



Tormead

SCHOOL

RECRUITMENT, SELECTION & DISCLOSURE POLICY

This whole school policy also applies to the Prep School

Summary of changes:

March 2023 Review	<ul style="list-style-type: none">• Section 2- addition of the online screening policy• Section 23 and Appendix 1-inclusion of the new privacy notice for prospective employees
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Guidance and information

Last review	March 2023
Responsibility	Bursar and HR Officer
Policy Approval	F&GP or the Full Governors Committee
Review Date and frequency	Next review due in March 2024 and annually thereafter

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1. Introduction

- 1.1 Tormead is committed to providing the best possible care and education to its girls. Safeguarding and promoting the welfare of children and young people is our highest priority. The School is also committed to providing a supportive and flexible working environment for all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance that we attract, recruit and retain staff of the highest calibre who share this commitment, and that we ensure that our recruitment procedures help deter, reject or identify people who might abuse children.
- 1.2 The aims of the School's recruitment policy are as follows:
- i. To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
 - ii. To ensure that all job applicants are considered equally and consistently;
 - iii. To ensure 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, age, or any other protected characteristic as defined within the Equality Act 2010;
 - iv. To ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (**DfE**) - *Keeping Children Safe in Education (September 2022)*, and *Prevent Duty Guidance for England and Wales (April 2021)* and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
 - v. To ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks as specified by the relevant guidance and legislation.
- 1.3 Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

2. Recruitment and Selection Procedure

- 2.1 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. A curriculum vitae will not be accepted in place of the completed application form but may be appended to a completed form.
- 2.2 Applicants will receive a job description for the relevant role. Application forms, job descriptions and the School's Safeguarding Policy are available to download from the School's website and can be printed and forwarded to applicants on request.

- 2.3 From 1 September 2022 'during the shortlisting process, we carry out an online search on the shortlisted candidates, as part of our due diligence to review their online and social media presence. This may help identify any incidents or issues that have happened, and are publicly available online, which we might want to explore with the applicant at interview. This service is outsourced to SP-Index (registered as Social Media Consulting Limited). All reports are assessed before the interview takes place.
- 2.4 Selected applicants may then be invited to attend a **formal interview** at which his / her relevant skills and experience will be discussed in more detail. In accordance with recommended best practice, where possible at least one person on the interview panel has completed safer recruitment training. Interviews are, where possible, conducted in person and areas explored include suitability to work with children. During the summer term 2020 and spring term 2021 lockdowns and school closure periods, some interviews were necessarily conducted virtually.
- 2.5 Applicants will be asked at invitation to interview stage if they require reasonable adjustments to be made to the interview process and to working arrangements to accommodate any specific needs.
- 2.6 Shortlisted candidates are asked to complete a self-declaration form in relation to their criminal record information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a self-declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application, at the point of interview.
- 2.7 If it is decided to make an offer of employment following the **formal interview**, any such offer will be conditional on the following:
- i. The agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
 - ii. The receipt of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory;
 - iii. Verification of identity and qualifications including, where appropriate, evidence of right to work in the UK;
 - iv. The receipt of an enhanced disclosure from the DBS, which the School considers to be satisfactory;
 - v. For a candidate to be employed as a teacher, a check that the candidate is not subject to a prohibition order issued by the Secretary of State (see section 5.2 below);
 - vi. For a candidate to be appointed to a management position, a check that the candidate is not subject to a section 128 direction (see section 5.3 below)
 - vii. Where the successful candidate has worked or been resident overseas, such checks as the school may consider appropriate so that any relevant events that occurred outside the UK can be considered (see section 5.8 below);
 - viii. Confirmation, where relevant and by means of a self-declaration, that the applicant is not disqualified from childcare (see section 5.4 below);

- ix. Verification of the applicant's medical fitness for the role (see section 4 below); and
- x. Where the position amounts to "regulated activity" (see section 5.7 below) confirmation that the applicant is not named on the Children's Barred List administered by the DBS*

***A check of the Children's Barred List is not permitted if an individual will not be undertaking "regulated activity". Whether a position amounts to "regulated activity" must therefore be determined by the School in order to decide which DBS checks are appropriate. It is, however, likely that in nearly all cases a Children's Barred List check will be carried out.**

3. Medical Fitness

- 3.1 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. We also have a duty to check medical fitness (including both physical and mental health) to satisfy ourselves of the medical fitness of staff to carry out the duties of the post applied for.
- 3.2 It is the School's practice that all applicants to whom an offer of employment is made must complete an online Health Questionnaire (administered by the company "Occupational Health Assessment") which must be duly completed by the applicant. 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 timetable, extra-curricular activities, layout of the School etc. If the medical advisor for Occupational Health Assessments has any doubts about an applicant's ability to fulfil the physical or mental requirements of the role, they will inform the School for it to consider all the reasonable adjustments in consultation with the applicant.
- 3.3 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.

