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The Mill Hill School Foundation Recruitment Selection and Disclosure Policy 2021

Key Points of the Recruitment Selection and Disclosure Policy and Procedure

Purpose	The Foundation aims to ensure that the best possible Staff are recruited on the basis of their merits, abilities and suitability for the position; that all job applicants are considered equitably and consistently; that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, any gender reassignment, marital or civil partnership status, disability or age; that the Foundation complies with all relevant recommendations and guidance including having regard to published documents set out in the policy; that the Foundation meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks
Recruitment and Selection Procedure	<ul style="list-style-type: none"> • All applicants for employment will be required to complete an Application Form • Applicants will receive a Job Description and Person Specification for the role applied for • The applicant may then be invited to attend a Formal Interview. References will be requested prior to the interview with the applicant's permission • If it is decided to make an Offer of Employment following the formal interview, any such offer will be conditional on set criteria within this policy • If the offer is accepted and the conditions are satisfied, the applicant will be issued with a Mill Hill School Foundation Contract of Employment as confirmation of employment • There are key expectations for visiting speakers outlined in the policy that must be followed
Pre-employment checks	<ul style="list-style-type: none"> • Verification of Identity and address • Professional qualifications • Minimum of two references • Right to work in UK • Disclosure and barring Service Disclosure • Verification of the candidate's mental and physical fitness to carry out their work responsibilities • Overseas check if applicable • Prohibition from management check section 128 when applicable • Childcare disqualification requirements
Recruitment of ex-offenders	<ul style="list-style-type: none"> • It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Foundation • If relevant information is volunteered by an applicant the Foundation will consider certain assessment criteria before reaching a recruitment decision • It is high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud • The Foundation's HR Manager will carry out a risk assessment by reference to the criteria set out in the Policy. The Head of the relevant School or DFR, as appropriate, must counter sign the Assessment Form before a final decision is made about the appointment and the position is offered • The Foundation's Policy is to observe the guidance issued or supported by the DBS on the use of Disclosure Information

Retention of Records & Central Register	<ul style="list-style-type: none">• If an applicant is appointed, the Foundation will retain any relevant information provided on their Form (together with any attachments) and all copies of the identity documents, right to work evidence, medical fitness and qualifications, on their personnel file. This documentation will be retained for the duration of the successful applicant's employment• The Foundation maintains a central register of staff appointments, including volunteers, coaches, supply staff and governors and regular contractors
Recruitment Process	In accordance with best practice one Senior Member of the Foundation Staff will Chair the Selection Panel and lead the recruitment process and one member of a Selection Panel will be trained in Safer Recruitment
Referrals to the DBS & TRA	The Foundation also has a legal duty to make a referral to the DBS and TRA (Teaching Regulation Agency) in circumstances where an individual has applied for a position at the Foundation despite being barred from working with children or has been removed by the School from working in regulated activity or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child
Review of Policy	This policy will be reviewed annually by the Nomination and Governance Committee of the Governors

The above Key Points are a synopsis and are not intended to replace the policy. The full policy must be read and followed in the event that it needs to be applied. If the Key Points are found to be in conflict with the wording of the full policy, the policy takes priority.

Recruitment Selection Disclosure Policy and Procedure

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1. Introduction

The Mill Hill School Foundation (the “Foundation”) is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The Foundation is also committed to providing a supportive and flexible working environment to all its members of Staff. The Foundation recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain Staff of the highest caliber who share this commitment.

The aims of the Foundation’s recruitment policy are as follows:

- to ensure that the best possible Staff are recruited on the basis of their merits, abilities and suitability for the position
- to ensure that all job applicants are considered equitably and consistently
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, any gender reassignment, marital or civil partnership status, disability or age
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (**DfE**), *Keeping children safe in education* (September 2020) (**KCSIE**), *Disqualification under the Childcare Act 2006* (**DUCA**), the Prevent Duty Guidance for England and Wales 2015 (the **Prevent Duty Guidance**) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
- to ensure that the Foundation meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks

In accordance with best practice and whenever reasonably practicable, the Foundation will appoint one Senior Member of the Foundation Staff to Chair the Selection Panel and lead the recruitment process.

At least one member of a Selection Panel will be trained in Safer Recruitment as required by ‘School Staffing (England) Regulations (2009).

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

2. Data Protection

The Foundation is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the Foundation to enable the Foundation to carry out the checks that are applicable to their role. The Foundation will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (**NCTL**)). Failure to provide requested information may result in the Foundation not being able to meet its employment, safeguarding or legal obligations. The Foundation will process personal information in accordance with its Privacy Notice.

3. Recruitment and Selection Procedure

Before the Recruitment Procedure commences the Foundation’s Permission to Recruit Form (a copy of which is set out in Appendix A) must be completed and signed by the Head of the relevant School and the Director of Finance and Resources and a copy sent to the HR Manager along with the relevant job description and personal specification for the role. Any advertisement for a role within the Foundation will contain a provision as to the Foundation’s commitment to safeguarding.

The Recruitment Procedure will follow the steps set out in the Recruitment Checklist (a copy of which is set out in Appendix B).

All applicants for employment will be required to complete an Application Form (the 'Form') containing questions about their academic and employment history and suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A curriculum vitae will not be accepted in place of the completed application form.

Applicants will receive a Job Description and Person Specification for the role applied for. Applicants will be advised that the Foundation is committed to the safeguarding and promoting the welfare of children and young people and that any previous employer of an Applicant may be contacted by the Foundation at an agreed and appropriate stage concerning the application made.

Short-listed applicants will be invited to attend a Formal Interview/s (the 'Interview') at which his/her relevant skills and experience will be discussed in more detail. Relevant tests or exercises may also form part of the recruitment process. Any inconsistencies, gaps or anomalies in the information on academic or employment history will be examined and a record made of satisfactory clarification.

