

Gad's Hill School

Safer Recruitment Policy

POLICY UPDATED: **September 2021**
NEXT POLICY REVIEW: **September 2022**
REVIEW SCHEDULE: **Annually**
STAFF RESPONSIBLE: **PS**
GOVERNOR RESPONSIBLE: **Kirsty Hillocks**

Table of Contents

1. Introduction	2
2. Aims and Objectives	2
3. Roles & Responsibilities	3
4. Definition of Regulated Activity and Frequency	3
5. Recruitment & Selection Procedure.....	4
5.1. Advertising.....	4
5.2. Application Forms.....	4
5.3. Job Descriptions and Person Specifications.....	5
5.4. References	5
5.5. Interviews.....	5
6. Offer of Appointment.....	6
7. Rehabilitation of Offenders Act 1974	7
8. DBS (Disclosure and Barring Service) Check	7
8.1. Flowchart of DBS & Barred List Checks.....	8
8.2. DBS Update Service.....	9
8.3. DBS Certificate	10
8.4. Dealing with Convictions.....	10
9. Secretary of State Prohibition Orders (Teaching & Management roles).....	11
10. Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status.....	11
11. Medical Fitness	12
12. Overseas Checks	12
13. Trainee / Student Teachers	13
14. Induction Programme	13
15. Single Central Register.....	13
16. Record Retention	14
17. Contractors & Agency Staff	14
18. Visiting Speakers.....	15
19. Volunteers.....	15
20. Existing Staff	16
21. Appointment of Governors.....	16
21.1. Appointment of the Chair of the Governing Body	17
21.2. Appointment of a Governor	17

22.	Work Experience.....	Error! Bookmark not defined.
22.1.	Adults who supervise pupils on work experience	Error! Bookmark not defined.
22.2.	Young People on Work Experience.....	Error! Bookmark not defined.
23.	Monitoring & Review.....	17

1. Introduction

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Gad's Hill School is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the school expects all staff and volunteers to share this commitment.

2. Aims and Objectives

The aim of the Safer Recruitment policy is to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of the School's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on the basis of any legally protected characteristic (I.e. race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age);
- 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 2021 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- 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.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

The School has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2021 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process. The school aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Gad's Hill School.

3. Roles & Responsibilities

It is the responsibility of the governing body to:

- Ensure the school has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the school's compliance with them.

It is the responsibility of the Headmaster, Bursar and other Managers involved in recruitment to:

- Ensure that the school operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school.
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

The governing body has delegated responsibility to the Headmaster (teaching staff) and Bursar (support staff) to lead in all appointments. School governors may be involved in staff appointments but the final decision will rest with the Headmaster/Bursar as appropriate.

4. Definition of Regulated Activity and Frequency

Any position undertaken at, or on behalf of the School will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the "period condition", meaning four times or more in a 30-day period;
and
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid/voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

The School is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The School is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the School can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

5. Recruitment & Selection Procedure

5.1. Advertising

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.

Any advertisement will make clear the school's commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

5.2. Application Forms

Gad's Hill School uses its own application form and all applicants for employment will in the vast majority of cases be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history).

Applicants submitting an incomplete application form will not be shortlisted. The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not usually be accepted (see below).

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 apply for a position at the School. All applicants will be made aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

In exceptional circumstances, the Headmaster or Bursar as appropriate may shorten the process by compiling a short-list from CVs rather than application forms however short-listed applicants will be required to complete a full application form which will be fully scrutinised in the way set out above at interview and before receiving a provisional offer of employment.

5.3. Job Descriptions and Person Specifications

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

5.4. References

References for short-listed applicants will be sent for immediately after short-listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after interview.

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. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

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. Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made. Any discrepancies or anomalies will be followed up.

5.5. Interviews

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Only original documents will be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme.

In cases where the advertised post requires the appointed person to work closely with children in a teaching or teaching assistant role, candidates will be required to deliver a lesson or learning activity as part of the interview process, allowing for observation of interactions.

Short-listed candidates invited for interview may be subject to searches of publicly available information posted to social media.

6. Offer of Appointment

In accordance with the recommendations set out in KCSIE and the requirements of the Education (Independent School Standards) Regulations 2014, the School carries out a number of pre-employment checks in respect of all prospective employees. If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
- verification of the applicant's identity (if not previously been verified);
- the receipt of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory;
- for positions which involve "teaching work":
 - i. the School being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School; and
 - ii. the School being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School;
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;

- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List ;
- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children;
- confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school;
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).