4. Pre-Employment Checks

- 4.1 In accordance with the recommendations set out in the 'Commentary on the Regulatory Environment' (ISI, September 2022), and the requirements of The Education (Independent School Standards) (England) Regulations 2014 (the ISSRs) the School carries out a number of pre-employment checks in respect of all prospective employees. The completed pre-appointment checks, for all staff working at the school, including supply staff, and for all Governors, are recorded on the School's Single Central Register ('SCR'). The SCR indicates whether checks have been carried out and / or certificates have been obtained, and the date on which each check was completed / certificate obtained; whilst not a requirement, we also record on the SCR the initials of the checker.
- 4.2 Any staff that TUPE transfer into School's staff, will be required to undertake the statutory requirements with regard to safer recruitment checks.

- 4.3 The SCR always contains an entry for all current members of staff. It is our policy to remove leavers at the end of an academic year – for example, an employee leaving employment in December would only be removed from the SCR the following August. Data removed for leavers is retained separately until at least after the school’s next ISI inspection.
- 4.4 With effect from September 2018, KCSIE no longer directed that checks carried out on volunteers need to be recorded on the SCR. We do, however, retain this data on a separate ‘Volunteers’ sheet on the SCR.

5. Verification of Identity and Address

- 5.1 Identity checks are made against an original official document such as a passport, a driving licence or a birth certificate (Photocopies or certified copies are not sufficient).
- 5.2 Photographic identity must always be included, together with proof of address (for example, a recent utility bill, bank statement or similar)
- 5.3 Where an applicant claims to have changed his / her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) he / she will be required to provide documentary evidence of the change.
- 5.4 The School asks for the date of birth of all applicants, and proof of this. Proof of date of birth is necessary not only to verify identity but also so that we can check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

6. Prohibition from Teaching Orders, sanctions and restrictions (including EEA)

- 6.1 The School is required to check that anyone employed or engaged to carry out ‘teaching work’ is not subject to a prohibition order, direction, sanction or restriction issued by the Secretary of State. The check is completed using The Teaching Regulation Agency’s (TRA) Employer Access Service (formerly Teacher Services/Employer Access Online) and, for a member of staff without QTS, the School checks by means of an alphabetical search by name. This requirement applies to all appointed to ‘teaching work’ on or after April 2012. ‘Teaching work’ is defined in The Teachers’ Disciplinary (England) regulations 2012 to encompass:
- i. Planning and preparing lessons and courses for pupils;
 - ii. Delivering and preparing lessons for pupils;
 - iii. Assessing the development, progress and attainment of pupils; and
 - iv. Reporting on the development, progress and attainment of pupils
- 6.2 Whilst the School decides on a case by case basis whether or not a Prohibition Order check is required, as a matter of course we complete Prohibition Order checks on all teachers, peripatetic music teachers, sports coaches and activity leaders.

6.3 There remain a number of individuals who are still subject to disciplinary sanctions imposed by the GTCE (prior to its abolition in 2012) - any such records are held by the Teaching Regulation Agency (TRA).

7. Prohibition from Management of Independent Schools Directions (section 128 directions)

7.1 With effect from 12 August 2015, the School is required to check whether staff appointed to management positions from that date, are subject to a section 128 direction – this includes staff promoted internally. For new staff in regulated activity, the check is completed via the DBS as a section 128 direction would show on the DBS barred list check. For Governors not in regulated activity, and for existing staff who are promoted to management, the check is made via the TRA (and, as previously noted, the TRA Employer Access Service can be checked for individuals without a teacher number by means of an alphabetical search). In practice, we complete a section 128 check on all Governors, the Head, all members of the Senior Leadership Group (including non-teaching staff), the Prep School Senior Team, all staff appointed to teaching positions with department headship and Heads of Year in the Senior School.

