

RECRUITMENT, SELECTION AND DISCLOSURE POLICY AND PROCEDURE

This policy applies to the whole School including the Early Years Foundation Stage (EYFS)

Document Details

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Monitoring and review: This policy is subject to continuous monitoring, refinement and audit by the Principal who is also the Proprietor. This includes undertaking a full annual review of this policy and procedures, inclusive of its implementation and the efficiency with which the related duties have been discharged. This discussion will be formally documented in writing. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately and without delay.

Signed:

Date: September 2022

Mrs A R Burton
Headmistress and Proprietor

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Orchard School is committed to safeguarding and promoting the welfare of students and expects all staff and volunteers to share this commitment. It is our aim that all students fulfil their potential.

Policy objectives and principles

Orchard school is committed to keeping children safe and promoting their welfare. As a core part of safeguarding the school seeks to highlight the importance of well-managed and organised staff recruitment, selection, vetting system. The aim is to create an internal culture of safety for all pupils and staff in addition to giving parents and carers confidence in the school when sending their children. The school adheres to the requirements of statutory guidance, *Keeping Children Safe in Education* September 2022. Accordingly, this policy seeks to ensure:

- The school operates fully in accordance with current statutory guidance (*Keeping Children Safe in Education – September 2022 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**); Part 4 of the Education (Independent School Standards) (England) (Amendment) Regulations, with reference to the appointment of the Proprietor, all staff, external providers and volunteers inclusive of completion of the Single Central Record (otherwise referred to as the Centralised Register);
- The School meets its commitment to child protection and wider safeguarding arrangements in order to actively promote the welfare of children and young people by carrying out all necessary pre-employment checks;
- Arrangements are clear with regard to collaboration with relevant agencies to ensure that information is shared, within the bounds of confidentiality, in order to help inform robust decisions with regard to the suitability of adults to work with children;
- Processes are established to provide up-to-date information for all staff working in the school regarding their individual responsibilities to keep children safe and the need to follow these agreed procedures. In essence, the school will do everything in its power to ensure that advertising, recruitment, selection and supervision arrangements are robust at all times.
- 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 equally 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, marital or civil partner status, disability or age;

Recruitment and selection procedure

All advertisements for posts at the school will highlight the fact that the school operates safe recruitment systems which are systematically applied in all situations. All applicants for employment will be required to complete an **application form** containing questions about their academic and employment history and their 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 will always be sought and must be provided. Curricula 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. When there is a vacancy application forms, job descriptions and person specifications are available to download from the School's website

and can be printed and forwarded to applicants on request. Applicants will be asked to view the school's Child Protection/Safeguarding policy which is available on the school website.

Following an initial trawl of available information the Principal and/or her senior staff will draw up a short-list of applicants to be invited to attend a **formal interview** at which his/her relevant skills and experience will be discussed and considered in more detail. Candidates selected for interview will be asked to complete a self declaration in line with statutory guidance (KCSiE 2022). Formal interviews will always follow a robust format, including the consistent use of questions, keeping a suitable record of questions and answers and ensuring attention is given to technical skills and knowledge alongside motivation to work in the school and views on the need to keep children safe. Interviewers will be trained in safe recruitment and will focus on the motivation, interest and views about child vulnerability as part of the interview process.

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 School's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory. All references will be fully verified through direct contact with referees;
- 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 (TRA) which renders them unable or unsuitable to work at the School;
- 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 or unsuitable to work at the School;
- where the position amounts to "regulated activity (see section 4.3 below) the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
- where the position amounts to "regulated activity" (see section 4.3 below) confirmation that the applicant is not named on the Children's Barred List*;
- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the School;
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the School;
- confirmation that the applicant is not disqualified from working in connection with early or later years' provision (if applicable, see section 4.4 below);
- verification of the applicant's medical fitness for the role (see section 3 below);
- verification of the applicant's right to work in the UK;
- any further checks which the School decides are necessary because of the applicant having lived or worked outside of the UK which may include an overseas criminal records check, certificate of good conduct or professional references; and
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

