

SAFER RECRUITMENT POLICY & PROCEDURE

(including recruitment of
ex-offenders)

Policy Owner HR Manager	Applies to Prior Park Schools (Trust Wide)	Superseded documents Safer recruitment Policy and Procedure v2
Associated documents Safeguarding Policy Staff Code of Conduct Recruitment Privacy Notice Data Protections Policy Equal Opportunities Policy Policy for the Processing of Special Category Data Prevent Duty Policy Visiting Speakers Policy Reception and Visitors Policy Recruitment of Trustees and Volunteers Policy	Review frequency Every year (unless the legislation/regulations update before this time) Implementation date 9 December 2021	Legal Framework KCSIE 2021 Disqualification under the Childcare Act 2006 Prevent Duty Guidance DBS Code of Practice Working Together to Safeguard Children 2018 Equality Act 2010 Data Protection Act 2018

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

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1. Introduction

Prior Park Schools (PPS) comprises three schools. Two of those schools, Prior Park College (PPC) and The Paragon School (TP) are incorporated in England as Prior Park Educational Trust Ltd. The third school, Prior Park School Gibraltar (PPSG), is incorporated in Gibraltar as Prior Park School Ltd. Both are companies limited by guarantee and registered charities.

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

2. Aim

2.1. Safeguarding and child protection are at the forefront of all that we do and underpin all relevant aspects of process and policy development. Ultimately, all systems, processes and policies should operate with the best interests of the child at their heart.

2.2. PPS are committed to safeguarding and promoting the welfare of children and young people and to providing the highest quality education. The School is also committed to providing a supportive and flexible working environment for all its staff. In order to achieve these aims, the School recognises that it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

2.3. PPS will act reasonably in making decisions about the suitability of any prospective staff based on checks and evidence. This policy and procedure aims to:

- ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping children safe in education (September 2021) (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);
- ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks;
- ensure fair and consistent treatment of all job applicants in accordance with the Equality Act 2010; and
- appoint staff based on their merits, abilities and suitability for the position.

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

3. Scope

3.1. The Safer Recruitment Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

- 3.2. In the case of agency or contract workers, the School will 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 a copy of the appropriate level of DBS check for such staff. For further information please refer to (section 12).
- 3.3. Any staff who TUPE transfer into the School's staff will be required to undertake the statutory requirements with regard to safer recruitment checks. If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

4. Data Protection

- 4.1. It is vital that people who take up appointments with PPS do not pose a risk to the children in their care. The School is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role.
- 4.2. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (TRA). Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations. The School will process personal information in accordance with its Data Protection Policy, and associated Privacy Notices.

5. Authorisation of posts

- 5.1. All appointments will be authorised by the Head and the Director of Operations and Finance to ensure consistency of employment practice and budget requirements.

6. Advertising of posts

- 6.1. All agreed appointments will normally be advertised internally and externally (in the media and on the School's website) and will be subject to a competitive selection procedure. The aim is to attract a wide range of high calibre candidates from diverse backgrounds.
- 6.2. There may be some occasions where positions will not be advertised, or advertised internally only. This will usually be in response to a specific need such as redeployment, business need or succession planning, and where it is anticipated that there is a suitable internal candidate.

7. Recruitment documentation

- 7.1. Prior to advertising, a job description and a person specification will be prepared by the recruiting manager in liaison with the Recruitment department.
- 7.2. The job description and the person specification will include reference to the importance of safeguarding and Child Protection.
- 7.3. The School will make candidates aware that all posts in the School involve some degree of

responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.

7.4. Before applying for the role, candidates are encouraged to familiarise themselves with the following policies, which can be found on the School website:

- Safer Recruitment (including recruitment of ex-offenders)
- Equal Opportunities policy
- Recruitment Privacy Notice

8. Application Form and full employment history

8.1. A full employment history is required from all candidates as part of the School's commitment to Keeping Children Safe in Education (September 2021). Incomplete application forms will not be considered. A CV will not be accepted in lieu of the completed application form. All applicants for employment will be required to fully complete an application form which needs to be sent, along with the supporting letter, to our central Recruitment department (recruitment@priorparkschools.com) or by post to Prior Park College, Bath for the attention of the Recruitment department.

8.2. Applicants who are shortlisted will be asked to sign a declaration on the application form confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate will be asked to physically sign a hard copy of the application at the point of interview.

8.3. The School will seek to obtain references prior to interview. 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 anomalies, discrepancies or gaps will be discussed with the candidate at interview when a satisfactory explanation will be sought.

8.4. The application will be considered by appropriate members of staff. A shortlist of candidates for interview will be drawn-up using the job description and person specification which details the required qualifications, skills, knowledge and experience. The capability of the individual to perform in the position will be the major factor in addition to their suitability to work in a school environment with children and young people, and to work as part of the wider staff team.