8. Disqualification under the Childcare Act 2006

8.1 KCSIE incorporated the statutory guidance ‘Disqualification under the Childcare Act 2006’, which relates to staff working in the Early Years and those involved in childcare under the age of 8 in before and after school settings. We check that all staff involved in, and responsible for the management of, both Early Years and before and after school care for children under 8 by means of a self-declaration questionnaire. We require that this is completed prior to employment and also that it is then completed annually. Those staff whom we require to self-certify that they are not disqualified from childcare comprise:

- i. All Governors
- ii. The Executive Group (Head, the Bursar, Head of Prep School, Deputy Head (Academic) & Deputy Head (Pastoral);
- iii. All staff employed to work directly in the Prep School;
- iv. Any / all employees employed primarily to work in the Senior School but who also assist with lessons and / or activities in the Prep School;
- v. Any providers of before or after school activities for children under 8 years old in the Prep School.

9. Previous Employment History and References

- 9.1 The School identifies any gaps in employment history from the Application Form and candidates are required, on the Application Form, to explain any such gaps; the School will follow up with questions at interview as appropriate.
- 9.2 Where possible, we take up references on short-listed candidates prior to interview.
- 9.3 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. References will be checked on receipt to confirm that all specific questions have been answered satisfactorily. References not received before interview should be chased by telephone and alternative referees approached if needed.
- 9.4 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. All referees will be sent a copy of the job description and person specification for the relevant role. If the referee is a current or previous employer, s/he will also be asked to confirm the following:
- i. The applicant's dates of employment, salary, job title / duties, reason for leaving, performance, sickness (subject to paragraph 3) and disciplinary record;
 - ii. 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, unfounded or malicious; and
 - iii. 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, unfounded or malicious.
 - iv. Whether they are satisfied that the applicant is not involved in "extremism" being 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. Extremism also includes calls for the death of members of our armed forces, whether in the country or overseas.
- 9.5 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. Where electronic references are received, the School ensures that they originate from a legitimate source (for example, from a known corporate email address). On receipt, the School checks references to ensure that all specific questions have been answered satisfactorily. If the answers are vague or if insufficient information is provided, the referee is contacted to provide further clarification.
- 9.6 The School will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

9.7 Any information about past disciplinary action or allegations that is disclosed is carefully considered when assessing the applicant's suitability for the post (including information obtained from the (TRA) Employer Access Service checks).

10. Qualifications

10.1 Where the School stipulates, or an individual claims, qualifications as part of the application process, the School checks original qualification certificates in advance of appointment.

11. Criminal Records Check (Enhanced DBS and Barred List)

11.1 The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List in respect of all positions at the School which amount to "regulated activity" as set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 (as amended by the Protection of Freedoms Act 2012). If we are required to obtain a Barred List check outside the DBS process, we do so via the Teachers' Pensions online service.

11.2 The School recognises that if it knows, or has reason to believe, that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity.

11.3 Any 'work' undertaken at, or on behalf of, the School (whether paid or unpaid), will amount to "regulated activity" if it meets the 'regular' test, as follows:

- i. Frequently, meaning once a week or more; or
- ii. Overnight, meaning between 2am and 6am; or
- iii. Satisfies the "period condition", meaning four times or more in a 30 day period

11.4 This definition will cover nearly all posts at the School. Limited exceptions could include an administrative post undertaken on a temporary basis in the School office outside of term time.

11.5 It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances.

11.6 The DBS issues a DBS disclosure certificate to the subject of the check only, rather than to the School. Employment will remain conditional upon the original certificate being provided before the candidate starts and it being considered satisfactory by the School.

11.7 With effect from June 2013, applicants have been able to subscribe to the DBS Update service. Provided that the check has been completed at the enhanced level, the School requires sight of the original certificate, checks that it matches the individual's identity and, with consent from the applicant, runs an Online update check (which provides any changes since the certificate was issued). In the event the update indicates that there have been changes, the School requires the applicant to apply for a new certificate. If the original certificate was at the enhanced level but without a check of barring information, a separate Barred List check is completed. If the original certificate was provided at the standard level only, a new application is required at the enhanced level and with a check of the Children's barred List.

11.8 If there is a delay in receiving a DBS disclosure the Head has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if the Enhanced DBS has been applied for, 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. The supervision will be recorded in a risk assessment noting the controlled conditions and safeguards that have been put in place, that the safeguards will be reviewed every two weeks and that the person in question has been informed what the safeguards are.