The School will check the Children's Barred List if an individual will be engaging in "regulated activity" in line with statutory guidance (KCSiE) The School can may also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles that would amount to regulated activity if carried out more frequently. Whether a position amounts to "regulated

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activity" will therefore be considered by the School to decide which checks are appropriate. It is likely that in nearly all cases the School will be able to carry out an enhanced DBS check and a Children's Barred List check. Where a teacher transfers to the school from another school within three months an existing DBS can be accepted, subject to a satisfactory and separate barred list check being completed. Nevertheless, it is the policy of Orchard school to carry out their own checks in order to maintain an accurate and up-to-date record of all appointments.

Medical fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, **after** an offer of employment has been made but **before** the appointment can be confirmed. It is the School's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire. The School will arrange for the information contained in the Health Questionnaire to be reviewed by the School's medical advisor. This information will be reviewed against the Job Description and the Person Specification for the role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra-curricular activities, layout of the school etc. If the School's medical advisor has any doubts about an applicant's fitness the School will consider reasonable adjustments in consultation with the applicant. The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

Successful applicants will be required to sign a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with the School instead, or to attend an occupational health assessment to consider their fitness for the role, they should contact the School Bursar so that appropriate arrangements can be made.

The School 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, considering reasonable adjustments and suitable alternative employment.

Pre-employment checks

In accordance with the recommendations set out in KCSIE September 2021, DUCA and the requirements of the Education (Independent School Standards) Regulations 2014 the School carries out several 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.

Verification of identity and address

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 Annex A (these requirements comply with DBS identity checking guidelines):

- one document from Group 1;
- 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.

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Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. The School asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE 2019. Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

References

References will be taken up on short-listed candidates prior to interview and verified. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

All offers of employment will be subject to the receipt of a minimum of two references, which are considered satisfactory by the School. 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. Neither referee should be a relative or someone known to the applicant solely as a friend.

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 that the applicant has not been radicalised so that they do not support terrorism or any form of "extremism" (see the definition of "extremism" at section 8 below). All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied. 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, job title / duties, reason for leaving, performance, sickness* and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and 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 and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated or malicious;
- whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" below).
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(*questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made.)

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. The School will compare all references with any information given on the application form. References will be verified and any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed. The School will, in all situations, make telephone contact with any referee to verify the details of the written reference provided.

Criminal records check

Given the nature of work with children in the school and the position of trust for everyone working in Regulated activity, the school is entitled to receive information from the Disqualification and Barring Service (DBS) relevant to the role applied for at the School.

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The list of "specified offences" which must always be disclosed

This contains many offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record.

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. The Principal will decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. The key principle is that where an adult in the school has not been 'cleared' through DBS to work in regulated activity they will be supervised at all times by staff who have been suitably cleared. In effect, nearly all posts at the school amount to regulated activity.

The DBS issues a DBS disclosure certificate to the subject of the check only, rather than to the School. It is a condition of employment with the School that the **original** disclosure certificate is provided to the School within 5 days of it being received by the applicant. Original certificates should not be sent by post and should be brought into School by the Applicant. A convenient time and date for doing so should be arranged with the Bursar as soon as the certificate has been received. Applicants who are unable to attend at the School to provide the certificate are required to send in a certified copy, signed by a solicitor, by post or email within five days of the original disclosure certificate being received, being sent to: Mrs A.R Burton (Proprietor and Headmistress). Where a certified copy is sent, the original disclosure certificate must still be provided prior to the first day of work. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the School.

If there is a delay in receiving a DBS disclosure the Headmistress has 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 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 alongside a documented risk assessment, including supervision arrangements. This will be kept under review pending receipt of a clear DBS check.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including a criminal record check from the relevant jurisdiction(s), a certificate of good conduct and / or references from any employment held. Work can only commence once the overseas information has been received and only if the School has considered that information and confirmed that the applicant is suitable to commence work at the School.

Prohibition from teaching check

The School will check whether staff who carry out "teaching work" are prohibited from doing so. The School uses the TRA 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 TRA.