If it is decided to make an Offer of Employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the Foundation's standard terms and conditions of employment
- verification of the applicant's identity (where that has not previously been verified)
- verification of qualifications, whether professional or otherwise, which the Foundation takes into account in making the appointment decision, or which are referred to in the application form, whether a requirement for the role or not. The Teacher Services' system will be used to verify any award of qualified teacher status (QTS) and the completion of teacher induction or probation
- verification of the applicant's employment history
- the receipt of a minimum of two satisfactory references (in most cases three references will be sought and one of which must be from the applicant's most recent employer) which the Foundation considers satisfactory. For teaching staff, following best practice, the Foundation will ask for and endeavour to obtain two references prior to the Interview. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children;
- for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency which renders them unable or unsuitable to work at the Foundation
- for applicants who have carried out teaching work outside the UK information about whether the applicant has ever been referred to, or is the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unable to unsuitable to work at the Foundation
- where the position amounts to 'regulated activity' (see Section 4.4.2 below) the receipt of an enhanced disclosure with barred list check from the DBS which the Foundation considers is satisfactory. If the applicant is registered to the DBS update service at Enhanced level and this is checked online
- where the position amounts to 'regulated activity' (see Section 4.4.2 below), confirmation that the applicant is not named on the Children's Barred List
- a satisfactory check that the applicant is not subject to a teaching prohibition order issued by the Secretary of State
- confirmation that the applicant is not subject to a direction under Section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the Foundation

- where the applicant is taking up a management position (as defined in paragraph 144 of Part 3 of KCSIE 2020), confirmation that the applicant is not subject to a direction under Section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014 which prohibits, disqualifies or restricts them from being involved in the management of an Independent School. The Foundation will carry out this check on all appointments to management positions even if the applicant is an internal candidate. For the purposes of this check, management positions will include Head teachers, teaching positions with Departmental Headships, all staff on the Senior Leadership Team (including non-teaching staff) and Governors
- confirmation that the applicant is not disqualified from acting as a trustee/governor or senior manager of a charity under the Charities Act 2011 (if applicable) (see 4.7 below)
- confirmation that the applicant is not disqualified from working in connection with early or later years (under-8s) provision if applicable to the position
- verification of the applicant's medical fitness for the role via the receipt of a satisfactory health questionnaire so that the Foundation can satisfy itself that an applicant has the appropriate level of physical and mental fitness in accordance with the Education (Health Standards) (England) Regulations 2003
- verification of the applicant's right to work in the UK
- any additional checks which the Foundation considers are necessary as a result of the applicant living or having lived or worked outside the UK which may include an overseas criminal records check, certificate of good conduct or professional reference
- such other pre-employment checks as the Foundation is required to complete in accordance with its statutory or regulatory obligations, including the Boarding Schools: National Minimum Standards for Boarding Schools

If the offer is accepted and the above conditions are satisfied, the applicant will be issued with a Mill Hill School Foundation Contract of Employment as confirmation of employment.

In exceptional circumstances, such as the delay in the return of the DBS Disclosure, a successful applicant will only be permitted to commence employment at the Foundation before the Foundation is in receipt of the successful applicant's DBS Disclosure in accordance with the KCSIE guidelines. In such circumstances a barred list check will be carried out before starting and a Risk Assessment will be undertaken by the Head of the relevant School. The Risk Assessment will be placed in the successful applicant's personnel file. This Risk Assessment will identify suitable supervision arrangements pending the receipt of the successful applicant's DBS disclosure and will be reviewed weekly by the by the Head of the relevant School who undertook the Risk Assessment and a written record will be kept. In accordance with KCSIE, the enhanced DBS Disclosure will be obtained as soon as practicable after the applicant has commenced supervised work at the Foundation.

4. Pre-Employment Checks

In accordance with KCSIE guidelines regarding employment in a school or equivalent educational establishment, the Foundation may accept, as a temporary arrangement as part of a Risk Assessment, a DBS Disclosure from a successful applicant's previous employer subject to the written consent of the applicant and where there has been no gap in employment of three months or more. The Foundation when accepting a DBS Disclosure from a successful applicant's previous employer will comply with the KCSIE and DBS guidelines and a barred list check will be carried out before starting employment at the Foundation.

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the Education (Independent School Standards) Regulations 2014 the School carries out a number of pre-employment checks in respect of all prospective employees.

In addition to the checks set out below, the School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the School. This may include internet and social media searches.

In fulfilling its obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

4.1 Verification of Identity, Address and Qualifications

All applicants who are invited to an Interview will be required to bring with them evidence of identity, right to work in the UK, address and qualifications as set out below and in the list of valid identity documents at Appendix E (these requirements comply with DBS identity checking guidelines):

- One document from Group 1; and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and
- original documents confirming any educational and professional qualifications referred to in their application form

Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

The Foundation asks for the date of birth of all applicants to assist with the vetting of the applicants. Proof of date of birth is necessary so that the Foundation may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The Foundation does not discriminate on the grounds of age.

The Foundation asks for this information at interview to ensure that the person attending interview is who they claim to be, to ensure that they are permitted to work for the Foundation if appointed and that they hold the qualifications that have been requested (if any).

4.2 Medical Fitness

The Foundation is required to verify the medical fitness of anyone to be appointed to a post at the Foundation, after an offer of employment has been made but before the appointment can be confirmed. It is the Foundation's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire. The Foundation will arrange for the information contained in the Health Questionnaire to be reviewed by its HR Manager. 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 timetable, extra-curricular activities, layout of the Foundation etc. If the Foundation's HR Manager has any doubts about an applicant's fitness the Foundation will consider reasonable adjustments in consultation with the applicant. The Foundation may also seek a further medical opinion or a full medical assessment from a specialist occupational health physician.

Any failure by the applicant to disclose any information requested by the Health Questionnaire could result in the Offer of Employment being withdrawn. The Foundation is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

4.3 References

All offers of employment will be subject to the receipt of a minimum of two satisfactory references (in most cases three references will be sought), one of which must be from the applicant's current or most recent employer. For teaching staff, following best practice, the Foundation will ask for and endeavor to obtain two references prior to the Interview. If the current/most recent employment does/ did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant as a friend. When a reference is taken over the telephone then detailed notes will be taken, dated and signed.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will also be asked to confirm whether the applicant could be considered to be involved in 'extremism' (as defined in Section 7 below). If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary and job title/duties, reason for leaving, performance, sickness (questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made) and disciplinary record
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety or welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated or malicious
- whether any allegations or concerns have been raised about the applicant that relate to the safety or welfare of children or young people or behaviour towards children or young people, except where the allegations or concerns were found to be false, unsubstantiated or malicious
- whether any allegations or concerns have been raised about the applicant that they have behaved or may have behaved in a way that indicates that they may not be suitable to work with children except where the issues were deemed to have resulted from allegations or concerns found to be false, unsubstantiated or malicious
- whether the applicant could be considered to be involved in "extremism"

The Foundation will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. A written reference may be followed up by a telephone call to the referee to verify the reference.