11.9 There are also limited circumstances in which the School will accept an Enhanced Disclosure from another educational institution - for example, where the new member of staff worked in a school or maintained school in England in a position which brought the individual regularly into contact with children or young children and without a break in service of more than three months. In the event that a portable DBS is accepted, a separate check of the Children's Barred List will always be made.

12. Overseas Check

12.1 If a disclosure is not considered sufficient to establish suitability to work in a school (because it would not cover offences committed abroad), we undertake overseas check where possible (either from the individual's country of origin or any other country in which he or she has lived and/or worked), prior to appointment. This shall include the candidate providing the School with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked.

12.2 We have regard to NSPCC advice and, at a minimum, obtain an overseas check on any individual who has lived overseas for three months or more in the past five years. We recognise, however, that there may be circumstances where it is not appropriate to limit the checks carried out and we therefore consider the need for an overseas check on a case by case basis.

12.3 We are not required to complete an overseas check for a member of staff who has worked in a school in the UK since returning from overseas.

13. Right to Work

13.1 Right to work in the UK is checked prior to appointment with reference to an official document such as passport, birth certificate or visa stating right to work in the UK. During the COVID-19 pandemic, virtual checking of identity documents was permissible in order to establish right to work. However, a confirmatory check of original ID documents was then also made on or before the first day of employment; both the date of the virtual check and the date of the physical check are recorded on the SCR.

14. Existing Staff

14.1 If the School has concerns about an existing staff member's suitability to work with children, all relevant checks are carried out as if the person were a new member of staff. Similarly, if a person working at the School moves from a post that was not regulated activity into work which is considered to be relevant activity, the relevant checks for that regulated activity are carried out.

15. Contractors and Agency Staff

- 15.1 Contractors engaged by the School (such as caterers, cleaners et al) must complete the same checks for their employees that the School is required to complete for its staff. The School requires written confirmation from the employing organisation that these checks have been completed before employees of the Contractor can commence work at the School.
- 15.2 Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks ((identity, enhanced disclosure renewed every 3 years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus, those checks set out in KCSIE as ‘pre-employment’ checks) have been completed before an individual can commence work at the School. In certain circumstances an employee of an external contractor or agency may be allowed to commence work pending receipt of the Enhanced DBS subject a Barred List check having been completed, the Enhanced DBS having been applied for, an appropriate risk assessment having been undertaken and any interim safeguards such as supervision requirements put into place. Vetting information for agency supply staff is entered on the SCR, in the same manner as for direct employees of the School.
- 15.3 The School will independently verify the identity of staff supplied by contractors or an agency in accordance with section 5.1 above.

16. Governors

- 16.1 Prior to confirming the appointment of new Governors, the School completes the following checks:
- i. Verification of identity.
 - ii. Enhanced DBS disclosure.
 - iii. If the Governor will be undertaking regulated activity, a check of the Children’s Barred List.
 - iv. Confirmation that the Governor is not subject to a section 128 direction.
 - v. Confirmation that the Governor is not disqualified from childcare.
 - vi. Confirmation of right to work in the UK and, if applicable, overseas check.
 - vii. If the Governor will teach at the school, confirmation that they are not the subject of a Prohibition Order.
 - viii. Confirmation that they are not disqualified from acting as a Charity Trustee or Company Director.
- 16.2 For the Chair of Governors, the Enhanced DBS is undertaken by the Secretary of State.

17. Volunteers

17.1 Vetting checks required for volunteers vary by individual and activity. As the first step, we assess whether or not the individual will be in regulated activity; **any unsupervised volunteer, whose presence is frequent and regular, is in regulated activity and an Enhanced DBS with Barred List check is always obtained.** We also ask for references, hold an informal interview and check the school community for any concerns.

17.2 An enhanced DBS, without Barred List check, may be undertaken on supervised volunteers (i.e. even where a volunteer is not in regulated activity) and we use our professional judgement and experience to determine whether or not to undertake an Enhanced DBS check (without Barred List check) for supervised volunteers. We have regard to the guidance as to when a volunteer can be said to be 'supervised':

- i. There must be supervision by a person in regulated activity.
- ii. The supervision must be regular and day to day.
- iii. The supervision must be reasonable in the circumstances to ensure the protection of children.