In addition, the School will ask 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 TRA or other equivalent body in the UK.

The School requires this information 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 TRA (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 School will consider whether the facts of the case render the applicant unsuitable to work at the School.

The School will carry out this check, and require associated information, for any role, which involves "teaching work". In doing so the School 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.

It is noted that the above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Headmistress. It is school policy that if there are any doubts or if the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches. In addition, for all appointments made on or after 18 January 2016, where an applicant has carried out teaching work outside of the UK the School will ask the applicant (and their referees) whether they have ever been referred to, or are the subject of a sanction issued by, a regulator of the teaching profession in the countries in which they have carried out teaching work. This will include checking for the existence of any sanctions issued by regulators of the teaching profession in other EEA countries using the TRA Teacher Services system.

Prohibition from management check

The School 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**).

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

- Headteacher;
- teaching posts on the senior leadership team;
- teaching posts which carry a departmental head role and
- support staff posts on the senior leadership team.

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

In addition, the School 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 School'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 School will consider whether the facts of the case render the applicant unsuitable to work at the School.

Childcare disqualification requirements

The school will comply with the requirements of the Childcare Act 2006 (**Act**) and the Childcare (Disqualification) Regulations 2009 (**Regulations**). These state that it is an offence for the School to employ anyone in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP. Please see Annex A to this policy for definitions.

Contractors and agency staff

Contractors engaged by the School will be required to complete the same checks for their employees that the School is required to undertake for its staff. The School will always seek confirmation that these checks have been completed before employees of the Contractor can commence work at the School. 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 will seek confirmation that these checks have been completed before an individual can commence work at the School. The School will independently verify the identity of staff supplied by contractors or an agency in accordance with section 4.1 above and will require the provision of the original DBS disclosure certificate before contractor or agency staff can commence work at the School.

Volunteers

The School 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 School (the definition of regulated activity set out in section 4.3 above will be applied to all volunteers). The School 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 School has deemed appropriate to supervise and ensure the safety of those pupils in their care.

Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils. It is the School'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 School for three consecutive months or more. Those volunteers who are likely to be involved in activities with the School on a regular basis may be required to sign up to the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates. In addition, the School 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.

Visiting speakers and the Prevent Duty

The School will ensure that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised. 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.

All visiting speakers will be subject to the School's usual visitors protocol, inclusive of our Visitors and Security 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. 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 Visitors and 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 will 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. The School reserves the right to obtain such information on any other person appointed to work for or at the School. (Please see Child Protection/Safeguarding Policy)

Policy on recruitment of ex-offenders

The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details disclosed. The School makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar them from employment with the School. Each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 9.2 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 that 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 4.3 above). A failure to disclose a previous conviction (which should be declared) will lead to an application being rejected or, if the failure to disclose is discovered after employment has started, is likely to lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence. As indicated above, short-listed candidates will be asked to complete a declaration prior to interview.

The school will not employ anyone who is barred from working with children as this is unlawful. It is a criminal offence for any person who is barred from working with children to apply for a position at the School. The School 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.

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 School will consider the following factors before reaching a recruitment decision:

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

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 and will not offer employment:

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence; or

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud. If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years or other serious motoring offences considered inappropriate by the school.

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 School will carry out a risk assessment by reference to the criteria set out above. The assessment form will always be signed by the Principal of the School before a position is offered or confirmed. If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, 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.

Retention and security of disclosure information

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. In particular, the School will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's senior management team;
- not retain disclosure information or any associated correspondence for longer than is necessary, and for a maximum of six months. The School will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;
- ensure that any disclosure information is destroyed by suitably secure means such as shredding; and
- prohibit the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates.

Retention of records

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers

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from a disability or to assist with any other workplace issue. The School will retain this documentation for the duration of the successful applicant's employment with the School. It will be retained in accordance with the School's retention of records policy after employment terminates. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months. The same policy applies to any suitability information obtained about volunteers involved with School activities.

