



Hampton Court House

Safer Recruitment Policy



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Statement of Intent

This policy sets out recruitment processes and procedures in place to ensure safer recruitment for the appointment of staff at Hampton Court House and Hampton Court Early Years (hereafter known as Hampton Court House or HCH). For the purposes of this policy, the definition of staff is:

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.¹

Advertising a Vacancy

For teaching vacancies, adverts are placed on TES, the school website and other academic recruitment websites. For non-teaching positions, other recruitment sites are occasionally used. Adverts always include the following safeguarding statement and this statement is on the main vacancies page on the HCH website:

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

Suitability of staff

All applicants are asked to complete an HCH application form which is then scrutinised for any discrepancies and gaps in employment. These are noted and explored at interview by the Headteacher and the Deputy Head.

The HCH application form was updated after legal changes came into force on 28 November 2020 which took into account a Supreme Court judgement. The changes are as follows:

- Cautions given to under 18s are no longer legally disclosed
- The multiple conviction rule has been removed so that each offence should be considered individually
- Applicants must be told how to get independent, confidential advice on which cautions or convictions they must disclose and be given time to obtain advice.

HCH amended its application form to ensure compliance with the Supreme Court's rulings.²

The application form contains the following information:

¹ ISI Commentary on the Regulatory Requirements, September 2020, page 78, point 420

² Information was taken from Andrew Hall's Safeguarding Briefing, 11 January 2021.



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As this post is classified as having substantial access to children, appointment will be subject to an enhanced police check of previous criminal convictions.

Applicants are asked to answer the following yes / no questions:

Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? If yes, give details.

The following information is then provided.

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provide that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account. Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website, NACRO www.nacro.org.uk and Unlock www.unlock.org.uk.

Non-disclosure of convictions and cautions not considered 'protected' may lead to termination of employment. However, disclosure of a criminal background will not necessarily debar you from employment – this will depend upon the nature of the offence(s) and when they occurred.

Do you have any cautions as an adult (simple or conditional) or spent convictions not defined as protected by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020? If yes, give details.

Are you, or, have you ever been involved in any internal disciplinary proceedings? If yes, give details.

I can confirm that I am not on the Barred List, disqualified from working with children, or subject to sanctions imposed by a regulatory body such as the Teaching Regulation Agency (TRA).

Hampton Court House requests two references before the interview and will do this unless specifically asked not to by the candidate. HCH recognises it is 'best practice' to approach a candidate's current or most recent employer and references are requested from a senior person, e.g. the Head of the school where the candidate currently works. The person should have sufficient authority to be aware of any issues, so colleagues are not usually approached.

References that confirm only the dates a candidate worked at a company have value because they confirm part of a candidate's employment history, however, further references should include information about the person's suitability for the role.

HCH uses two different reference request templates: one for teaching staff in which includes questions about the teaching ability of the candidate, and a shorter one for non-teaching staff. On both forms, referees are asked if they are aware of any reason why the applicant should not have access to children, to provide any information relating, however indirectly, to



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child protection concerns, and to confirm there are no concerns in relation to the applicant's suitability to work with children.

Information provided by a candidate on the application form will be checked against references received, and any discrepancies are discussed with the candidate by the Deputy Head at interview.

A minimum of two satisfactory references are required before a candidate can start work. References are sometimes taken over the phone and detailed notes made.

Interview

Short-listed candidates are invited for interviews with members of the Senior Leadership Team including the Headteacher, Deputy Heads and for teaching candidates, the Head of Teaching & Learning. The relevant Head of Department may also interview candidates. The Headteacher and Deputy Head are trained in Safer Recruitment and include questions about suitability to work with children and go through any discrepancies and gaps on the application form which are highlighted before interview. Teaching candidates are asked to teach a lesson which is observed by the Head of Teaching & Learning. Other members of the Senior Leadership Team may observe all or part of the lesson.

Short-listed candidates are asked to bring photo ID, proof of address, and proof of qualifications to interview. Documents are photocopied but for unsuccessful candidates will be shredded within 2-weeks of the interview.

Vetting Checks

All persons appointed as members of staff at the school are subject to the following checks. This does not include the proprietor or supply staff.

Disclosure and Barring Service (DBS) checks and the Barred List

The school will apply for a DBS check with barring information (child workforce) for new joiners except in the following circumstances:

The person has joined the DBS Update Service in which case the school will run a check, print the result for file and do a separate check on the Barred List. This information is added to the Single Central Register along with the date the original DBS was viewed and by whom. A check on the Update Service is not carried out until the person has given his or her permission for HCH to do this.

Barred List

The school ensures a new joiner is not barred from regulated activity relating to children. This information is included on an Enhanced DBS certificate with relevant barring information. If the barring information is not included, a separate Barred List check is carried



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out by HCH. HCH only checks someone against the Barred List with his or her verbal permission.