Whether a position amounts to "regulated activity" must therefore be considered by the School in order to decide which checks are appropriate. It is however likely that in nearly all cases the School will be able to carry out an enhanced DBS check and a Children's Barred List check.

7. Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. Therefore, any convictions and cautions that would normally be considered spent must be declared when applying for any position at Gad's Hill School.

8. DBS (Disclosure and Barring Service) Check

The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.

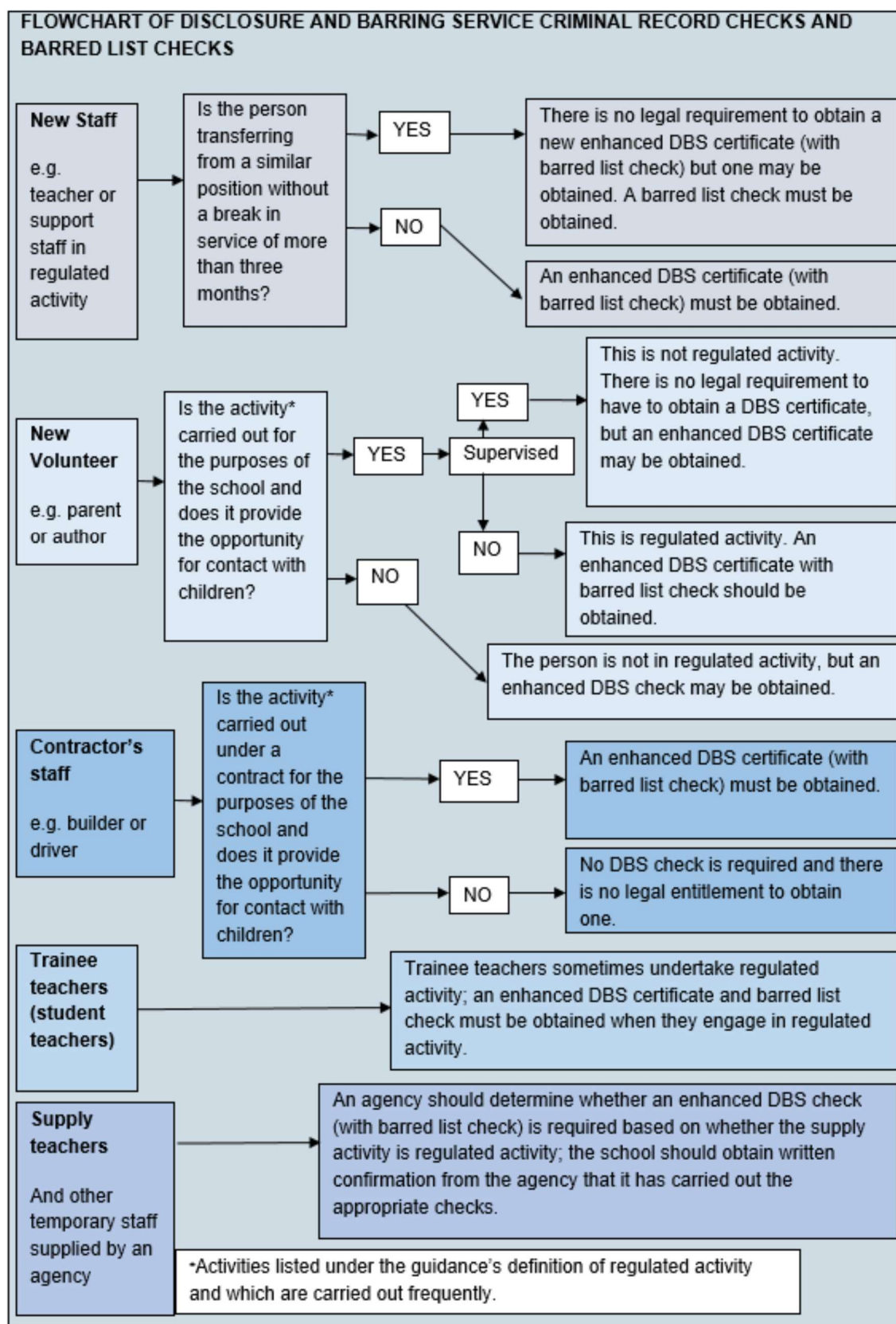
It is the School's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee, though in exceptional circumstances, when a DBS disclosure has been delayed, and in accordance with ISI Regulatory Requirements, the Headmaster may permit an employee to commence work without a current certificate, provided that a written risk assessment is in place detailing additional safeguards and which is reviewed every two weeks. The individual will be informed of these safeguards and a note will be added to the single central register.