References will be requested for all short-listed candidates (with agreement) including where the candidate is an existing employee of the Foundation. All internal candidates who apply for a new role at the school will have their application assessed in accordance with this procedure. References will be taken up on all internal candidates as part of the application process but can be provided by colleagues as the Foundation will be the most recent employer.

Where a reference is not received prior to interview it will be reviewed upon receipt. Any discrepancies identified between the reference and the application form and/or the interview assessment form will be considered by the School. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.

The Foundation will compare all references with any information given on the Form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

If factual references are received i.e. those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage an applicant although additional references may be sought before an appointment can be confirmed.

4.4 Criminal Records Checks

Prior to 29 May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records which is considered relevant to the role applied for at the Foundation.

4.4.1 DBS Filtering Rules

With effect from 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The filtering rules developed by the DBS and the Home Office designate certain spent convictions and cautions as "protected". "Protected" convictions and cautions are not included in a DBS certificate and job applicants are not required to disclose them during the recruitment process. It is unlawful for an employer to take into account a conviction or caution that should not have been disclosed. If a protected conviction or caution is inadvertently disclosed to the School during the recruitment process it must be disregarded when making a recruitment decision.

A conviction will always be disclosable if it was imposed for a "specified offence" committed at any age. A caution issued for a "specified offence" committed over the age of 18 will always be disclosable. However, a caution issued for a "specified offence" committed under the age of 18 is never disclosable. "Specified offences" are usually of a serious violent or sexual nature, or are relevant for safeguarding children and vulnerable adults. The list of "specified offences" can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

The filtering rules have recently been updated and work as follows:

For those aged 18 or over at the time of an offence

A spent criminal conviction for an offence committed in the United Kingdom when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by the job applicant) if:

- (a) eleven years have elapsed since the date of the conviction
- (b) it did not result in a custodial sentence; and
- (c) it was not imposed for a "specified offence"

A spent caution for an offence committed when a person was over the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:

- (a) six years have elapsed since the date it was issued; and
- (b) it was not issued for a "specified offence"

For those aged under 18 at the time of an offence

A spent conviction for an offence committed when a person was under the age of 18 will not be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant) if:

- (a) five and a half years have elapsed since the date of the conviction;
- (b) it did not result in a custodial sentence; and
- (c) it was not imposed for a "specified offence"

A caution issued for an offence committed when a person was under the age of 18 will never be disclosed in a DBS certificate (and does not have to be disclosed by a job applicant).

4.4.2 Regulated Activity

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

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

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

It is for the Foundation to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the Foundation amount to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in the Foundation office outside of term time or voluntary posts which are supervised.

Due to the nature of the work, the Foundation applies for criminal record certificates from the Disclosure and Barring Service (the 'DBS') in respect of all prospective employees, Governors and volunteers.

4.4.3 The DBS Disclosure Certificate

The DBS issues the DBS disclosure certificate to the subject of the check only, rather than to the Foundation. It is a condition of employment with the Foundation that the **original** disclosure certificate is provided to the Foundation within two weeks of it being received by the applicant. Original certificates should not be sent by post. A convenient time and date for bringing the certificate into the Foundation should be arranged with HR as soon as it has been received.

Applicants who are unable to attend at the Foundation to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to HR. Where a certified copy is sent, the original disclosure certificate must still be provided on the first working day.

Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the Foundation.

The Foundation considers that all positions within the Foundation will amount to “regulated positions” within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), as defined by the DBS and ISI Regulatory Requirements (September 2018). It is the Foundation’s normal policy to require a satisfactory Enhanced Disclosure or Enhanced Disclosure with Barred list information for all its employees and volunteers in accordance with the guidance as set out in KCSIE, ‘The Safeguarding of Vulnerable Groups Act 2006’ and guidance given in ‘Regulated activity in relation to Children: scope’ and by the DBS.

4.4.4 Agency and Third Party Staff (Supply Staff)

The Foundation expects supply/temporary worker agencies or third party organizations that are used by the Foundation to work with, or provide services for, children for whom the Foundation is responsible, to register with the DBS on their own account and to comply with the recruitment measures as detailed in this policy or their own comparable policy. Proof of registration with the DBS will be required before the Foundation will commission services from any such organisation and the Foundation will require proof of a satisfactory Disclosure from the DBS for all supply/temporary workers provided by such agencies. Written confirmation from the Agency that it has carried out the appropriate checks on an individual will be obtained before appointment, in the Form set out in Appendix C. Where the position to be filled by the supply/temporary worker requires a barred list check, this must be obtained by the agency or third party organisation prior to such person being appointed. The Foundation will complete identification verification to check that the person presenting themselves for work is the same person on whom the checks have been made.

4.4.5 Contractors

The Foundation requires a contractor in a contract let by the Foundation where the contractor employs staff to work with, or provide services for, children for whom the Foundation is responsible, to adopt and implement the measures described in this policy. Where such a contractor is not registered with the DBS on their own account the Foundation may agree to assist such a contractor by making application for criminal record certificates from the DBS in respect of the prospective contractor employed staff on behalf of the contractor as appropriate.

The Foundation will independently verify the identity of staff supplied by contractors or an agency and will require the provision of the original DBS disclosure certificate before contractor or agency staff can commence work at a Foundation School.

The Foundation will require contractors engaging in regulated activity to have an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children an enhanced DBS check (not including barred list information) will be required. The Foundation will not permit any contractor for whom no checks have been obtained to work unsupervised or engage in regulated activity. The Foundation will determine the appropriate level of supervision depending on the circumstances.

4.4.6 Transport/Taxi Agencies

Prior to the appointment of any Transport Agencies, such as minibus or taxi companies, the Foundation will carry out such checks as it considers necessary to satisfy itself that the Transport Agency has complied with the requirements of KCSIE, its licensing/regulatory authority and will require evidence that the drivers have obtained clear DBS checks. The Foundation will, from time to time, inspect the records of the Transport Agency to ensure that the said Agency continues to be compliant.

4.4.7 Volunteers

The Foundation recognises that volunteers are regarded by children as safe and trustworthy adults. A prospective volunteer will be recruited in accordance with the measures described in this policy.

The Foundation will request an enhanced DBS disclosure and Children's Barred List check on all volunteers who undertake unsupervised activity with pupils at, or on behalf of a Foundation School on a frequent and regular basis in accordance with the definition of regulated activity.

