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SIAL

CODE OF PRACTICE FOR SAFER RECRUITMENT

Last Reviewed September 2020

Reviewed by DSL

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SAFER RECRUITMENT CODE OF PRACTICE

In order to ensure the safety of the children within our school it is essential that appropriate recruitment and selection procedures are followed in accordance with the Education (Independent School Standards) Regulations 2014, Equality Act 2010, Protection of Freedom Act 2012, Prevent Duty Guidance 2015 and Keeping Children Safe in Education 2020 and in compliance with the Independent Schools Inspectorate – The Regulatory Requirements. Reference should also be made to the school’s Safeguarding and Child Protection Code of practice.

All staff on the Senior Management Team and any staff responsible for recruitment have been trained in safer recruitment. When recruiting, there is always at least one member of the interview panel who has been trained in safer recruitment.

Aims

- To protect and safeguard the children of our school community
- To establish a robust and efficient system of vetting and checking
- To maintain comprehensive centralised records of evidence of safe recruitment

Objectives

- To ensure that when a post is advertised the advertisement makes clear the School’s commitment to safeguarding and promoting the welfare of children.
- To ensure the job description makes reference to the responsibility for safeguarding and promoting the welfare of children
- To ensure the person specification includes specific reference to suitability to work with children
- To obtain and scrutinise comprehensive information from applicants, check on previous employment history and experience and take up and satisfactorily resolve any discrepancies or anomalies
- To obtain independent professional and character references that answer specific questions to help assess an applicant’s suitability to work with children and follow up any concerns
- To conduct a face-to-face interview that explores the candidates’ suitability to work with children as well as their suitability for the post
- To verify successful applicants’ identity
- To verify academic or vocational qualifications of successful applicants
- To check on their previous employment history and experience
- To verify that they have the health and physical capacity for the job
- To obtain an Enhanced DBS check with barred list information for all members of staff in regulated activity (see note below) or separate barred list check if an individual will start work in regulated activity before the DBS disclosure is available
- To check that a person taking up a management position as described at paragraph 99 is not subject to a section 128 direction made by the Secretary of State
- To ensure that appropriate child protection checks and procedures apply to any staff employed by another organisation and working with the school’s pupils on another site

Note:

The definition of ‘staff’ includes any person working at the school whether under a contract of employment or under a contract for services, and includes teachers, peripatetic teachers, part-time staff, volunteers, administrative staff, caretakers and other ancillary staff, staff appointed from overseas and anyone who has been out of the workforce for three months.

The full legal definition of ‘regulated activity’ is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. Regulated activity includes (a) and (b) if done regularly: a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on well-being, or driving a vehicle only for children, b) work for a limited range of establishments (known as ‘specified places’, which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if “it is carried out frequently by the same person” or if “the period condition is satisfied”. Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any

period of 30 days and, for the purposes of the work referred to at (a), it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children.

'Regulated activity' includes also (c) regardless of their frequency or whether they are supervised or not: c) relevant personal care, or health care provided by or provided under the supervision of a health care professional: • personal care includes helping a child, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing; • health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

SINGLE CENTRAL REGISTER OF STAFF

The Head is responsible for updating the Single Central Register of Staff (SCR).

SIAL has decided to adopt a best practice approach by entering on the School's SCR all relevant checks (both statutory and non-statutory) and any relevant additional information.

The SCR includes: all staff; all governors; and all others who work in regular contact with the children, including volunteers.

The information recorded refers to whether or not the following checks have been carried out or certificates obtained, the dates on which the checks were completed (or the certificate obtained) and the initials of the member of staff who carried out the check, where appropriate:

- **Name**
- **Address**
- **Date of Birth**
- **Post and Date of appointment**
- **Professional qualifications required**
- **Right to work in the UK**
- **Enhanced DBS disclosure**

There is no requirement to undertake an enhanced DBS check if, in the three months prior to beginning work at the School, the applicant has worked in another school in England in a post which brought them into regular contact with children or in any position a school since 12 May 2006 OR in a college in England in a post which involved the provision of education and regularly caring for, training, supervising or being in sole charge of children or young people under the age of 18. SIAL will accept a DBS certificate (if it satisfies the above requirements) for short term, short notice staff but will carry out a separate Children's Barred List check. However, the School's general policy is to carry out a new DBS check when appointing all new permanent staff. When a DBS is accepted from another institution this will be logged on the SCR with further information detailed under the 'further information' column.