From 1 April 2021 standalone checks of the children's barred list are administered by the Teaching Regulation Agency (TRA) on behalf of the DfE. It is noted that HCH can no longer obtain a standalone barred list check from Capita.

The below is taken from the TRA website:

"Schools, colleges, local authorities and universities can use this search to check the children's barred list status when they are considering engaging individuals in regulated activity. It should only be used to check the barred list status of new starters pending the receipt of an Enhanced DBS or where an individual has worked in post in a school/college that brought them into regular contact with children/young persons which ended not more than three months prior to that person's appointment. If a potential match is returned please contact DBS at dbscost@db.gov.uk. This check is only permitted for those entitled to ask an exempted question under the Rehabilitation of Offenders Act."

The person is not subject to a prohibition order, an interim prohibition order, or any direction made under section 128, or any disqualification, prohibition, or restriction

These checks are made through the Teaching Regulation Agency (DfE online).

Prohibitions from teaching orders all teachers checked including peripatetic, those with QTS, or a TRN, regardless if the teacher is charged by the school or parents.

HCH refers to Commentary on Regulatory Requirements (September 2020) page 86, point 468 for the definition of teaching work.

HCH does carry out prohibition checks for teaching assistants as on occasion teaching assistants may be asked to cover a class (Y1 and above).

Prohibition checks would also be carried out for external coaches if they are to coach children not in the presence of HCH teaching staff (eg Tennis Club).

HCH also carries out Prohibition checks for EY practitioners, and EY teachers and assistants.

Prohibition from management of independent schools directions

HCH will check if the following are subject to a section 128 direction:

- Headteachers
- All staff on the SLT (including non-teaching staff)
- Heads of Department



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- Proprietors

This check will apply to both external candidates, and staff who are promoted internally.

Online checks on social media, social media content, internet and other media platforms is always undertaken prior to any offer of employment being made.

Identity

Photo ID is checked eg a current passport or driving licence, date of birth, along with proof of address eg a bank statement dated in the last 3 months or a council tax bill dated in the last 12 months. The date the original documents are seen is recorded on the Single Central register with copies filed.

Medical fitness

HCH asks all new joiners to complete, sign and date a medical form or medical self-declaration.

Right to Work in the UK

The person's right to work in the UK is checked. Being an EU passport holder proves the right to work in the UK until 30 June 2021. The EU candidates have to provide their Right to Work document produced by the UKVI.

Qualifications

Original certificates are viewed e.g. degrees and the date noted on the Single Central Register.

Overseas Criminal Record Checks

If a candidate has lived overseas for a consecutive period of more than 3 months in the last 10 years, an overseas criminal record check must be obtained before the person starts work at HCH. If this is impractical, then further checks are carried out such as a reference from a referee who knew the candidate during his or her time overseas. HCH notes page 85, paragraph 461, Coms September 2020 that further checks must be obtained in the absence of an official overseas source and that an additional reference (i.e. more than two) would be acceptable.

HCH has noted that from 1 January 2021 the TRA Teacher Services system will no longer maintain a list of teachers who have been sanctioned in EEA member states. The following extract is taken from Andrew Hall's Morning Briefing 25 January 2021:

KSCIE January 2021 update



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This guidance replaces Keeping Children Safe in Education September 2020. Changes are strictly limited to those related to the UK leaving the EU on 31 December 2020.

European Economic Area (EEA) regulating authority teacher sanctions or restrictions

149. From 01 January 2021 the TRA Teacher Services system will no longer maintain a list of those teachers who have been sanctioned in EEA member states. Advice about how information about a teacher's past conduct may be obtained can be found at paragraph 172.

172. ...schools and colleges must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- criminal records checks for overseas applicants – Home Office guidance can be found on [GOV.UK](https://www.gov.uk); and for teaching positions

obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC.”

Candidates from overseas undergo the same checks as other staff at HCH. This includes an enhanced DBS certificate with barred list information. This applies even if a candidate from overseas has never been to the UK. HCH will also check any documentation issued by overseas teaching authorities.

The date of any OCRC is noted on the Single Central Register.

Online Checks- KSCIE January 2022 update

In addition, as part of the shortlisting process the school will carry out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school will explore with the applicant at interview.”

Staff Induction

Statutory induction includes information about Child Protection, Health & Safety (in particular, Fire Safety and the Accident Procedure), and Data Protection.

Safeguarding Induction

All new joiners to the school meet the DSL for a safeguarding induction. The new joiner is provided with a copy of the *Staff Code of Conduct*, the *Safeguarding and Child Protection Policy & Procedures*, and *Keeping Children Safe in Education (part 1 and annex b)* and is asked to read the documents and confirm to the DSL once it has been read.