The Foundation will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day to day supervision by a fully checked member of staff or by a volunteer who the Foundation School has deemed appropriate to supervise and ensure the safety of those pupils in their care.

Under no circumstances will the Foundation School permit an unchecked volunteer to have unsupervised contact with pupils.

The Foundation will require a new DBS certificate for volunteers who engage in regulated activity but who have not been involved in any activities with a Foundation School for three consecutive months or more. Those volunteers who are likely to be involved in activities with a Foundation School on a regular basis may be required to sign up to the DBS update service as this permits the Foundation School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition the Foundation will seek to obtain such further suitability information about volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- (a) formal or informal information provided by staff, parents and other volunteers
- (b) character references from the volunteer's place of work or any other relevant source; and
- (c) an informal safer recruitment interview

A Governor will be regarded as a volunteer who will be engaged in regulated activity.

A volunteer recruited by an external organisation to work at the Foundation will be regarded as a supply/temporary worker.

4.4.8 Visitors

The Foundation acknowledges that it does not have the power to request DBS checks and barred list checks or ask to see DBS certificates, for visitors. The Heads of each Foundation School will use their professional judgment about the need to escort or supervise visitors.

4.4.9 Applicants with Periods of Overseas Residence

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

For applicants who are living overseas, or who have lived overseas previously, obtaining a DBS certificate may be insufficient to establish their suitability to work at the Foundation. In such cases the applicant will be required to provide additional information about their suitability from the country (or countries) in which they have lived. The Foundation's policy is to request such information from each overseas country in which the applicant has lived for a period of three months or more in the previous 10 years.

When requesting such information the Foundation has regard to relevant government guidance and will therefore always require the applicant to apply for a formal check from the country in question i.e. a criminal records check (or equivalent) or a certificate of good conduct.

The Foundation recognises that formal checks are not available from some countries, that they can be significantly delayed or that a response may not be provided. In such circumstances the Foundation will seek to obtain further information from the country in question, such as a reference from any employment undertaken in that country. In addition, where an applicant has carried out teaching work outside of the UK, the Foundation will ask the applicant to provide proof of their past conduct as a teacher by obtaining a letter of professional standing from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher. The Foundation will also ask the applicant (and their referees) to disclose whether they have ever been referred to, or are the subject of a sanction issued by, the regulator of the teaching profession in the countries in which they have carried out teaching work.

The Foundation may allow an applicant to commence work pending receipt of a formal check from a particular country if it has received a reference and/or letter of professional standing from that country and considers the applicant suitable to start work. Decisions on suitability will be based on all of the information that has been obtained during the recruitment process. Unless expressly waived by the Foundation. Continued employment will remain conditional upon the Foundation being provided with the outcome of the formal check and it being considered satisfactory by the Foundation.

If the formal check is delayed and references are not available the applicant's proposed start date may be delayed until the formal check is received.

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

4.5 Prohibition from Teaching Check

The Foundation is required to check whether staff who carry out “teaching work” are prohibited from doing so. The Foundation will carry out these checks on new applicants who are to be employed as a teacher and existing members of staff who are employed as teachers but who are adopting a different role within the Foundation. The Foundation uses the Teaching Regulation Agency Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the Teaching Regulation Agency.

In addition, the Foundation asks all applicants for roles which involve “teaching work” (and their referees) to declare in the application form whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by, the Teaching Regulation Agency or other equivalent body in the UK.

It is the Foundation’s position that this information must be provided in order to fully assess the suitability of an applicant for a role which involves “teaching work”. Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the Teaching Regulation Agency (or other equivalent body) whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, the Foundation will consider whether the facts of the case render the applicant unsuitable to work at the Foundation.

The Foundation carries out this check, and requires associated information, for roles which involve “teaching work”. In doing so the Foundation applies the definition of “teaching work” set out in the Teachers’ Disciplinary (England) Regulations 2012 which states that the following activities amount to “teaching work”:

- planning and preparing lessons and courses for pupils
- delivering lessons to pupils
- assessing the development, progress and attainment of pupils; and
- reporting on the development, progress and attainment of pupils

The above activities do not amount to “teaching work” if they are supervised by a qualified teacher or other person nominated by the Head. If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches.

4.6 Prohibition from Management Check

The Foundation is required to check whether any applicant for a management position is subject to a direction under Section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school (a Section 128 direction). The Foundation will carry out checks for such directions when appointing applicants into management positions from both outside the Foundation and by internal promotion.

This check applies to appointments to the following positions made on or after 12 August 2015:

- Head
- teaching posts on the Senior Leadership Team
- teaching posts which carry a departmental head role
- support staff posts on the Senior Leadership Team; and
- the Foundation will assess on a case by case basis whether the check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities

It also applies to appointments to the governing body.

The relevant information is contained in the enhanced DBS disclosure certificate (which the Foundation obtains for all posts at the Foundation that amount to regulated activity). It can also be obtained through the Teaching Regulation Agency Teacher Services system. The Foundation will use either, or both, methods to obtain this information.

In addition the Foundation asks all applicants for management roles to declare in the application form whether they have ever been the subject of a referral to the Department for Education, or are subject to a Section 128 direction or any other sanction which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

It is the Foundation's position that in order to fully assess the suitability of an applicant for a management role it must be provided with the above information. Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body whether that resulted in the imposition of a Section 128 direction or other sanction, or where a Section 128 direction or other sanction has lapsed or been lifted, the Foundation will consider whether the facts of the case render the applicant unsuitable to work at the Foundation.

4.7 Disqualification from Acting as a Charity Trustee or Senior Manager

4.7.1 Background

Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

4.7.2 Who is Covered?

A person is considered to be a charity trustee if they are one of the people who have general control and management of the administration of the charity. In an independent school the trustees will typically be the governors of the school.

Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At the Foundation the disqualification rules will be applicable to all governors, the Heads of each Foundation school, the Chief Executive Officer, the Director of Finance and Resources, the Director of Operations and potentially other senior staff who report directly to the governors.

4.7.3 Self-Declaration

All those who are covered by the disqualification rules are required to complete a self-declaration form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria.

A failure to disclose relevant information, or the provision of false information, which subsequently comes to the Foundation's attention may result in the termination of an appointment as a governor or senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence.

