/publication, etc.) The wording will be non-discriminatory.

All application forms will be forwarded to the Bursar who will be responsible for coordinating the candidate assessment log which will be completed by those involved in the interview

process. The Bursar will be responsible for informing candidates who are stood down and calling forward shortlisted candidates for interview. The short-listing process will be fair to all applicants and in line with the School's Equal Opportunities Policy.

Those candidates who have been unsuccessful at this stage of the selection procedure will be notified in writing by the Bursar.

4. Application Form

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted for employees in substitution for completed Application Forms.

The School will make candidates aware that all posts in the School involve responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be opened by the Head/Bursar after shortlisting and prior to interview for any candidates going forward. For any candidates unsuccessful after this stage, the disclosure will be destroyed by the Head/Bursar unless it contains information that should be disclosed to another authority e.g. DBS. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence the Head/Bursar for advice.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions 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.

The successful applicant will be required to complete an enhanced DBS check application form for the position. Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare.

The Disqualification under the Childcare Act 2006 (June 2016) 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.

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the School immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive, as well as disqualification by association.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made the offer will be subject to a Prevent duty risk assessment [more guidance for schools from the DfE on this can be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf].

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.

Stormont School is committed to safeguarding and promoting the welfare of children and, applicants must be willing to undergo child protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service.

5. Selection Criteria

A job description and person specification will be drafted for each role and approved by the Headteacher/Bursar as appropriate detailing the skills, experience, qualifications, competencies required and ensuring only characteristics essential to the performance of the job are specified. This information will then be used to produce a shortlist of candidates and areas of questioning at interview.

6. Invitation to Interview

The School will short list applicants according to the relevance and applicability of their experience, professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. General suitability checks from publicly available social media sources will be undertaken on all candidates invited to interview wherever possible.

7. Interviews

All formal interviews will have a panel of at least two members of staff of which one will be the Headteacher, Bursar or another designated senior member of staff who will chair the panel. At least one person on the appointment panel will have undertaken safer recruitment training. (As a measure of good practice, the school will ensure that this training is renewed every five years) The Chair of Governors should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the

panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children.

The members of the panel will:

- have the necessary authority to make decisions about appointment;
- be appropriately trained;
- communicate before the interviews to:
 - reach a consensus about the required standard for the job to which they are appointing;
 - consider the issues to be explored with each candidate and who on the panel will ask about each of those;
 - agree their assessment criteria in accordance with the person specification.

The panel will agree a set of questions they will ask all candidates relating to the requirements of the posts, and the issues they will explore with each candidate based on the information provided in the candidate's application and references (if available). A candidate's response to a question about an issue will determine whether and how that is followed up. Where possible, hypothetical questions will be avoided as they allow theoretical answers. Competence based questions are preferred that ask a candidate how s/he has responded to, or dealt with, an actual situation, or questions that test a candidate's attitudes and understanding of issues.

All interviews will be conducted in person and the areas they will explore will include suitability to work with children. This may be covered during a separate Personal Effectiveness interview, with the Head or the Bursar. When this is not possible, it will be covered by the inclusion of safeguarding questions in the formal interview with the Head and at least one other member of staff.

For teaching appointments, the School will use pre-agreed interview questions and must record a satisfactory explanation for any gaps in the candidate's service history. Teaching candidates will be observed teaching as part of the interview process.

Candidates for teaching appointments will be expected to plan and deliver a lesson as part of the interview process (for observation, feedback and views from the Staff and children.)

Candidates for support roles will be given relevant practical tasks to perform as part of the interview process.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc.). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The School requests that all candidates invited to interview also bring with them:

1. A current driving licence including a photograph or a passport or a full birth certificate with proof of NI number;
2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.

Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

8. Scope of the Interview

In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel should also explore:

- the candidate's attitude toward children;
- his or her ability to support the School's agenda for safeguarding and promoting the welfare of children;
- gaps in the candidate's employment history;
- concerns or discrepancies arising from the information provided by the candidate and/or a reference; and
- the panel should also ask the candidate if they wish to declare anything in light of the requirement for a DBS Disclosure.

If, for whatever reason, references are not obtained before the interview, the candidate will also be asked at interview if there is anything s/he wishes to declare or discuss in light of the questions that have been (or will be) put to his/her referees. It is vital that the references are obtained and scrutinised before a person's appointment is confirmed and before s/he starts work.

9. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed in a teaching role, a check that that the candidate is not subject to a prohibition order issued by the Secretary of State Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
 - Planning and preparing lessons and courses for pupils
 - Delivering and preparing lessons to pupils
 - Assessing the development, progress and attainment of pupils
 - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
7. Where the successful candidate 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;
8. Satisfactory medical fitness;
9. Confirmation from the candidate that s/he is not disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (June 2016);
10. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Leadership Team and teaching heads of department. Internal promotions will also be subject to this check.

11. For a candidate that has lived or worked outside the UK, an EEA check using the TRA system for information about any teacher sanction or restriction.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Recruitment Privacy Notice and Data Protection Policy. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, and layout of the School.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

10. References / Qualifications

The School will seek references for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before 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.