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Other Induction

As part of a more general induction to the school, new joiners are given a copy of the school *Almanack*, the *School Rules*, the *Staff Handbook*, *Whistleblowing Policy*, *Behaviour Policy*, and access to the other school policies on the shared drive.

All new members of staff must read and sign to say they have read the *Staff Handbook*, the *Staff Code of Conduct*, and *Core Policies* listed in the back of the *Staff Handbook* as part of the induction process.

The *Almanack* contains information such as who's who, contact details, management structure, summary of the code of conduct and the term diary.

Other topics covered in induction include: classroom supplies and purchases, rewards and sanctions; learning support; EAL; registration IT provision; reprographics; duties; access to school out of regular hours; meetings; common room and local amenities.

Probation period

The probation period for a teacher is one academic year; For support staff it is six months. At the end of the period, the relevant Head of Department will meet with the Headteacher to confirm if the person has passed his or her probation, if the probation period needs to be extended, or if the person has not passed his or her probation. A member of SLT will observe a lesson and provide feedback for new teaching staff towards the end of the probation period. The Headteacher issues a letter to new joiners confirming them as permanent members of staff.

Transfer of Employees under TUPE

In the event of TUPE (transfer of undertakings protection of employment) HCH would require new staff information which would be checked and if in order added to the SCR. If there was a break of three months or more, or if the information was incomplete, HCH would look into applying for a new DBS and carrying out other checks.

Appointment of Supply Staff

The procedures followed by HCH for the appointment of Supply Staff are not included in this policy; however, HCH follows the guidelines set out in the *Commentary on Regulatory Requirements*.



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Appointment of Proprietors

The procedures followed by HCH for the appointment of Proprietors are not included in this policy; however, HCH follows the guidelines set out in the Commentary on Regulatory Requirements.

Volunteers

The following checks must be completed for all other volunteers before they can start work: ID, Enhanced DBS, information interview, no contrary indications from the school community, and possibly references (risk assessment). For any volunteers who will be left unsupervised with children or will be carrying out personal care (eg helping children to eat, dress, go to the toilet, wash, or who will be going on an overnight stay), then a Barred List check must also be carried out (after gaining permission from the volunteer).

All volunteers are required to sign a volunteer agreement.

Supply or Contracted Staff

HCH ensures there is a contract with the business supplying staff (eg cleaning staff, caterers). The contract must state that the business / agency supply the school re-checks that have been undertaken on each individual person. The contract must specify ID, qualifications, right to work in the UK, overseas checks, two references, application form or CV, medical fitness, Barred List check, Enhanced DBS, prohibition order from teaching (disqualification if appropriate). The business should then supply a statement for each person confirming that the checks have been carried out and this must be received before the person starts work.

HCH checks ID and a copy of the DBS for supply staff the first time a person comes to the school.

The Single Central Register of Appointments (SCR)

The HCH SCR contains an entry for all current members of staff. A new SCR is created at the start of each academic year. Staff who leave HCH during the academic year will remain on the SCR for the duration of that year regardless if they leave before the end of the academic year, but will be removed from the SCR once the SCR for the next academic year is created. SCRs for past academic years are archived.

The HCH SCR shows the dates the following checks were made:

- Identity
- Barred list
- Professional qualifications



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- Enhanced disclosure
- Overseas checks
- Online checks
- Right to work in the UK
- Prohibition from teaching checks
- Prohibition from management check (if applicable)
- Application form (date signed is recorded)
- References – the date the second reference is received is recorded
- Medical fitness
- Disqualification from childcare (where applicable)

HCH recognises that it is good practice to include volunteers on the SCR.

Visiting Speakers

Members of staff at HCH who invite speakers to school are required to inform the gatekeeper and to provide both the speaker's name and the time he or she is expected to arrive. The gatekeeper will call the school reception who in turn will advise the relevant member of staff of the visitor's arrival.

The visitor is signed in by the gatekeeper and issued with a visitor's badge which must be worn for the duration of the visit. The visitor is met by a member of staff and will be chaperoned for the time he or she is at school, including showing the speaker back to the school gate at the end of the visit.

Parents of children at the school are considered visitors unless dropping off or picking up their children. A parent visitor will need to sign in, wear a visitor's badge, and be chaperoned for the duration of the visit.

The suitability of speakers should form part of a risk assessment and due diligence on their background should be done. This could include an internet search.

Vetting checks will be carried out on regular visiting speakers to the school whether paid or on a voluntary basis and details recorded on the Single Central Register.

As social distancing measures are now in place in the school, there have been no visiting speakers since the start of the Autumn Term 2020. Any speaker who addresses children remotely must be risk assessed with the same level of due diligence on their background.

[1] ISI Commentary on the Regulatory Requirements, September 2020, page 78, point 420