All those who are required to complete a self-declaration form are also under an ongoing duty to inform the Foundation if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

4.7.4 Checks by the Foundation

To ensure that it has accurate and up to date information the Foundation will also check the following registers in respect of each governor and senior manager who is already in post or is appointed in future:

- (a) the Insolvency Register
- (b) the register of disqualified directors maintained by Companies House; and
- (c) the register of persons who have been removed as a charity trustee

4.7.5 Waiver

A person who discloses that one or more of the disqualification criteria is applicable to them may apply to the Charity Commission for a waiver of the disqualification.

The Foundation may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appointment to the governing body if a waiver application becomes necessary or is rejected by the Charity Commission. The Foundation is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

4.8 Professional Qualifications

The Foundation will verify the professional qualifications as and where appropriate of an applicant to be employed prior to appointment. The Foundation will verify any qualifications taken into account in making the appointment.

4.9 Right to Work in UK

The Foundation will verify the right to work in the UK of an applicant to be employed.

4.10 Childcare Disqualification Requirements

The Childcare Act 2006 (the Act) and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (the Regulations) state that it is an offence for the School to employ anyone in connection with our early years provision (that is up to and including reception year) (EYP) or later years provision (which covers pupils above reception age but under 8 years old) (LYP) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP.

4.10.1 Definitions

- (a) EYP includes usual school activities and any other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place on the school premises during or outside of the normal school day

- (b) LYP includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities
- (c) DUCA states that only those individuals who are employed directly to provide childcare are covered by the Regulations. "Childcare" means any form of care for a child, which includes education and any other supervised activity for a child who is aged 5 or under. "Childcare" in LYP does not include education during school hours but does cover before and after school clubs

4.10.2 Relevant Roles

Roles which will be covered by the Regulations are teaching and teaching assistant positions in EYP, and those which involve the supervision of under 8s in LYP. Those who are directly involved in the management of EYP and LYP include the Head, and may also include other members of the leadership team as well as those involved in the day to day management of EYP or LYP at the Foundation.

DUCA contains an express statement that cleaners, drivers, transport escorts, catering and office staff are not covered by the Regulations.

Some roles at the Foundation may involve the provision of childcare in EYP or LYP on an occasional basis. They will not automatically be within the scope of the Regulations and the Foundation will therefore consider whether they do on a case by case basis. The Regulations only apply to a limited number of roles within the Foundation but do extend beyond employees to governors and volunteers who carry out relevant work in EYP or LYP.

4.10.3 Grounds for Disqualification

The grounds for which a person will be disqualified from working in connection with EYP or LYP are set out in the Regulations. They are not only that a person is barred from working with children (by inclusion on the Children's Barred List) but also include:

- (a) having been cautioned (after 6 April 2007) for, or convicted of, certain criminal offences including violent and sexual criminal offences against children and adults whether committed in the United Kingdom or overseas or any offence involving death or injury to a child (even if not specifically listed in guidance)
- (b) various grounds relating to the care of children, including where an order is made in respect of a child under the person's care
- (c) having been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), having been disqualified from any such registration or having had that registration cancelled
- (d) having been refused an application for registration of a children's home or having had any such registration cancelled
- (e) having been prohibited, restricted or disqualified from private fostering

4.10.4 Self-Declaration Form

All applicants to whom an offer of employment is made to carry out a relevant role in EYP or LYP will be required to complete a Self-Declaration Form confirming whether they meet any of the criteria for disqualification under the Regulations.

The Foundation will decide whether a role is relevant and within the scope of EYP or LYP by having regard to the guidance in DUCA. Employment with the Foundation in any relevant role will be conditional upon completion of the Self-Declaration Form and upon the applicant not being disqualified.

The Foundation cannot permit any person who is currently disqualified to start work in a relevant role. The Foundation also reserves the right at its absolute discretion to withdraw an offer of employment if, in the opinion of the Foundation, any information disclosed in the Self-Declaration Form renders that person unsuitable to work at the Foundation.

Applicants who have any criminal records information to disclose about themselves, must also provide the following information:

- (a) details of the order, restriction, conviction or caution and the date that this was made
- (b) the relevant court or body and the sentence, if any, which was imposed; and
- (c) a copy of the relevant order or conviction

Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.

For the avoidance of doubt the Foundation does not require applicants to request any criminal records information directly from the DBS. The Foundation only requires applicants to provide relevant information about themselves" to the best of their knowledge".

4.10.5 Waiver of a Disqualification

A person who discloses information which appears to disqualify them from working in a relevant role may apply to Ofsted for a waiver of the disqualification. The Foundation may withdraw an offer of employment at its absolute discretion and is under no obligation to await the outcome of an Ofsted waiver application. If a waiver application is rejected the Foundation will withdraw the conditional offer of employment.

4.10.6 Retention of Disqualification Information

The Foundation will securely destroy any information which is provided by an applicant which is not relevant to the childcare disqualification requirements as soon as it is established that it is not relevant. Where a person appointed to a role at the Foundation is found to be disqualified the Foundation will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the Foundation, after which it will be securely destroyed.

4.10.7 Continuing Duty to Disclose Change in Circumstances

After making this declaration staff who are in a relevant role are under an on-going duty to inform the Foundation if their circumstances change in a way which would mean they subsequently meet any of the criteria for disqualification. Any failure to disclose relevant information now, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.

4.11 The National Minimum Standards for Boarding Schools (NMS)

The Foundation will comply with the requirements of the NMS in relation to the recruitment of boarding house staff and all adults who come into contact with boarders. In addition, the Foundation will obtain for all persons over 16 who begin to live on the same premises as boarders but are not employed by the Foundation, an enhanced certificate with barred list from the DBS. The Foundation will exercise its judgement in considering whether to obtain such a check to overnight visitors or the members of the staff's extended family. Such judgement will be based on a reasonable, risk assessed approach in light of its obligation to keep boarders safe. The Foundation will require all persons over 16 living in the same premises as boarders to enter into a written agreement with it requiring them to supervise their visitors and acknowledging that a failure to do so could result in them being required to leave their accommodation. Such persons will also be required to disclose to an unrelated designated member of staff, if they are charged with, or convicted of, any offence.

5. Contractors and Agency Staff

The Foundation must complete the same checks for contractors and their employees) undertaking regulated activity at the Foundation as it does for its own employees. The Foundation requires written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at the Foundation before any such individual can commence work at the Foundation.

Agencies who supply staff to the Foundation must also complete the pre-employment checks which the Foundation would otherwise complete for its staff. Again, the Foundation requires confirmation that these checks have been completed before an individual can commence work at the Foundation.