It is the School's policy to re-check any employee who takes leave for more than three months (ie maternity leave, career break etc) must be re-checked before they return back to work.

Members of staff at Gad's Hill School are aware of their obligation to inform the Bursar or Headmaster of any cautions or convictions that arise between these checks taking place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

8.1. Flowchart of DBS & Barred List Checks



8.2. DBS Update Service

Staff may wish, or be asked, to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is payable by the applicant.

This allows for portability of a Certificate across employers. The School will:

- Obtain consent from the applicant to carry out an update search.
- Confirm the Certificate matches the individual's identity.
- Examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced certificate/enhanced including barred list information.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

8.3. DBS Certificate

The DBS no longer issue Disclosure Certificates to employers, therefore employees/applicants should bring their original Certificate to the Bursary (for employees within 7 days of issue or applicants before they commence work or any project involving regulated activity).

8.4. Dealing with Convictions

The school operates a formal procedure if a DBS Certificate is returned with details of convictions.

Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Headmaster and/or Bursar. A decision will be made following this meeting. 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 Headmaster/Bursar will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

9. Secretary of State Prohibition Orders (Teaching & Management roles)

In all cases where an applicant is to undertake a teaching role of any kind, a Prohibition Order check will be made using the Employer Access Online Service. It is anticipated that this will be performed at offer stage. A person who is prohibited from teaching must not be appointed to work as a teacher in such a setting.

Prohibition orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency (TRA). Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so. A section 128 direction 39 prohibits or restricts a person from taking part in the management of an independent school.

A person who is prohibited is unable to participate in any management of an independent school, a governor on any governing body in an independent school, or a management position that retains or has been delegated any management responsibilities. A check for a section 128 direction will be carried out using the Teacher Services' system. Where the person will be engaging in regulated activity, a DBS barred list check will also identify any section 128 direction.

10. Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status

All applicants invited to attend an interview at the School will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines.

The School does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

11. Medical Fitness

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. 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.

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 and considering reasonable adjustments.

12. Overseas Checks

Individuals who have lived or worked outside the UK for more than 3 months in the last 5 years, must undergo the same checks as all other staff in school. In addition, the school will make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These further checks should include a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed, using the TRA Teacher Services' system. Although restrictions imposed by another EEA regulating authority do not prevent a person from taking up teaching positions in England, the school will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment.

The Home Office has published guidance on criminal record checks for overseas applicants. The Department for Education has also issued guidance on the employment of overseas-trained teachers. This gives information on the requirements for overseas-trained teachers from the European Economic Area to teach in England, and the award of qualified teacher status for teachers qualified in Australia, Canada, New Zealand and the United States of America.

There is no requirement to obtain an enhanced DBS check or carry out checks for events that occurred outside the UK if during a period which ended not more than three months before the persons' appointment, the applicant has worked in a school in England in a post:

- Which brought the person regularly into contact with children;
- To which the person was appointed after 12.5.06 and which did not bring the person regularly into contact with children;
- Within the further education sector in England in a post which involved the provision of education which brought the person regularly into contact with children.

13. Trainee / Student Teachers

The school will carry out all the necessary checks for an applicant for initial teacher training if they are salaried by the school. However if the trainee teacher is fee funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. The school will obtain written confirmation from the provider, that all pre-appointment checks have been completed and that the trainee is judged to be suitable to work with children.

14. Induction Programme

All staff are provided with induction training. This will involve staff being provided with (though not exclusively):

- a copy of the Safeguarding (Child Protection) Policy, the latest version of KCSIE Part 1 and Annex A where relevant;
- an overview of the role of the DSL/DDSLs and their contact details;
- relevant Child Protection and Safeguarding training including, awareness of local Early Help procedures and the process for making referrals alongside understanding what to do if they are concerned about a child or a child makes a disclosure and the Prevent Duty;
- a signpost to the School's Staff Handbook containing all school policies; a copy of the staff Code of Conduct;
- a copy of the E-Safety and Internet Policy and the Acceptable Use Agreement;
- a copy of the Whistleblowing Policy;
- a copy of the Behaviour Management Policy and Anti-Bullying Policy; and
- a copy of the Procedures in the Event of a Missing Child and the school's safeguarding response to children missing education.