- **Children's Barred List**

Where the position applied for amounts to 'regulated activity' the School obtains confirmation that the applicant is not named on the Children's Barred List. Most positions at the School will amount to regulated activity and a Children's Barred List check will therefore be carried out in nearly all cases. This check is completed as part of the Enhanced DBS check. Where an individual commences work prior to the School receiving the DBS disclosure a separate check of the Children's Barred List will be carried out before work starts

- **Prohibition from Teaching Check**

This is required for all teaching staff and details the date that checks have been done to confirm that the applicant is not subject to a teacher prohibition order (nor to any sanction or restriction imposed (that remains current) by the GTCE before its abolition in March 2012). These checks are carried out via the Teaching Regulation Agency (TRA) Teacher Services website.

- **EEA Teacher Prohibition Check**

Since 18th January 2016 it is a requirement for EEA countries to share prohibitions and other sanctions imposed on teachers. There is a separate EEA sanction list on the TRA Teacher Services website.

- **Prohibition from Management of Independent Schools Directions (Section 128 directions)**

This applies to all staff appointed to management positions, including governors, headteachers, all staff on the senior leadership team (including non-teaching staff) and teaching positions with departmental headship. The information is contained in the enhanced DBS disclosure certificate or obtained through the TRA Teacher Services website.

- **Overseas criminal records or certificate of good conduct**
Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges. In addition, the School will make such further checks as it considers appropriate in order to verify a person's suitability to work with children due to them having lived or worked overseas prior to their being appointed to a position at the School. The date of receipt of the overseas criminal records check / certificate of good conduct is logged in this column with additional information logged under the 'further information' column if necessary.
- **Two written references obtained**
Two satisfactory written references are required
- **Medical fitness**
A declaration is required from all staff, duly signed, that they know of no reasons, on grounds of mental or physical health, why they should not be able to discharge with due care and skill the responsibilities required by the post in question.
- **Latest Safeguarding Training level 1 undertaken**
Staff will receive child protection training (Level 1) that is updated regularly in accordance with the RBKC Safeguarding Children Board guidance. The date of the latest training is logged under this column on the SCR.
- **Level 3 Child Protection Training**
This identifies those members of staff (the Designated Safeguarding Leads and deputy) who have undertaken Level 3 Child Protection Training and the date the qualification was taken.
- **Latest Internal Safeguarding and Child Protection Induction**
New staff, including temporary staff and volunteers, and Governors will receive training on appointment as part of their induction, overseen by the Designated Safeguarding Leads (**DSL**), which includes: The Safeguarding and Child Protection Policy, the identity of the DSLs and deputies, Code of Conduct, safeguarding response to children who go missing from education, behaviour and staff behaviour policies and a copy of Part One of KCSIE. All staff will be required to sign to confirm that they have understood this information. The date of the induction training is entered on the SCR under this column. Existing staff also receive regular internal training. The date of the latest internal safeguarding training is entered in this column.
- **Receipt of Safeguarding & Child Protection documents**
All staff are required to confirm that they have received and read all the relevant safeguarding and child protection documents and know the location of all school policies. This is the latest date they signed the form to confirm this.
- **Confirmation of receipt of KCSIE, Part 1**
This confirms the date of receipt of the latest version of KCSIE, Part 1 to each member of staff.
- **e-safety – Staff acceptable use agreement form**
All staff are required to sign the school e-safety – Staff acceptable use agreement form. This is the latest date they signed the form.
- **Safer Recruitment Training**
At least one member of every appointment panel will have received safer recruitment training. In addition, any member of staff responsible for assessing pre-employment checks will have received the relevant training. The individuals who have received the appropriate training and the date the Safer Recruitment training expires is logged on the SCR.
- **E-Safety Training**
This identifies those members of staff who have undertaken e-Safety Training and the date the qualification was taken.
- **First Aid Training**
This identifies those members of staff who have undertaken Pediatric First Aid Training and the date the qualification was taken.