9. Disclosing a Criminal Record

9.1. Shortlisted applicants will be asked to complete a self-declaration form about their suitability to work with children and this will include information about criminal records. The purpose of the self-declaration is to enable candidates to share relevant information and to allow this to be discussed and considered at interview before the DBS certificate is received.

9.2. The position for which candidates are applying in a boarding school environment (PPC only) may involve substantial opportunity for access to children. It is therefore important that applicants provide the School with legally accurate answers regarding their criminal record. Upfront disclosure of a criminal record will not necessarily debar a candidate from appointment, as the School will consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. If candidates would like to discuss this beforehand, they are asked to telephone in confidence the Head (for teaching roles) or the Director of Operations or Finance (for support roles).

9.3. Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However, amendments to the Exceptions Order 1975 (2013, 2020) 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.

10. Interview

- 10.1. 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.
- 10.2. The School requests that all candidates invited to interview also bring with them:
- A current driving licence including a photograph or a passport and a full birth certificate;
 - A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
 - Where appropriate any documentation evidencing a change of name;
 - Where applicable, proof of entitlement to work and reside in the UK.
- 10.3. Originals of the above are necessary. Photocopies or certified copies are not sufficient.
- 10.4. Candidates with a disability who are invited to interview should inform the School (via the Recruitment Department) of any necessary reasonable adjustments or arrangements to assist them in attending the interview.
- 10.5. A set of questions and issues to be explored with each candidate is to be decided prior to interview. Candidate assessment sheets may be used and questions testing the individual's suitability to work with children will be asked including, where appropriate, any discussion of information shared by a candidate in their self-declaration form.
- 10.6. All teaching staff and teaching ancillary staff are recruited by one of the Heads. Support staff are recruited by or on the authority of the Director of Operations and Finance (the procedure is often carried out by the Head at The Paragon School).
- 10.7. Applicants for all posts are to be formally interviewed by no less than two people, one of whom will have completed the required Safer Recruitment Training. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and where this is the case, a judgement will be made as to whether or not an interviewer should withdraw from the panel.
- 10.8. Interview procedures will vary according to whether the vacancy is for an academic or support role. The interview will usually be conducted in person and the panel will normally ask both technical and competency based questions. In some instances, first interviews may take place over Microsoft Teams or zoom if it is difficult for the applicant to attend the interview (this will mainly apply to applicants from over-seas). Where this is the case, this will normally be followed by a face-to-face interview at the final stage prior to appointment. During an interview the candidate will be given the opportunity to ask questions about the role, familiarise themselves with the School, future colleagues and the working environment. In some instances, it may be appropriate

for tests to take place or for second interviews to be arranged.

10.9. In all cases, an important part of the interview process will be to explore the applicant's understanding of safeguarding and child protection as well as their suitability to work in a school/boarding environment with children.

10.10. A meeting will be held post interview to discuss the candidates' suitability for the role.

11. Conditional Offer of Employment: Pre-Appointment Checks

11.1. In accordance with the recommendations set out in KCSIE, DUCA and the requirements of The Education (Independent School Standards) Regulations 2014 and the Boarding schools: national minimum standards, the School carries out a number of pre-employment checks in respect of all prospective employees. All checks will be made in advance of appointment or, where permitted, as soon as practicable after the appointment has commenced.

11.2. The School takes its responsibility to safeguard children seriously and any staff member and/or successful candidate who is aware of anything that may affect their suitability to work with children, must notify the School immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings they may receive in accordance with the prevailing legislation.

11.3. 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.

11.4. 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.

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

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

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

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

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

Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

Neither referee should be a relative or someone known to the applicant solely as a friend. Any information will be verified with the person who provided reference. School will also verify that electronic references originate from a legitimate source.

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

The School 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. Reference requests will not include questions about health or medical fitness.

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 School will be the most recent employer.

11.5.2. Verification of identity

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

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

All employers in the UK have a responsibility to prevent illegal working. The School prevents illegal working by conducting right to work checks before employing someone, to make sure the individual is not disqualified from carrying out the work in question by reason of their immigration status. This is called 'establishing a statutory excuse against liability for a penalty'.

Guidance on how the right to work is checked and what documents can be accepted, please visit: [Right to work checks: an employer's guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/right-to-work-checks).

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

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

Regulated Activity

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

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

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

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

DBS certificate

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

Starting work pending receipt of the DBS disclosure

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

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

Criminal Records Check

For applicants who are living overseas, or who have lived overseas previously, obtaining a DBS certificate alone may be insufficient to establish their suitability to work at the School. Where the successful candidate has worked or been resident

overseas for at least 3 months in the last 10 years, the School will obtain such further checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. This may include an overseas criminal records check, certificate of good conduct or professional references.

