St David's College

— Est. 1965 —

SAFER RECRUITMENT POLICY

Safer Recruitment

Date	Review Date	Monitoring	Coordinator	Nominated Governor
29/09/2026	29/09/2027	Annually by Fin com	Nicola McDonald	Ken Underhill

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school.

1. General

St David's College ("the School") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

All queries on the School's Application Form and recruitment process must be directed to the Bursar.

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.

The Headmaster Andy Russell is responsible for the management of the School.

All checks will be made in advance of appointment or as soon as practicable after appointment.

2. Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. Under the **Education (Independent School Standards) (Wales) Regulations 2024**, 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 volunteers.

In the case of agency or contract workers, the School shall 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 DBS check for such staff.

The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every 3 years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus in line with KLSIE two references, declaration of medical fitness, check of previous employment history). 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).

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the trustees/governors, and who carries overall responsibility for the day-to-day management and control of the charity. [At St David's College this would be the Head].
- A person who is accountable only to the Head or the trustees/governors, and who is responsible for the overall management and control of the charity's finances. At St David's College this would be the [Bursar/Finance Director].

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.

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.

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.

3. Application Form

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

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. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

Checks will be made of previous employment history by the Bursar to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by

the Bursar. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Bursar for advice.

All staff and applicants must disclose any unspent convictions, cautions, reprimands, or warnings to the school. Certain protected cautions and convictions under the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2013 are not subject to disclosure and cannot be taken into account. Guidance on the filtering of cautions and convictions can be found via the Disclosure and Barring Service (DBS) and the Welsh Government safer recruitment guidance.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position. Additionally, successful applicants should be aware that they are required to notify the school immediately if they are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration

The statutory regulations Childcare (Disqualification) Regulations 2009 (Wales) apply to those providing early years childcare or later years childcare, including before-school and after-school provision, to children who have not attained the age of 8, and to those who are directly involved in the management of that childcare. Staff or managers who are disqualified under these regulations must not work in or manage relevant childcare settings, and there is no waiver process in Wales.

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the Bursar immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

Staff and/or successful candidates who are disqualified from working in childcare or in a regulated setting under the Childcare (Disqualification) Regulations 2009 (Wales) are not permitted to work in relevant roles. There is no waiver process, and the school/setting must ensure that disqualified individuals do not undertake any work in regulated childcare or education roles. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Bursar for more details.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability 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.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.

4. Invitation to Interview

The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least two people chaired by a member of the School Leadership Team. It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children.

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.

The School requests that all candidates invited to interview also bring with them:

1. A current driving licence including a photograph or a passport or a full birth certificate;

2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;

3. Where appropriate any documentation evidencing a change of name;

4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.

Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

5. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);

2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;

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

   For a candidate to be employed as a teacher, a check must be carried out to ensure that the candidate is not subject to any prohibition or restriction from the Education Workforce Council (EWC).

   Teaching work, as defined in Wales, encompasses:

- Planning and preparing lessons and courses for pupils
- Delivering and preparing lessons to pupils
- Assessing the development, progress and attainment of pupils
- Reporting on the development, progress and attainment of pupils;

4. Verification of professional qualifications, where appropriate;

5. Verification of successful completion of statutory induction period (for teaching posts – this applies to those who obtained QTS on or after 1 April 2003, in line with Welsh Government requirements).

6. Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered;

7. Satisfactory medical fitness;

8. 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 Governors, Senior Management Team and teaching heads of department; and

9. For a candidate that has lived or worked outside the UK, an EEA check using the Teaching Regulation Agency employer access system for information about any teacher sanction or restriction.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Recruitment Privacy

Notice and Data Protection Policy. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, layout of the School.

6. References

The School will seek the references referred to in section 5 above for shortlisted candidates (including internal applicants) and may approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant's current or most recent employer. References must be obtained from the most appropriate senior person with direct knowledge of the candidate's work and conduct. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will ask all referees if the candidate is suitable to work with children.

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 verify all references. Where references are received electronically, the School will ensure they originate from a legitimate source.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

7. Criminal Records Policy

The School will refer to the Welsh Government guidance, 'Keeping Leaners Safe (2022) (2022) (2022)' and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:
https://www.gov.uk/government/publications/dbs-code-of-practice.

There are limited circumstances where the school may consider previous employment in another educational institution in Wales. In all cases, the school will:

- Obtain a new DBS disclosure for the individual;
- Ensure the individual is not barred from working with children or disqualified from childcare under Welsh regulations;
- Follow the Welsh Government safer recruitment guidance (Keeping Learners Safe, 2022) and the Wales Safeguarding Procedures (2019) when making recruitment decisions.

The school will not rely solely on previous disclosure checks from another institution.

In these circumstances the school may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

Commencement of Employment — DBS Requirement

1. No person may commence employment, in any capacity, until an enhanced Disclosure and Barring Service (DBS) certificate has been received and assessed as satisfactory by the Head or Bursar.
2. All other pre-employment checks including barred list checks (where applicable), right to work, references, prohibition orders, and any other statutory checks must also be completed and cleared before employment begins.
3. Under no circumstances may an individual begin work without a satisfactory enhanced DBS disclosure.

Legal Basis & Compliance

- This policy is put in place to ensure full compliance with Welsh Government's statutory safeguarding guidance, *Keeping Learners Safe* (2022) which requires governing bodies, proprietors and schools in Wales to adopt robust safer recruitment and vetting procedures. (GOV.WALES)
- The guidance explicitly emphasises that safer recruitment is integral to protecting learners and preventing unsuitable persons from being employed in schools. (IICSA)
- By insisting that no work may start until the DBS is received, this policy reinforces the school's commitment to the highest standard of safeguarding practice and ensures alignment with the statutory framework in Wales.

