

## Safer Recruitment and Selection Policy

**Monitoring and review:** This policy is subject to continuous monitoring, refinement and audit by the Principal and Headteachers of London Park Schools.

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1

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This policy is subject to continuous monitoring, refinement and audit by the Principal and Headteachers of London Park Schools.

This Policy, which applies to all LPS schools, is publicly available on the London Park School website and may be obtained from London Park Schools Office upon requesting a copy (in large print or other accessible format if required).

### 1. General

London Park Schools ("LPS") 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.

LPS aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

An entry will be made on the Single Central Register for all current members of staff at London Park Schools, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

Dukes Education, Proprietor of LPS, follow the Government's recommendations for the safer recruitment and employment of staff who work with children and pays due regard to 'Keeping Children Safe in Education' September 24 for ensuring all appropriate checks are carried out on staff prior to commencement of their employment with the school.

All checks will be made in advance of appointment or as soon as practicable after appointment where regulatory guidance allows.

### 2. Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by London Park Schools. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

*Any person working at London Park Schools whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.*

In the case of agency or contract workers, LPS shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. LPS conducts identity checks on agency and contract workers on arrival in School and, in the case of agency workers which includes supply staff, LPS must be provided with a copy of the DBS check for such staff.

London Park Schools will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure, right to work in the UK, barred list, prohibition from teaching (if relevant), qualifications, overseas checks plus in line with KCSIE references, declaration of mental and physical fitness, check of previous employment history). The school's Single Central Register evidences that these checks have been made and LPS carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

If appropriate, London Park Schools will check whether an individual is subject to a Section 128 direction made by the Secretary of State for Education. Such a direction prohibits or restricts a person from taking part in the management of any independent school. Management in these circumstances includes a management position as an employee; a governor or member of a proprietor body for an independent school; or a governor or any governing body in an independent school.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. London Park Schools will determine the appropriate level of supervision depending on the circumstances.

### **3. Application Form**

LPS will only accept applications from candidates completing the relevant London Park Schools Application Form in full. CVs will not be accepted in substitution for completed school application forms.

Job descriptions, person specifications, the Safer Recruitment and Selection policy and the School's safeguarding and child protection policy and procedures are available via the TES or can be forwarded to applicants via the HR and People Team.

London Park Schools will make candidates aware that all posts in LPS 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/Person Specification for the role applied for.

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

The successful applicant will be required to complete an application for an (Enhanced) DBS check for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. Additionally, successful applicants should be aware that they are required to notify LPS immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration

The statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)” applies to those providing early years childcare or later years childcare. While acknowledging this guidance, LPS notes that as a secondary school, it admits pupils at 11 or older.

London Park Schools offers positions which have direct contact with children and therefore are exempt from the Rehabilitation of Offenders Act 1974.

However, the school does recognise that that amendments to the Exceptions Order 1975 (2013 and 2020) provides that certain spent convictions and cautions are protected.

Further guidance can be found here:-

[Guidance on the Rehabilitation of Offenders Act 1974 and the Exceptions Order 1975 - GOV.UK](#)

London Park Schools takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect their suitability to work with children must notify the Headteacher immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings they may receive.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. 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.

London Park Schools has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have ‘due regard to the need to prevent people from being drawn into terrorism’. This is known as the Prevent Duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, this will be considered as part of the recruitment process.

#### **4. References**

The purpose of seeking references is to allow London Park Schools to obtain factual information to support appointment decisions. Schools and colleges should obtain references before interview, where possible, to allow any concerns raised to be explored further with the referee and taken up with the candidate at interview.

London Park Schools will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or an open reference or testimonial. London Park Schools will verify references by checking the source or by phoning the referee to verify. Where references are received electronically, London Park Schools will ensure they originate from a legitimate source.

London Park Schools 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. LPS will ensure references are from the candidate's current employer and have been completed by a senior person with appropriate authority and confirmed as accurate by the headteacher/principal in respect of any disciplinary investigations. London Park Schools will ask all referees if the candidate is suitable to work with children and request facts of any substantiated safeguarding concerns/ allegations that meet the harm threshold.

Where the applicant is not currently employed, LPS will obtain verification of the individual's most recent relevant period of employment.

If the candidate is not currently working with children, LPS will secure a reference from the relevant employer from the last time the applicant worked with children.

If the applicant has never worked with children, LPS will secure a reference from the candidate's current employer and will still ask the current employer about the candidate's suitability to work with children.

Where the candidate has no previous employment history, London Park Schools may request character references which may include references from the candidate's school or university.

If the candidate is currently working with children, on either a paid or voluntary basis, London Park Schools 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.

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 London Park Schools if they have been appointed, and a possible referral to the police and/or DBS.

London Park Schools will also

- always verify any information with the person who provided the reference
- ensure electronic references originate from a legitimate source
- contact referees to clarify content where information is vague or insufficient information is provided
- compare the information on the application form with that in the reference and take up any discrepancies with the candidate
- establish the reason for the candidate leaving their current or most recent post, and
- ensure any concerns are resolved satisfactorily before appointment is confirmed.

If it has not been possible to obtain a reference prior to interview it will be reviewed upon receipt. Any discrepancies identified between the reference and the application form and/or the interview assessment form will be considered by the School. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.

If factual references are received i.e. those which contain limited information such as job title and dates of employment, this will not necessarily disadvantage an applicant although additional references may be sought before an appointment can be confirmed.

Where a written reference is not forthcoming when requested, the school may speak to the named referee and will make notes on the contents of the conversation, using this information in place of a provided written reference, having verified the identity of the person providing the verbal reference by practical means, such as use of the named school telephone number.