In addition to the information above, new colleagues are required to complete online training in several safeguarding topics.

The School's Induction Policy sets out further information for new staff on the expectations of induction.

15. Single Central Register

In addition to the various staff records kept in school and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the Education (Independent School Standards) Regulations 2014 requirements. This is kept up-to-date and retained by the Bursary. The Single Central Register will contain details of the following:

- All employees who are employed to work at the school;

- all employees who are employed as supply staff to the school whether employed directly or through an agency;
- all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, governors, peripatetic staff and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members, eg sports coaches, freelance supply staff etc.

16. Record Retention

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer, eg so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue. This documentation will be retained by the School for the duration of the successful applicant's employment with the School. All information retained on employees is kept centrally in the Bursary in a secure cabinet.

The same policy applies to any suitability information obtained about volunteers involved with School activities.

The School will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR).

17. Contractors & Agency Staff

Contractors engaged by the School must complete the same checks for their employees that the School is required to complete for its staff. The School requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.

It is the responsibility of the member of SLT overseeing the contractor/agency recruitment, to obtain and retain this written confirmation.

The School will independently verify the identity of staff supplied by contractors or an agency in and will require the provision of the original DBS certificate before contractors or agency staff can commence work at the School.

18. Visiting Speakers

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.

All visiting speakers will be subject to the School's usual visitors signing in and safeguarding protocol.

The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so, the School will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states: *"'Extremism' is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."*

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

19. Volunteers

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the School (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils.

It is the School's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the School for three consecutive months or more. Those volunteers who are likely to be involved in activities with the School on a regular basis may be required to sign up to

the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview

20. Existing Staff

If the school has concerns about an existing staff member's suitability to work with children, the school should carry out all relevant checks 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 regulated activity, the relevant checks for that regulated activity must be carried out. Apart from these circumstances, the school is not required to request a DBS check or barred list check.

The school has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- the harm test is satisfied in respect of that individual;
- the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and
- the individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.

The legal duty to refer applies equally in circumstances where an individual is deployed to another area of work that is not regulated activity, or they are suspended. The DBS will consider whether to bar the person. Referrals should be made as soon as possible after the resignation, removal or redeployment of the individual. Guidance on referrals can be found on GOV.UK.

Where the school, dismisses or ceases to use the services of a teacher because of serious misconduct, or might have dismissed them or ceased to use their services had they not left first, they must consider whether to refer the case to the Teaching Regulation Agency (TRA). The Secretary of State may investigate the case, and if s/he finds there is a case to answer, must then decide whether to make a prohibition order in respect of the person.

21. Appointment of Governors

21.1. Appointment of the Chair of the Governing Body

Prior to appointment an individual who is the chair of the school Governing Body must undergo the following checks:

- the individual is not barred from regulated activity relating to children in accordance with section 3(2) of the 2006 Act where that individual is or will be engaging in activity.
- the individual does not carry out work, or intend to carry out work, at the school in contravention of a prohibition order,
- a prohibition from management order under section 128 of the 2008 Act
- an enhanced DBS check, countersigned by the Secretary of State where an application for such a check is made under section 113B(1) of the 1997 Act;
- checks confirming the individual's identity
- their right to work in the United Kingdom; and
- in the case of an individual for whom, by reason of the individual living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish the individual's suitability to work in a school, such further checks as the Secretary of State considers appropriate.

21.2. Appointment of a Governor

The School Governors are the body registered with the DfE as being responsible for the management of the school. Prior to appointment all Governors must undergo the following checks:

- the individual is not barred from regulated activity relating to children where that individual is or will be engaging in regulated activity.
- the individual does not carry out work, or intend to carry out work, at the school in contravention of a prohibition order,
- a prohibition from management order under section 128 of the 2008 Act
- an enhanced criminal record check;
- checks confirming the individual's identity
- their right to work in the United Kingdom; and
- in the case of an individual for whom, by reason of the individual living or having lived outside the United Kingdom, obtaining an enhanced criminal record certificate is not sufficient to establish the individual's suitability to work in a school, such further checks as the Chair of Governors considers appropriate having regard to the guidance issued by the secretary for state.

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

22. Monitoring & Review

The Governing Body will review the working of the procedures on an annual basis via the Safeguarding Committee.