Single Central Register of Staff Appointments and checks (SCR)

The school will maintain an accurate, electronic system to record and demonstrate when required vetting checks are undertaken and completed. The register is held in confidential conditions and is only made available authorised individuals (senior staff, inspectors). The SCR is not seen as an end in itself, but a tool for the school to routinely monitor that all necessary checks have been undertaken in a timely manner in accordance with current statutory guidance. As such, it is an active tool, overseen on a regular basis by senior school staff and external education consultant.

Whistleblowing and exit interviews

All staff are trained 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 School's policies (including the whistleblowing policy, the safeguarding policy and the Staff code of conduct). Child protection/Safeguarding children is at the centre of the School'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. Please see separate whistleblowing policy.

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 School also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children; or
- has been removed by the School 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. The school will always operate in line with the requirements of current statutory guidance (September 2021 KCSiE) to report to DBS and TRA (as appropriate). If the individual referred to the DBS is a teacher, the School will also make a referral to the TRA.

Annex A - Supporting information

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;

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.

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

Some roles at the School 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 School will therefore consider whether they do on a case-by-case basis. The Regulations only apply to a limited number of roles within the School but do extend beyond employees to governors and volunteers who carry out relevant work in EYP or LYP. The criteria 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:

- 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;
- various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
- 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;
- having been refused an application for registration of a children's home or having had any such registration cancelled;
- having been prohibited, restricted or disqualified from private fostering; or
- living in the same household as another person who is disqualified from EYP or LYP, or living in a household where a disqualified person is employed (disqualification by association). A household is deemed to cover anyone sharing "living space", including the use of a shared kitchen.

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, or anyone in their household, meet any of the criteria for disqualification under the Regulations. The School 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 School in any relevant role will be conditional upon completion of the Self-Declaration Form and upon the applicant not being disqualified. The School cannot permit any person who is currently disqualified to start work in a relevant role. The School also reserves the right at its absolute discretion to withdraw an offer of employment if, in the opinion of the School, any information disclosed in the Self-Declaration Form renders that person unsuitable to work at the School. Applicants who have any criminal records information to disclose about themselves, or anyone in their household, must also provide the following information:

- details of the order, restriction, conviction or caution and the date that this was made;
- the relevant court or body and the sentence, if any, which was imposed; and
- 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 (see section 0 above). Applicants must not ask for information about spent convictions from any member of their household. For the avoidance of doubt the School does not require applicants to request any criminal records information directly from the DBS. The School only requires applicants to provide relevant information about themselves and members of their household "to the best of their knowledge".

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 School 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 School will withdraw the conditional offer of employment.

The School 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 School is found to have been disqualified, the School will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the School, after which it will be securely destroyed.

Orchard School is committed to safeguarding and promoting the welfare of students and expects all staff and volunteers to share this commitment. It is our aim that all students fulfil their potential.

After making this declaration staff in a relevant role are under an on-going duty to inform the School 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.

List of valid identity documents

Group 1: primary identity documents

- current valid passport
- biometric residence permit (UK)
- current driving licence (photocard with paper counterpart; full or provisional; UK / Isle of Man / Channel Islands and EU)
- birth certificate (UK & Channel Islands; issued at the time of birth (within 42 days of date of birth); full or short form acceptable 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 (paper version; UK / Isle of Man / Channel Islands and EU; full or provisional)
- current driving licence (photocard; all countries; full or provisional)
- current non-UK driving licence (valid for up to 12 months from the date the applicant entered the UK)
- birth certificate (UK and Channel Islands; issued at any time after the date of birth by the General Registrar Office / relevant authority i.e. Registrars)
- marriage / civil partnership certificate (UK and Channel Islands)
- 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 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)**
- work permit / visa (UK; valid up to expiry date)
- 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 authority giving an entitlement - e.g. from the Department for Work and Pensions, the Employment Service, HM Revenue & Customs, Job Centre, Job Centre Plus, Social Security (UK and Channel Islands) *
- EU national ID card (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 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).

Note: 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