The Foundation will independently verify the identity of individuals supplied by contractors or an agency in accordance with section 4.1 above and requires the provision of the DBS disclosure certificate before those individuals can commence work at the Foundation.

6. Volunteers

The Foundation will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the Foundation (the definition of regulated activity set out in section 4.4.2 above will be applied to all volunteers).

The Foundation will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day to day supervision by a fully checked member of staff or by a volunteer who the Foundation has deemed appropriate to supervise and ensure the safety of those pupils in their care.

Under no circumstances will the Foundation permit an unchecked volunteer to have unsupervised contact with pupils.

It is the Foundation's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the Foundation for three consecutive months or more. Those volunteers who are likely to be involved in activities with the Foundation on a regular basis may be required to sign up to the DBS update service as this permits the Foundation to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition the Foundation will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.

7. Visiting Speakers and the Prevent Duty

The Prevent Duty Guidance requires the Foundation to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The Foundation recognises that it is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the Foundation or perform any other regular duties for or on behalf of the Foundation.

A visiting speaker must therefore only be invited with the permission of the Head of the School or, in the Head's absence, the Senior Deputy, who will undertake a risk assessment before granting such permission by completing the Foundation's Visiting Speaker Consent Form (a copy of which is uploaded onto the staff section of Firefly). The Foundation School which has invited the speaker will obtain such formal or informal background information about the visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the Foundation.

All visiting speakers will be subject to the Foundation's Security Policy. This will include signing in and out at Reception, the wearing of a visitor badge at all times and being escorted by a fully vetted member of the Foundation School's staff between appointments.

The Foundation will always have regard to the Foundation Policy to Safeguard and Promote the Welfare of Children who are Pupils at the School, the Foundation Security Policy, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

"Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

8. Policy on Recruitment of Ex-Offenders

8.1 Background

The Foundation will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The Foundation makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar him/her from employment within the Foundation. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 8.2 below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules (see section 4.4.1 above).

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

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

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

8.2 Assessment Criteria

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

- Whether the conviction or other matter 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 matter;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation/s offered by the convicted person

If the post involves regular contact with children, it is the Foundation's normal policy to consider it high risk to employ anyone who has been convicted at any time of any of the following offences:

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or
- serious class A drug related offences, robbery, burglary, theft, deception or fraud

If the post involves access to money or budget responsibility, it is the Foundation'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 Foundation's normal policy to ensure that any driving offences are reviewed and signed off by the Head of the relevant school in order for the applicant to be considered.

8.3 Assessment Procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a Disclosure check, the HR Manager will carry out a risk assessment by reference to the criteria set out above. The risk assessment form must be countersigned by the Head of the relevant School or the Director of Finance and Resources as appropriate before a final decision is made about the appointment and the position is offered.

If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the DBS direct. In cases where the applicant would be offered a position were it not for the disputed information, the Foundation will, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

8.4 Retention and Security of Disclosure Information

The Foundation's Policy is to observe the guidance issued or supported by the DBS on the use of Disclosure Information.

8.5 Retention of Records

If an applicant is appointed, the Foundation will retain any relevant information provided on their Form (together with any attachments) and all copies of the identity documents, right to work evidence, medical fitness and qualifications, on their personnel file. This documentation will be retained for the duration of the successful applicant's employment at the Foundation and in accordance with the Foundation's Retention of Records Policy (which can be found on the Foundation's website) and Procedure or with best practice guidance in force at the time.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months unless the applicant specifically requests the Foundation to keep their details on file.

The same policy applies to any suitability information obtained about volunteers involved with Foundation activities.

9. Whistleblowing and Exit Interviews

All staff are briefed so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with the Foundation's mandatory policies (including the Whistleblowing Policy, the Safeguarding Policy and the Staff Code of Conduct). Safeguarding children is at the centre of the Foundation's culture and is accordingly considered formally during staff performance development reviews and appraisal and finally at an exit interview which are held with all leavers.

10. Central Register

The Foundation maintains a central register of staff appointments, including volunteers and others brought into the schools to provide additional teaching or instruction (such as sports coaches), supply staff and governors in accordance with the recommendations and guidance of the DfE. The Central Register is held at Walker House, the Foundation's registered company office.

11. Referrals to the DBS and Teaching Regulation Agency (TRA)

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the Foundation also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the Foundation despite being barred from working with children; or
- has been removed by the Foundation from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child

If the individual referred to the DBS is a teacher, the Foundation may also decide to make a referral to the TRA as and where appropriate.

12. Past Pupils

The Foundation will only employ past pupils or use past pupils as volunteers if more than 3 years has elapsed since the pupil left the Foundation.

13. Queries

If an applicant has any queries on how to complete the application form or any other matter he/she should contact the Foundation's HR Manager.

14. Review

Last review January 2021 Next review January 2022

Approved by the Nomination and Governance Committee

APPENDIX A

PERMISSION TO RECRUIT (PTR) NEW STAFF

This form must be completed and authorised by the Head or DRF before any appointment is made.

Job title of post to be filled	
Nature of Post	
Existing or New Post	
Fixed Term or Permanent Hire or Volunteer	
Agency Staff or Head-Hunter	
Why has the vacancy arisen and why does it need to be filled	
What would be the consequence of not filling the role	
Terms and Conditions of Role (salary, hours, location, benefits)	
Confirm the following documents are completed - Job description - Person specification	
Where will the post be advertised	
Cost of recruitment - Agency fees - Advertising fees	
If permission is granted follow Safer Recruitment Process. Who is involved in the recruitment process	
Name of person requesting	
Date	
Authorised by Head/DFF Date	
Declined by Head/DFR Date	

APPENDIX B

RECRUITMENT CHECKLIST

Action	Date Completed	Completed by (please initial)
Complete Permission to Recruit Form. (cc HR Manager when signed off)		
Appoint Chair of Selection Panel		
Determine details of selection process to be followed, including other members of the Panel		
Job Description & Person Specification Approved by Panel		
Advertisement placed in		
Send to Applicant: Candidate Information Pack. <i>(Application Form, Job description & person spec, Child Protection Policy and Safer Recruitment policy).</i>		
Received from Applicant completed Application Form <i>Are there any gaps, inconsistencies or anomalies in the information provided? Is there a need to verify the authenticity of the documentation provided? If YES, refer to HR Dept.</i>		
Panel to complete Short Listing Assessment Form:		
Proceed with the recruitment? If No Send Rejection Letter If Yes Applicant invited to interview		
Send Reference Request Letters and Reference Form		
First reference received		
Second reference received		
Third reference received		
Panel Members to Receive Copies of Application Form & CV (if provided), Candidate Information Pack, References (if appropriate)		