17.3 On-off volunteers for day outings, school concerts and such do not require vetting checks but we ensure that they are fully supervised and that they do not undertake any personal care (if applicable).

18. Visitors

18.1 Visitors to the school are required to sign in and out at reception, where they will be given a badge attached to a clearly marked 'Visitor' lanyard. Appropriate controlled conditions are put in place for the supervision of visitors, with all external speakers supervised by a member of staff throughout their visit. Balance is sought in the recruitment of external speakers to ensure their suitability, whether invited by staff or pupils, and all speakers are vetted via an internet search before arrival.

18.2 In the case of visiting professionals, we ask for written confirmation from their employing organisation that an enhanced DBS and appropriate vetting checks have all been completed. We also check identity on arrival.

19. Drivers

19.1 We run a morning and afternoon home to school coach / minibus service. The service is provided by a third-party contractor and we require written confirmation from the contractor that all drivers who will, or may, drive coaches / minibuses transporting Tornead pupils have been fully vetted. We also check the identity of all the coach drivers directly.

20. Policy on Recruitment of Ex-offenders

A. Background

20.1 The School will not unfairly discriminate against any applicant 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 applicant 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 in paragraph 6.2 below.

20.2 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 which would normally be considered "spent" except for those to which the DBS filtering rules apply (see paragraph 4.3 above). A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

20.3 It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the School. The School will make a report to the Police and / or the DBS if:

- i. It receives an application from a barred person;
- ii. It is provided with false information in, or in support of a candidate's application; or
- iii. It has serious concerns about an applicant's suitability to work with children.

B. Assessment Criteria

20.4 In the event that relevant information (whether in relation to previous convictions or otherwise) is provided voluntarily 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:

- i. Whether the conviction or other matter revealed is relevant to the position in question;
- ii. The seriousness of any offence or other matter revealed;
- iii. The length of time since the offence or other matter occurred;
- iv. Whether the applicant has a pattern of offending behaviour or other relevant matters;
- v. Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- vi. The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

20.5 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:

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

- ii. Serious class A drug related offences, robbery, burglary, theft, deception or fraud.

20.6 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.

20.7 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 (or drug) driving within the last ten years.

C. Assessment Procedure

20.8 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 must be signed by the Head before a position is offered or confirmed.

20.9 If an applicant wishes to dispute any information contained in a disclosure, he / she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School will, 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.

21. Retention and Security of Disclosure Information

21.1 The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, but is under no obligation to do so.

In particular, the School will:

- i. 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;
- ii. 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;
- iii. Ensure that any disclosure information is destroyed by suitably secure means such as shredding; and
- iv. Prohibit the photocopying or scanning of any disclosure information.

22. Retention of Records and Privacy Notice

22.1 If an applicant is appointed, the School will retain any relevant information provided on his / her application form (together with any attachments) on his / her personnel file. The School complies with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its data protection obligations; in particular, copies of DBS certificates are retained for no longer than 6 months. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months. For further information, please see our Privacy Notice for Prospective Employees in the Appendix 1, below.

23. Queries

23.1 If an applicant has any queries on how to complete the application form or any other matter he / she should contact the Bursar/Head.

24. Other Policies

24.1 This policy should be read in conjunction with the following Tormead policies:

- i. Safeguarding Policy

Appendix 1

Privacy Notice for Prospective Employees

This policy relates to applicants for employment vacancies as well as governors, volunteers and certain contractors

1. Introduction

1.1 This privacy notice explains what information is being collected from the prospective employees' information and how and why the school uses it during the pre-employment process.

2. What categories of information are processed?

2.1 The categories of personal information that we process **during the application stage** of the recruitment process include the following:

- Personal information such as: name, contact details, National Insurance number.
- Characteristics information such as: gender, age, ethnicity for our Equal Opportunities monitoring.
- Education, qualifications and, where relevant, the subjects taught.

- Recruitment information such as: referees' details.

2.2 The following information is needed **after the shortlisting stage**:

- Date of birth and nationality used for the online background screening
- Relevant disability that will inform reasonable adjustments needed for the interview.
- Relevant criminal records.
- References.

2.3 The information listed below is needed **before the employment commences and once the conditional employment offer was issued**:

- Medical information requested via the online questionnaire to establish your fitness to work
- Banking details
- Financial information
- Immigration and Right to Work information

2.4 Please note that we use CCTV recordings for the purpose of crime prevention and investigation and also to meet our obligation to safeguard the welfare of pupils, staff and visitors whilst on the school site. Further information about the use of CCTV can be found in the CCTV policy published on our school website.