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

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

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

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

Letter of Professional Standing

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

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

11.5.7. Medical fitness

The School must satisfy itself of the medical fitness of staff to carry out their duties. The successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be reviewed by a member of HR team and, where necessary referred to Occupational Health Physician. Medical information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, and/or layout of the School. Information will be held by the School in strictest confidence and processed in accordance with the Recruitment Privacy Notice and Data Protection Policy.

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

11.5.8. Prohibition orders

A check that that the candidate is not subject to a prohibition order issued by the Secretary of State, an interim prohibition order, or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012.

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

11.5.10. **Where appropriate, receipt of a Self-Declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006”.**

The statutory guidance “Disqualification under the Childcare Act 2006” applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 and to those who are directly concerned in the management of that childcare.

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

Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Trustees, Senior Leadership Team and teaching heads of department.

11.5.12. **Disqualification under the automatic disqualification rules**

For a candidate to be employed into a senior leadership/management position such as Head or Director of Operations and Finance or Trustee, receipt of a signed “senior charity manager positions: automatic disqualification declaration” confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities.

11.5.13. Prevent Duty training

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made, it will include the requirement to undergo the Prevent duty training.

12. Contractors and third-party staff

- 12.1. The School must obtain the same checks for contractors (and their employees) undertaking regulated activity at the School as it does for its own employees. The School requires written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at the School before any such individual can commence work at the School.
- 12.2. Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.
- 12.3. The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus, those checks set out in KCSIE as 'pre-employment' checks. The Single Central Register shows these checks have been made and the School carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).
- 12.4. Certain individuals are automatically disqualified from acting in senior management positions within a charity. Being disqualified means that a person can't take on, or stay in, a senior manager position - even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.
- 12.5. 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.
- 12.6. The School will independently verify the identity of individuals supplied by contractors or an agency and requires the provision of the DBS disclosure certificate before those individuals can commence work at the School.

13. Recruitment of Trustees and Volunteers

- 13.1. Trustees and Volunteers are subject to appropriate vetting checks. Further details can be found in the Recruitment of Trustees Policy and the Recruitment of Volunteers Policy.

14. Visiting speakers and the Prevent Duty

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

- 14.2. The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.
- 14.3. All visiting speakers will be subject to the School's Visiting Speakers Policy and Reception and Visitors Policy. This will include signing in and out at Reception, the wearing of a visitors' badge at all times and being escorted by a fully vetted member of staff between appointments.
- 14.4. The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so the School will always have regard to the above Policies, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE.

15. Staff Recruitment and checks on other adults

- 15.1. For all persons over 16 (not on the roll of the school) who live on the School premises but are not employed by the school, an enhanced certificate with barred list information will be obtained from the Disclosure and Barring Service (DBS).
- 15.2. There is a written agreement between the School and any person over 16 not employed by the school but living on the School premises (for example, members of staff households). This specifies the terms of their accommodation, guidance on contact with boarders, their responsibilities to supervise their visitors, and notice that accommodation may cease to be provided if there is evidence that they are unsuitable to have regular contact with children. Those individuals are required, via this agreement, to notify an unrelated designated senior member of staff if they are charged with, or convicted of, any offence.

All persons visiting boarding accommodation (e.g. visitors, outside delivery and maintenance personnel) are kept under sufficient staff supervision to prevent them gaining substantial unsupervised access to boarders or their accommodation. For further details in respect of visitors, please refer to the Visitors Policy.

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

- 16.1. All positions at PPS are exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exemptions Order 1975, 2013 and 2020. This means that when applying for jobs certain spent convictions and cautions are 'protected', so they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Further information about filtering offences can be found in the [DBS filtering guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/db filtering guide)
- 16.2. PPS fully complies with the DBS Code of Practice and undertakes not to unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar them from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.
- 16.3. 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.

- 16.4. Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who in the relevant settings and is disqualified from providing childcare under the statutory guidance “Disqualification under the Childcare Act 2006”.
- 16.5. 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.
- 16.6. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:
- whether the conviction or other matter revealed is relevant to the position in question;
 - whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
 - the seriousness of any offence or other matter revealed;
 - the length of time since the offence or other matter occurred;
 - whether the applicant has a pattern of offending behaviour or other relevant matters;
 - whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
 - in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
 - the circumstances surrounding the offence and the explanation(s) offered by the convicted person.
- 16.7. 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.
- 16.8. 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.
- 16.9. 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.

17. Retention and security of disclosure information

- 17.1. 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 Privacy Policy.