8. Retention, Security of Records and Data Protection Obligations

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 Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.

Equality

Under the Equality Act 2010, St. David's has a duty not to discriminate against any of the protected characteristics. Due regard has been given to equality law when developing and implementing St David's policies, practices and day-to-day activities. St David's will continually monitor the way this policy operates to ensure it does not unlawfully discriminate, permit harassment or victimisation, or limit equality of opportunity. St David's is committed to meeting its obligations under the Equality Act 2010 at all times.

Appendix

Policy on the Recruitment of Ex-Offenders

The School will not 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 him/her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

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.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the Disclosure and Barring Service (DBS) of individuals considered unsuitable to work with children. In addition, it is unlawful for the School to employ anyone who is the subject of a disqualifying order made following conviction or charge for 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 anyone who works in relevant settings and is disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009 (Wales).

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.

In the event that relevant information (whether in relation to previous convictions, cautions, reprimands, warnings, or disqualification from childcare) 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, caution, or other matter is relevant to the position in question;
- The seriousness of the offence or matter revealed;
- The length of time since the offence or 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 childcare under the Childcare (Disqualification) Regulations 2009 (Wales), whether the applicant is legally permitted to work in relevant childcare or early years roles; and
- The circumstances surrounding the offence or matter 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: 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.

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.

We are aware that the General Data Protection Regulations (GDPR) has entirely replaced the previous Data Protection Act (DPA) making changes to many existing data protection rules and regulations that schools, academies and other educational establishments adhered to under the DPA. The principal aim of the GDPR is to strengthen and unify the safety and security of all data held within an organisation.

We have a major duty to ensure safe recruitment of school personnel and volunteer helpers to this school as we are committed to safeguarding and promoting the welfare of all children. By creating a culture of safe recruitment that involves undertaking criminal record checks (DBS checks), barred list checks and prohibition checks plus obtaining references and other interview information for all prospective employees, we believe that this will help prevent, reject or identify those people who might abuse children.

We realise that the majority of school appointments is for personnel who will be responsible for the care and supervision of children on a regular basis such as teaching, training, instructing, caring for or supervising children; or carrying out paid or unsupervised unpaid work but in contact with children; or engaging in intimate or personal care or overnight activity is known as regulated activity and as part of the process of safe recruitment all prospective employees will need to have an enhanced DBS check with barred list information.

Under no circumstances will we allow any individual to carry out any form of regulated activity if it comes to our attention that they have been barred.

Also, we are aware that we have 'a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.' (as set out in *Keeping Learners Safe* (2022) guidance, Welsh Government)

We have a duty to ensure that all volunteers in regulated activity must have an enhanced DBS certificate with barred list check. We will not allow any volunteer to work unsupervised with children or work in regulated activity without the necessary checks.

However, a supervised volunteer 'who regularly teaches looked after children is not in regulated activity.'

Our recruitment process is subject to the Equality Act 2010 which provides protection from prohibited acts in employment for those with protected characteristics.

St David's College has been registered as an independent school with a Christian religious character by the Welsh Government. In view of this designation, education law provides an exemption in the recruitment and employment of teaching staff to allow the College to give preference to applicants that share religious opinions that are in accordance with the tenets of the Christian faith designation of the College, attend worship in accordance with those tenets or are willing to reach religious education in accordance with the Christian faith.

We may also be exempt from provisions of the Equality Act when a role within the College has a genuine occupational requirement, for example, the role of our Chaplain.

We intend to deter prospective applicants and to identify and reject applicants who are unsuitable to work with children. Existing employees, employees on fixed or temporary contracts will be invited to apply.

We expect all applicants to declare whether they are in a close relationship with any employee, worker, volunteer, governor or anyone else connected with this school as we wish to encourage and promote an open and transparent recruitment process.

We believe our recruitment and selection process is systematic, efficient, effective and equal.

We are aware that schools are finding it difficult to recruit and retain teaching staff, support staff and school leaders. We recognise that recruiting and retaining the right staff is at the centre of providing a quality learning experience for pupils.

We understand that besides low pay, high workload and stress teachers' also decide to leave the profession because of other factors such as teaching performance resulting in the involvement of the senior leadership team, feeling undervalued or a behavioural incident involving pupils and parents/carers.

We aim to retain and further develop high quality teaching and support staff to ensure quality learning experiences for pupils by reducing unproductive or unnecessary teacher workload associated with marking, planning or tracking pupil progress that does not contribute to the raising of pupil standards. Also, we need to ensure that we deal with all other issues in order to retain school personnel.

We recognise the importance of ensuring all school personnel enjoy a reasonable balance between their working life and their out of school commitments and interests. It is not in the interests of either the school or the individual for any employee to work excessively without complementary rest or recreation. We are committed to ensuring that positive steps are taken to promote a healthy work-life balance for all school personnel.

We recognise the importance of promoting and supporting the health and well-being of all school personnel as we wish to improve moral, job enrichment, the quality of work life and the continuous improvement of educational achievement.

We aim to promote from within whenever possible in order to give staff a clear path of advancement. In exceptional circumstances such as a job offer from another school, we will consider providing incentives to retain the right staff.

We work hard to create and maintain a skilled, balanced, conscientious, diverse and committed staff that reflects the diversity of the local community.