<p>Received from Applicant and copied: Identity & address documentation. Evidence of right to work in the UK. Qualifications (if appropriate). <i>Note: If applicant is non British, please email documents to the Compliance Manager</i></p>		
<p>Interview Date(s)</p>		
<p>Complete Interview Assessment Form: <i>If any career gaps, inconsistencies or anomalies in come to light during interview. Candidate's explanation must be noted. Refer to HR dept. if necessary.</i></p>		
<p>Decision made on offer of appointment: If NO Send Rejection Letter If Yes Send conditional offer of employment</p>		
<p>Offer letter and contract issued together with starter form, pension form, health form, death in service form (support staff only) and working time form</p>		
<p>Overseas checks received and verified</p>		
<p>DBS check processed – number and date Original seen and date</p>		
<p>Contact HR to carry out the following checks (where applicable) Children's Barred list check Prohibition from teaching Prohibition from management (s128) Section 142 direction (on the DBS check) Disqualification from Childcare</p>		
<p>Ensure all checks are in place before new member of staff starts work.</p>		
<p>Signed Contract of Employment received and forms sent to Payroll Manager & HR</p>		
<p>Complete Single Central Register. (dates and initials)</p>		
<p>Set up Prevent and Safeguarding training on Educare (MHS – email Shelli Bain)</p>		
<p>Book in safeguarding briefing with Compliance Manager</p>		
<p>Email Compliance Manager to set up access to Every for access to policies</p>		
<p>Input Employee details to iSAMS and request account set up from ICT (cc HR)</p>		
<p>Paperwork to Personnel File (copy to HR)</p>		
<p>Induction form passed to Line Manager for completion</p>		

APPENDIX C

SAFER RECRUITMENT VETTING CHECKS UNDERTAKEN BY THE PROVIDER OF AGENCY/THIRD PARTY STAFF

Safeguarding pupils is a priority for Mill Hill School Foundation. It is a requirement of the School that all individuals provided by an agency or third party have been recruited in accordance with the most up to date statutory regulations, in particular, the DfE statutory guidance document "Keeping Children Safe in Education" (2018) and paragraph 19 of the Schedule to The Education (Independent School Standards) Regulation 2014 ('Suitability of Supply Staff at the School'), to ensure the highest possible standards of child protection.

In line with these regulations, the School is required to obtain written notification from any agency or third party that the organisation has carried out the required safeguarding checks on an individual who will be working at the School that the School itself would otherwise perform. We are also required to check that the individual presenting themselves at the School is the same person on whom the checks were made.

In line with this, prior to any individual starting at the School any agency or third party organisation must complete and provide the information requested below. The individual they are supplying to the School must be able to produce the identification stated below on their first visit to the School.

On this basis, we welcome staff from agencies and third parties and value the role they play at our school.

THIRD PARTY/AGENCY DETAILS:

Name of company:	Address of company:

DECLARATION:

I confirm that: All staff provided have had the following checks: identity, address, a barred list check, an enhanced DBS check, a check to establish right to work in the UK, satisfactory references which confirm staff are suitable to work with children, a check of professional qualifications as appropriate and an overseas police check (if appropriate) the above information has been checked and verified the individuals being provided have been judged to be suitable to work with children I am authorised by the above company to provide this information the above company will provide the date and certificate number of the DBS disclosure to the HR Manager	
Signature of person providing information:	
Name of person providing information:	
Contact email address:	
Contact telephone number:	
Date information provided:	

APPENDIX D

SAFER CHILDCARE DISQUALIFICATION REQUIREMENTS – SELFDECLARATION FORM

Part 1		
Name	Position	
<p>Please circle either Yes or No for each question on this form. When responding please disclose information relating to offences in the UK but also any equivalent offence overseas.</p> <p>If you circle Yes to any question then please provide the following information in writing: 1 details of the order, restriction, conviction or caution and the date that this was made; 2 the relevant court or body and the sentence, if any, which was imposed; and 3 provide a copy of the relevant order or conviction.</p>		
Offences		
To the best of your knowledge have you:		
Ever been barred from working with children.	Yes	No
Been convicted of a violent offence against an adult.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a violent offence against an adult.	Yes	No
Been convicted of a sexual offence against an adult.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a sexual offence against an adult.	Yes	No
Been convicted of a violent offence against a child.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a violent offence against a child.	Yes	No
Been convicted of a sexual offence against a child.	Yes	No
From 6 April 2007 been cautioned, subject to a court order, bound over, received a reprimand or warning for a sexual offence against a child.	Yes	No
Orders relating to the care of children		
Has an order ever been made relating to a child in your care?	Yes	No
Have your children ever been the subject of a child protection order?	Yes	No
Have you ever been refused an application for registration of a children's home or had any such registration cancelled?	Yes	No
Have you ever been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), been disqualified from any such registration or had that registration cancelled?	Yes	No
Have you ever been prohibited, restricted or disqualified from private fostering?	Yes	No

Part 2

Declaration

I confirm that I have completed this form to the best of my knowledge and that I have not knowingly withheld any relevant information. I understand that a failure to disclose relevant information now, or the provision of false information, may result in the termination of my employment or the withdrawal of an offer of employment. I understand that knowingly working in early or later years provision whilst disqualified is a criminal offence. I agree to disclose to the Foundation any change in my circumstances which may result in my being disqualified from working in early or later years provision.