- **Fire Warden Training**

This identifies those members of staff who have undertaken Fire Warden Training and the date the qualification was taken.

- **Further Information**

The 'Further Information' column will include additional relevant comments, e.g. changes in role, further relevant trainings, overseas checks information, notes of Risk Assessments put in place.

PROCEDURES FOR EMPLOYING STAFF

The procedures to be followed:

- Advertising
- Drawing up a short list
- The interview process
- Offer of appointment
- Post appointment

Advertising

- Advertisement to include statement of School's commitment to safeguarding and promoting the welfare of children.
- Advertisement to indicate that applicants must request an application form.
- On request, send application form, job description (which includes a requirement for compliance with the school's Safeguarding and Child Protection and Safer Recruitment Codes of practice), person specification and statement of terms and conditions relating to the post.

Drawing up a short list

- Application form scrutinised to ensure it does not contain any discrepancies and to identify gaps in employment - which should be noted in considering whether to short list an applicant.
- All candidates to be assessed equally against criteria contained in the person specification.
- A short list of candidates will then be drawn up.
- Short listed candidates called for interview.

The interview process

- The interview would assess the merit of each candidate against the job requirements and explore their suitability to work with children.
- Candidates for interview would be given all necessary information concerning time, place etc., how the interview and trial lesson, if used, would be conducted and who would form part of the interview process.
- Documentary evidence of identity that would satisfy DBS requirements would be requested and also evidence of any educational and professional qualifications that are relevant for the post.
- Copies of all these will be kept on the successful candidate's personal record file. Documentary evidence of unsuccessful candidates will be shredded.
- In most instances the interviews will be conducted by two interviewers (at least one interviewer being a safer recruitment trained member of staff). An agreed set of questions will be drawn up relating to the requirements of the post and the issues to be explored with each candidate based on the information provided in the candidate's application form and references (if available). Also explored will be:
 - The candidate's attitude towards children and young people
 - His or her ability to support the school's agenda for safeguarding and promoting the welfare of children

- Gaps in the candidate's employment history (if applicable)
- Concerns or discrepancies arising from the information provided by the candidate
- The candidate should be asked if he/she wishes to declare anything in light of the requirement for a DBS disclosure
- In the case of a teaching post, an agreed trial lesson will form part of the interview process and will be observed by two members of staff: one member of the interview panel and the main teacher or a teacher who is familiar with the class in question. A teaching assistant would spend a trial morning/afternoon with the relevant Form Teacher
- An interview conducted by the School Council with the supervision of one of two interviewers **will also be organised.**
- The candidate will be informed of the timeframe for announcing the outcome of the recruitment process.
- Two written references will be obtained for the preferred applicant.
- If the best candidate lives abroad at the time of applying, a telephone (or Skype if available) interview will take place and identity documents and professional qualifications and references will need to be in place before an offer is made.

Offer of appointment

Offer of appointment will be conditional on receipt of the following:

- Satisfactory DBS disclosure
- Two satisfactory character and professional references
- Check that the member of staff is not subject to a Teaching Prohibition Order (including EEA Prohibition), if appropriate
- Check that the member of staff is not subject to a Prohibition from Management of Independent Schools (section 128 direction), if appropriate
- Confirmation of
 - Identity
 - Medical fitness
 - Right to work in UK
 - Previous employment history
 - Proof of qualifications
- Where applicant has lived or worked overseas, further checks are made as appropriate.

Each new appointment will be entered on the Single Central Register at the time of making the job offer. The Single Register details all the checks undertaken, when they were undertaken and who checked them.

Where a DBS disclosure has not been received before the commencement of employment, a Barred List check will be carried out prior to commencement of employment. A Barred List check will also be carried out where a 'portable' DBS is used. No member of staff or volunteer will be left unsupervised with the children until they have a satisfactory DBS.