Any person providing a verbal reference may be asked to follow up the phone call with a written version of that they have provided.

## **5. Invitation to Interview**

London Park Schools will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. At least two people will carry out the shortlisting exercise, consider any inconsistencies, look for gaps in employment and reasons given for them and explore all potential concerns.

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.

Shortlisted candidates should be asked to complete a self-declaration form in relation to their criminal record or 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 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, or in the case of hybrid tutors or others who may be interviewed online, post a copy of their application form with a handwritten signature to the school.

After shortlisting, London Park Schools will carry out an online search for content that is available in the public domain. This may help to identify any incidents or issues that have happened and are publicly available online, which London Park Schools can then explore at interview.

All formal interviews will have a panel of at least two people chaired by the Headteacher or another designated senior member of staff. At least one person on the appointment panel will have undertaken safer recruitment training. In the case of the Bursar's/Head's appointment, the Principal with a member of the Governing Body present will chair the panel.

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 (where possible), although interviews may be held online in specific circumstances (see below). The areas which the interview will explore will include suitability to work with children.

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

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.

London Park Schools requests that all candidates invited to interview also bring with them:

1. A current photo driving licence 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 applicable, proof of entitlement to work and reside in the UK.

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

### **Procedures for identify verification for recruitment conducted online.**

While London Park Schools aims to interview candidates in person, it acknowledges that some candidates may not be able to travel to the school. This is more common for candidates who currently reside overseas or who have applied for a role with LPS Hybrid. In such circumstances, in line with government guidance published in 2021, London Park Schools will use a certified digital identify service provider, such as the Post Office to verify identify, qualification and DBS documentation.

For interviews conducted online, the candidate will be requested to show the above documentation requested at interview clearly on the screen to the interviewing panel. Certified copies of all information required to be verified for the Single Central Register will be required prior to commencement of appointment.

## **6. Conditional Offer of Appointment: Pre-Appointment Checks**

London Park Schools operates with central oversight of procedures for safer recruiting at its schools. As such pre appointment and identify verification checks completed by the central office of London Park Schools will be accepted across London Park Schools for individual schools' Single Central Register.

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 (if not already received);
3. A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed as a teacher, a check that that the candidate is not subject to a prohibition order issued (Prohibition from Teaching) by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:



- Planning and preparing lessons and courses for pupils;
  - Delivering and preparing lessons to pupils;
  - Assessing the development, progress and attainment of pupils; and
  - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, including Qualified Teacher Status, where appropriate;
  6. Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
  7. ***Where the successful candidate has worked or been resident overseas for a period of 3 months or more within the past 10 years:*** Such further checks and confirmations as London Park Schools may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the candidate providing London Park Schools 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 and an overseas police check in the relevant country they lived or worked in during that time period.
  8. Evidence of satisfactory mental and physical fitness.
  9. Satisfactory explanation of gaps in employment of 3 months or more.
  10. Where the successful candidate will be taking part in the management of London Park Schools, 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.
  11. Online checks. In accordance with our Policies and KCSIE guidelines set out by the Department for Education, a background check will be carried out on the candidate's online digital presence after shortlisting. The scope of such checks will include all online open-source information, specifically:
    - Up to 10 years online history
    - Social and professional networking and media
    - Blogs & vlogs
    - News and media reports
    - Information displayed publicly online by 3rd parties
    - Any other relevant open-source information available

It is London Park Schools's practice that a successful candidate must complete a pre-employment health declaration for confirmation that they are fit to carry out the role.

London Park Schools is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

## **7. Criminal Records Policy**

London Park Schools will refer to the Department for Education (“DfE”) document, ‘Keeping Children Safe in Education’ and any amended version in carrying out the necessary required DBS checks.

London Park Schools 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>.

While LPS does all its own checks, in limited circumstances LPS may accept a DBS from another school and a separate barred list check will also be completed.

Where the new member of staff (“M”) has worked in: –

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons, during a period, which ended not more than three months before M’s appointment.

## **8. DBS Update Service**

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

### **If disclosure is delayed**

A short period of work is allowed under controlled conditions, at the Headteacher’s discretion. If an ‘enhanced disclosure’ is delayed, a Headteacher may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Clearly defined risk assessment (including supervision arrangements), reviewed at least every two weeks by the Headteacher and member of staff;
- The person in question is informed of the safeguards in place; and
- It is recommended, but is not a requirement, that a note is added to the single central register and evidence kept of the measures put in place.



## **9. Retention, Security of Records and Data Protection Obligations**

London Park Schools 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.

London Park Schools 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.

## **10. Statement to be used in all advertisements**

The following wording is suggested by way of example. The obligation is to use a form of words which demonstrates LPS's commitment to safeguarding children, so these words may be adapted if you wish.

*London Park Schools is committed to safeguarding and promoting the welfare of children and young people. Applicants must undergo child protection screening, including checks with past employers and the Disclosure and Barring Service.*

## **11. Appendix**

### **Policy on the Recruitment of Ex-Offenders**

London Park Schools will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. London Park Schools makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar them from employment within London Park Schools. 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 LPS to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for LPS to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within London Park Schools. London Park Schools will report the matter to the Police and/or the DBS if:

- London Park Schools receives an application from a disqualified person;
- is provided with false information in, or in support of, an applicant's application; or
- London Park Schools has serious concerns about an applicant's suitability to work with children.

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, London Park Schools will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is London Park Schools'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 London Park Schools'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 London Park Schools's normal policy to consider it a high risk to employ anyone who has been convicted of drink-driving.

**This policy is linked with:**

[Equal Opportunities Policy](#)