This list is not exhaustive and is updated regularly.

3. Why do we collect and use your information?

3.1 We collect and use your information for the following reasons:

To inform the development of recruitment and retention policies

To facilitate safer recruitment

To review our recruitment performance

3.2 Under the UK General Data Protection Regulation (UK GDPR), the legal bases we rely on for processing personal information for general purposes are:

3.2.1 Article 6 of the UK GDPR

- i. Legitimate interest: The School uses your personal data where it is necessary for the School's or someone else's legitimate interests. The School has a legitimate interest in educating and looking after its pupils, complying with its agreement with parents regarding their child's education and safeguarding, investigating if something has gone wrong and protecting the School, and promoting and improving the School.

- ii. Legal obligation: The School may use your personal information to ensure compliance with the current legislation and in order to fulfil our safeguarding duties towards pupils.
- iii. Vital interests: in limited circumstances, we may use your information to protect your vital interests or the interests of someone else. For example, to prevent someone else from being seriously harmed.

3.2.2 [Article 9](#) of the UK GDPR where the data processed is 'special category' data as per the Equal Opportunities form.

For special category data, we also rely on the following conditions under Article 9 of the UK GDPR:

- i. Public interest (statistical purposes): processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with [Article 89\(1\)](#) (as supplemented by section 19 of the 2018 Act) based on domestic law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.
- ii. Substantial public interest: processing is necessary for reasons of substantial public interest, on the basis of domestic law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject domestic law; This is to ensure that we comply with the equal opportunities monitoring.

4. How do we collect your information?

4.1 We collect your personal information via the following methods:

- Application Form
- Equal Opportunities Form
- Self-declaration Form
- Questionnaires

4.2 Data relating to prospective employees is essential for the school's operational use. Whilst most of the information you provide us is mandatory, some of it is requested on a voluntary basis. To comply with the UK GDPR, we will inform you at the point of collection whether you are required to provide certain information to us or if you have a choice.

5. How do we store your information?

5.1 We create and maintain a file for each vacancy. The information contained in this file is kept secure and only used for purposes directly relevant to the recruitment of the post.

5.2 Your personal information is retained and disposed of in line with the school's Records Management Policy.

5.3 For more information about how we securely store your information, please see the school's Data Protection Policy.

6. Who do we share your information with?

6.1 Why do we share your information?

6.1.2 We do not share information about you with anyone without your consent, unless the law and our policies allow us to do so. At the pre-employment stage, we may share information with the following third parties:

Ofsted and the Independent Schools Inspectorate. We share information about prospective employees with Ofsted and the Independent Schools Inspectorate to evidence the school's recruitment process and equality of opportunity, in accordance with the School Staffing (England) Regulations 2009 and the Equality Act 2010 Any information we share with other parties is transferred securely and held by the other organisation in line with their data security policies.

Disclosure and Barring Service and the relevant data processing company in charge with processing the enhanced DBS applications.

The Department of Education where applicable to check the QTS and the section 128 checks.

The relevant data processing companies appointed to perform the Fitness to Work assessment and the online background screening in line with the data processing agreements.

Please note that failure to provide requested information may result in the School not being able to meet its pre-employment, employment, safeguarding or legal obligations.

7. What are your rights?

7.1 You have specific rights to the processing of your data; these are the right to:

Request access to the information we hold about you.

Restrict our processing of your personal data: i.e. permitting its storage but no further processing.

Object to direct marketing (including profiling) and processing for the purposes of scientific and/or historical research and statistics.

Have your personal data rectified if it is inaccurate or incomplete.

Not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you.

Request the deletion or removal of personal data where there is no compelling reason for the continued processing.

7.2 If you want to request access to the personal information we have about you, please contact the Bursar on 01483575101.

7.3 If you are concerned about the way we are collecting or using your information, please raise your concern with the school Bursar in the first instance. You can also contact the ICO at <https://ico.org.uk/concerns>.

7.3 How can you find out more information?

If you would like to discuss anything in this privacy notice, please contact the school Bursar on 01483575101.

If you require further information about how we and/or the DfE store and use your personal data, please visit our [website](#) or the Gov.UK website (<https://www.gov.uk/guidance/data-protection-how-we-collect-and-share-research-data>).