Procedure should there be a disclosure on DBS form: The Head undertakes to discuss any matter revealed in a Disclosure with the person seeking a position at the school. Having a caution or conviction will not necessarily bar an applicant from working with us. It would depend on the nature of the position and the circumstances, background and nature of the offence. The Head would make a judgement based on the information revealed and a discussion with the candidate as to whether employing the candidate would in any way compromise her duty of safeguarding and protecting the children in her care.

If employing supply staff from a supply agency confirmation is obtained from supply agency that DBS checks have been carried out.

In line with the 'Statutory Framework for the Early Years Foundation Stage Setting the standards for learning, development and care for children from birth to five' (2014) a person who is disqualified will not be employed in connection with Early Years provision. Indeed, were the school to become aware of relevant information that may lead to the disqualification of an employee, instant appropriate action will be taken so as to ensure the safety of the children.

Post appointment

The school conducts an Induction Inset for all staff and volunteers to:

- Provide training and information about the school's codes of practice and procedures
- Support individuals in a way that is appropriate for the role for which they have been engaged
- Confirm safe practice and standards of conduct and behaviour expected of staff and pupils within the school
- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities
- Enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately
- Ensure new staff are aware of the codes of practice and procedures that relate to safeguarding and promoting welfare and safety of children: e.g. Safeguarding and Child Protection (including Keeping Children safe in Education), Anti-Bullying, Ethnic Diversity, Managing Behaviour, Use of Force to Control and Restrain Pupils, Pastoral Care, E-Safety.
- Ensure new staff received the Code of Conduct and the Staff Handbook
- Ensure new staff have received a thorough fire safety induction
- Explain how and to whom any concerns about issues mentioned above should be raised

PROCEDURE FOR SUPPLY/AGENCY STAFF

No person may begin work in the school unless the Head has received written notification from the supply agency that all appropriate checks have been carried out including: identity, references, relevant qualifications where appropriate, application form/background history, medical check, an enhanced DBS disclosure, further checks if person has lived outside UK, right to work in UK, prohibition order checks, disqualification for the purposes of Childcare Act 2006 and Barred List check.

Agencies must provide DBS checks dated in last three years for supply staff. Before a person begins work at the school the person's identity and DBS certificate will be checked by the Head. Where a supply teacher will be at the school on a regular basis, safeguarding induction will be provided together with copies of safeguarding documentation and an induction form completed.

PROCEDURE FOR VOLUNTEERS

When a volunteer is involved in a school activity on a supervised and 'one off' basis, such as a school trip, vetting checks would not normally be required.

If a volunteer becomes involved in a school activity on a regular basis (i.e. once a week or more, or three or more occasions in a 30 day period), an informal interview with the Head and/or member of staff involved will take place. A copy of ID will be requested and held on file. The need for written references will be at the discretion of the Head. The volunteer will be briefed by the member of staff involved and provided (where appropriate) with safeguarding and procedural documentation. A DBS disclosure will be obtained where it is considered that the role will be 'unsupervised'. No volunteer in regulated activity will be left unsupervised with children until they have a satisfactory DBS. The Head will be responsible for keeping a list of all current volunteers who have been DBS checked and inform other members of staff accordingly.

PROCEDURES FOR CONTRACTORS

Contractors, or any employee of a contractor, should not be left unsupervised whilst on the school premises. The identity of contractors and their staff will always be checked on arrival at the school. In the exceptional circumstances that a contractor or an employee of a contractor, needs to be left unsupervised, an enhanced DBS check will be required (this will have to include barred list information if the contractor, or any employee of a contractor is engaging in regulated activities).

PROCEDURE TO CHECK VISITORS TO THE SCHOOL

Visitors to the school must sign in at the School Office. They will be given a visitor's badge and be asked to read the school's Safeguarding leaflet. They will also be made aware of fire safety procedures.

Visitors should not be left unsupervised whilst on the school premises.