Signed
Dated
Position

APPENDIX E

LIST OF VALID IDENTIFY DOCUMENTS

Group 1: Primary Identity Documents

- current valid passport
- biometric residence permit (UK)
- current driving licence photocard - full or provisional (UK/Isle of Man/Channel Islands and EEA)
- birth certificate - issued within 12 months of birth (UK, Isle of Man and Channel Islands - including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces)
- adoption certificate (UK and Channel Islands)

Group 2a: Trusted Government Documents

- current driving licence photocard - full or provisional (all countries outside the EEA excluding Isle of Man and Channel Islands)
- current driving licence paper version (UK/Isle of Man/Channel Islands and EEA; full or provisional)
- birth certificate - issued after time of birth (UK, Isle of Man and Channel Islands)
- marriage/civil partnership certificate (UK and Channel Islands)
- immigration document, visa or work permit (issued by a country outside the EEA. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non EEA country in which the role is based)
- HM Forces ID card (UK)
- fire arms licence (UK, Channel Islands and Isle of Man)

Group 2b: Financial and social history documents

- mortgage statement (UK or EEA)**
- bank / building society statement (UK and Channel Islands or EEA)*
- bank / building society statement (countries outside the EEA)*
- bank / building society account opening confirmation letter (UK)*
- credit card statement (UK or EEA)*
- financial statement - e.g. pension, endowment, ISA (UK)**
- P45 / P60 statement (UK and Channel Islands)**
- council tax statement (UK and Channel Islands)**

- letter of sponsorship from future employment provider (non UK / non EEA only; valid only for applicants residing outside the UK at the time of application; must be valid at time of application)
- utility bill (UK; not mobile telephone bill)*
- benefit statement - e.g. child benefit, pension (UK)*
- a document from central or local government/ government agency / local council giving an entitlement - e.g. from the Department for Work and Pensions, the Employment Service , HM Revenue & Customs, Jobcentre, Jobcentre Plus, Social Security (UK and Channel Islands) *
- EEA national ID card (must be valid at time of application)
- Irish passport card (cannot be used with an Irish passport; must be valid at time of application)
- cards carrying the PASS accreditation logo (UK and Channel Islands; must be valid at time of applications)
- letter from Head or College Principal (for 16-19 year olds in full-time education. This is only used in exceptional circumstances if other documents cannot be provided; must be valid at time of application).

Notes:

- All driving licences must be valid.
- If a document in the list of valid identity documents is:
 - denoted with * - it should be less than three months old
 - denoted with ** - it should be less than 12 months old

APPENDIX F

CHARITY TRUSTEE AND SENIOR MANAGER ELIGIBILITY – SELF-DECLARATION FORM

Name	Position	
<p>Please circle either Yes or No for each question on this form. If you circle Yes to any question then please contact the Chair of Governors to discuss this further.</p>		
Do you know of any reason why you would not be able to satisfy the governor eligibility rules contained in the Foundation’s articles of association?	Yes	No
Do you know of any reason why HMRC would not consider you to be a fit and proper person to be involved in the management of a charity?	Yes	No
Convictions		
To the best of your knowledge do you have an unspent conviction for:		
An offence involving dishonesty or deception.	Yes	No
An offence to which Part 4 of the Counter-Terrorism Act 2008 applies or an offence under section 13 or section 19 of the Terrorism Act 2000.	Yes	No
Any of the money laundering offences listed in section 415 of the Proceeds of Crime Act 2002 (this includes some offences under the Proceeds of Crime Act 2002, the Criminal Justice Act 1988, the Drug Trafficking Act 1994, Criminal Law (Consolidation) (Scotland) Act 1995, the Proceeds of Crime (Northern Ireland) Order 1996.	Yes	No
An offence under section 1 ,2, 6 or 7 of the Bribery Act 2010.	Yes	No
An offence under section 77 of the Charities Act 2011.	Yes	No
An offence of misconduct in public office, perjury or of perverting the course of justice.	Yes	No
Similar offences superseded by any of the above.	Yes	No
The attempt, conspiracy, incitement, aiding, abetting, counselling or procuring, encouraging or assisting of any of the above.	Yes	No
To the best of your knowledge:		
Are you subject to notification requirements of Part 2 of the Sexual Offences Act 2003, commonly referred to as being on the sex offenders register, whether or not the underlying offence is spent?	Yes	No
Are you the subject of an unspent sanction for contempt of court for making (or causing to be made) a false statement, or making (or causing to be made) a false statement in a document verified by a statement of truth?	Yes	No
Have you been found guilty of disobeying an order or direction of the Charity Commission under section 336(1) of the Charities Act 2011?	Yes	No
Are you a designated person under Part 1 of the Terrorist Asset-Freezing etc. Act 2010 or the Al Qaida (Asset Freezing) Regulations 2011?	Yes	No

Have you been removed from the office of charity trustee, officer, agent or employee of a charity by an Order of the Charity Commission under section 79 of the Charities Act 2011 (or earlier relevant legislation) or by a High Court Order on the grounds of any misconduct or mismanagement in the administration of the charity?	Yes	No
Have you been removed under section 34(5)(e) of the Charities and Trustee Investment (Scotland) Act 2005 (or earlier relevant legislation) from being concerned in the management or control of any body?	Yes	No
Are you the subject of a disqualification order under the Company Directors Disqualification Act 1986 or the Company Directors Disqualification (Northern Ireland) Order 2002? (Note: there is no disqualification if the court has granted leave for a person to act as director of the charity as described in section 180 of the Charities Act 2011)	Yes	No
Are you the subject of an order made under section 429(2) of the Insolvency Act 1986 (failure to pay under a County Court administration order)?	Yes	No
<p>Are you:</p> <ul style="list-style-type: none"> • an undischarged bankrupt • subject to any of the following: <ul style="list-style-type: none"> - an undischarged sequestration order - a bankruptcy restrictions order - an interim order - a moratorium period under a debt relief order under Part 7A of the Insolvency Act 1986 - a debt relief restrictions order or an interim order under Schedule 4ZB to the Insolvency Act 1986 <p>(Note: There is no disqualification for these reasons if the charity concerned is a company or Charitable Incorporated Organisation (CIO) and leave has been granted under section 11 of the Company Directors Disqualification Act 1986 (undischarged bankrupts) for a person to act as director of the charity (section 180 of the Charities Act 2011)).</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>

Declaration

I confirm that I have completed this form to the best of my knowledge and that I have not knowingly withheld any relevant information. I understand that a failure to disclose relevant information now, or the provision of false information, may result in the termination of my appointment or the withdrawal of an offer of employment. I understand that knowingly acting as a governor or senior manager whilst disqualified is a criminal offence.

I agree to disclose to the Foundation any change in my circumstances which may result in my being disqualified from working as a governor or senior manager.

Signature

Name

Date

To be completed by the Foundation

Insolvency Register checked

Outcome

Date checked

Name of checker

Register of disqualified directors checked

Outcome

Date checked

Name of checker

Register of persons who have been removed as a charity trustee checked

Outcome

Date checked

Name of checker

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