The School will ask all referees if the candidate is suitable to work with children.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

11. Criminal Records Policy

The School will refer to the Department for Education (“DfE”) document, ‘Keeping Children Safe in Education’ and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:

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

No member of staff, volunteer, governor, contractor or visitor on the School premises is to be left unsupervised with children until an Enhanced DBS check has been obtained and the original document has been sighted.

All pre-employment checks must have been completed before a candidate can start work. If the DBS check has been applied for (and all other checks are in place) but the DBS certificate has not yet arrived, a risk assessment will be written that states what supervision is in place, and this will be reviewed every two weeks until the DBS certificate arrives. If any references are outstanding, the appointment will not be confirmed and the candidate will not be able to start work until all references have been received and checked.

For agency and supply staff, and daily contract staff (caterers, cleaners) the school will check ID and will require sight of a copy of the original DBS certificate. For other contractors working on site during term time when children are present, proof of an enhanced DBS is required, otherwise they will be chaperoned throughout.

Due to the small size of the School, it is highly likely that any member of staff will find themselves unsupervised with a child from time to time, even if their Job Description does not specify a role which is classified as a “Regulated Activity”. Therefore, an Enhanced DBS check with Barred List information is requested for all staff at the time of appointment.

There are limited circumstances where the school will accept a check from another educational institution which are as follows:

This is where the new member of staff (“M”) has worked in: –

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons, during a period which ended not more than three months before M’s appointment.

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

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

If Disclosure is Delayed

A short period of work is allowed under controlled conditions, at the Head’s discretion. However, if an enhanced disclosure is delayed, a Head may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but not a requirement, which a note is added to the single central register and evidence kept of the measures put in place.

12. Retention, Security of Records and Data Protection Obligations

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

In the case of unsuccessful job applicants, copies of documentation will be retained for six months or on appointment on the individual’s personnel file.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Privacy Notice (applicable to all current staff and job applicants) and the Data Protection Policy.

Single Central Record (SCR)

The school will maintain and regularly update the SCR. All new employees will be added to the record, which will include:

- All staff (including supply staff) who work at the school.
- All others who work in regular contact with children in the school or college, including volunteers.
- All members of the governing body.

The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The record will indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- An application form / work history check
- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- Further checks on people living or working outside the UK
- A check of professional qualifications
- A section 128 check (prohibition from management check, (where applicable)
- A EYFS check disqualification check; (where applicable)
- A check to establish the person's right to work in the UK;
- A medical check;
- Two references.

For supply staff, the school will include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.

If checks are carried out on volunteers, this will be recorded in the SCR.

13. Monitoring and Review

This policy is reviewed annually by the Board of Governors and the Head. Any changes made to this policy by the Board of Governors and the Head will be communicated to all members of staff.

All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.

The next scheduled review date for this policy is **Spring 2023**.

APPENDIX I

Policy on the Recruitment of Ex-Offenders

The School will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (June 2016).

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.

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- 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.

If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

Providers must obtain an enhanced criminal record check for every person over 16 who:

- works directly with the children;
- lives on the premises on which the childcare is provided;
- works on the premises on which the childcare is provided (unless the work is not in the part of the premises where the childcare takes place, or is not at times when the children are present).

Staff carrying out teaching work with pupils aged 3 and above in the EYFS must not be prohibited from teaching. Schools must, therefore, check that an individual who will be carrying out teaching work with this age group does not have a prohibition order against them. This will apply to those supervising a setting and could apply to others if they are carrying out teaching work.

The EYFS continues to include the provision that providers must not allow people whose suitability has not been checked, including through a criminal records check, to have unsupervised contact with children being cared for. Where a new member of staff starts work before the disclosure is available, the school must ensure that the person is supervised at all times, all other checks (including barred list) have been completed satisfactorily and inspectors ensure that recruitment procedures are otherwise robust.

Right to Work in the UK (Immigration, Asylum & Nationality Act 2006)

Under the provisions of the Immigration, Asylum and Nationality Act 2006, it is a criminal offence to take on an employee who is subject to immigration control and who has not been granted leave to enter or remain in the UK, or does not have permission to work in the UK.

To comply with the provisions of the Act, the School is required to obtain documentary evidence from any prospective employee, prior to their starting work, that they have the right to work in the UK.

In order to ensure no individual is discriminated against, **ALL** job applicants must be treated in the same way at each stage of the recruitment process; **ALL** applicants must therefore be asked to produce a document, or combination of documents, as detailed within defined lists outlined in the Act. The School will not employ individuals until the necessary checks have been carried out. Copies of documentation will be retained for six months in the case of unsuccessful applicants or on appointment on the individual's personnel file.

Probation

It is essential that any employee new to the School be monitored during their probationary period in order to establish their suitability for confirmation of appointment. Any areas of concern should be highlighted at the earliest opportunity. Further advice and guidance can be obtained from the Bursar.

Speculative Applications

Speculative applications must be forwarded to the Head where they will be acknowledged and circulated as appropriate.

Notes

Stormont School acknowledges the assistance provided by guidance documents prepared by the following public and private bodies

- The Independent Schools Bursar's Association (ISBA)
- Department for Education (DfE)

Flowchart of Disclosure and Barring Service

