MAIDA VALE SCHOOL

MVS Recruitment Policy

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Individual Responsible:	Magnus Bashaarat, Headmaster

Introduction

Maida Vale School ("the school") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The school 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.

All queries on the school's application form and recruitment process must be directed to the Headmaster or HR Advisor.

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

All checks will be made in advance of appointment.

Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the school, it also sets out the school's arrangements for volunteers, agency and supply staff, contractors and visiting speakers, as detailed below In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

Anyone working at the school whether under a contract of employment, under a contract for services or otherwise than under a contract but does not include supply staff or a volunteer.

Regarding agency or contract workers, the school shall obtain written confirmation from the agency that it has carried out the appropriate checks. The school carries out identity checks on agency and contract workers on arrival in school and, regarding supply staff, the school must be provided with a copy of the DBS check for such staff, subject to the retention limits set out below.

The school 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, qualifications, overseas checks plus in line with KCSIE two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and the school carries out its own identity check and has a copy of the disclosure.

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

Any staff who TUPE transfer into the school's staff will be required to undertake the statutory requirements regarding safer recruitment checks.

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

Referrals following dismissal or resignation

Where the school ceases to use the services of any person who carries out teaching work — whether that person is employed or otherwise engaged, including agency, supply and contracted staff — because of serious misconduct, or where the person resigns in circumstances in which the school would otherwise have considered dismissal, the school will consider its duty to provide information to the Secretary of State under section 141D of the Education Act 2002. Section 52 of the Children's Wellbeing and Schools Act 2026 extends that duty so that it applies to those a school engages as well as those it employs. The school will also consider whether a referral to the Disclosure and Barring Service is required. Referrals are made in accordance with the school's Safeguarding and Child Protection Policy.

Application Form

The school will only accept applications from candidates completing the relevant application form in full. CVs will not be accepted in substitution for completed application forms.

The school will make candidates aware that all posts in the school involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a job description and person specification for the role applied for.

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

Section 52 of the Children's Wellbeing and Schools Act 2026 extends the teacher misconduct regime. Once in force, a prohibition order may be made in respect of misconduct occurring at any time, including before a person entered teaching, and the regime covers those who have worked in further education, independent educational institutions that are not schools, special post-16 institutions, independent training providers and online education providers. Employment history in any of these settings is therefore explored at shortlisting and reference stage, and any gaps or unexplained departures are probed at interview.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the school with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the school shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence in a separate sealed envelope marked for the attention of the Headmaster or HR Advisor. The disclosure will be considered only by those involved in the recruitment decision. Where the disclosure results in an assessment under the school's Policy on the Recruitment of Ex-Offenders, a record of the disclosure, the assessment and the decision is retained in accordance with the retention provisions of this policy; otherwise the information is securely destroyed once the recruitment process is concluded.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the school. However, amendments to the Exceptions Order 1975 (2020) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers and cannot be considered. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

If the candidate is currently working with children, on either a paid or voluntary basis, the school will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or

time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the school will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the school will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the school may request character references which may include references from the candidate's school or university.

In addition, as part of the shortlisting process, the school will carry out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school might want to explore with the applicant at the interview.

Invitation to Interview

The school will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. For teaching staff, the interview may include teaching a lesson or another observed activity which will demonstrate the interaction between the candidate and the students.

All formal interviews will have a panel of at least two people chaired by the Headmaster or another designated senior member of staff. All members of the appointment panel will have undertaken safer recruitment training. A Director should chair the panel for the Headmaster's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

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

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g., the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

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

- A current photographic driving licence or a passport or a full birth certificate. It is regarded as best practice to check the full name of the candidate against the birth certificate,
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address,
- Where appropriate any documentation evidencing a change of name,
- Where the candidate is not a UK citizen, proof of entitlement to work and reside in the UK.

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

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

Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

- Receipt of at least two satisfactory references (if these have not already been received),
- Verification of identity, including, where appropriate, evidence of the right to work in the UK,
- Checking of qualifications including using the Teaching Regulation Agency's (TRA) 'Check a teacher's record'
- A check of the Teaching Regulation Agency's TRA) Teacher Services system, confirming Qualified Teacher Status, completion of induction, and that the candidate is not subject to a prohibition order made by the Secretary of State. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 as:
    - Planning and preparing lessons and courses for students
    - Delivering and preparing lessons to students
    - Assessing the development, progress and attainment of students
    - Reporting on the development, progress and attainment of students.
- A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS.
- Verification of professional qualifications, where appropriate.
- Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999).
- Where the successful candidate has worked or been resident overseas such checks and confirmations as the school may consider appropriate so that any relevant events that occurred outside the UK can be considered.
- Satisfactory medical fitness.
- Where the successful candidate will be taking part in the management of the school, a check will be carried out for any direction made under section 128 of the Education and Skills Act 2008 (see the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014). This applies to all Governors, the Senior Management Team and teaching heads of department.
- Candidates who have lived or worked outside the UK must undergo the same checks as all other staff. This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the individual has never been to the UK. In addition, the school must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:
    - criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions
    - obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. Advice about which regulatory or professional body applicants will be sought from the National Recognition Information Centre for the United Kingdom, UK ENIC. Where available, such evidence will be considered together with information

obtained through other pre-appointment checks to help assess their suitability.

Where this information is not available the school will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another 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.

It is the school's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the school in strictest confidence and processed in accordance with the Recruitment Privacy Notice and Data Protection Policy. This information will be reviewed against the job description and the person specification for the role, together with details of any other physical or mental requirements of the role i.e., proposed workload, extra-curricular activities, layout of the school.

The school 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.

References

The school will seek the references for shortlisted candidates and may approach previous employers for information to verify experience or qualifications, before interview. If the candidate does not wish the school to take up references in advance of the interview, they should notify the school at the time of applying.

The school will ask all referees if the candidate is suitable to work with children. Open references are not accepted. References are sought before interview; school references are confirmed by the headteacher as accurate on disciplinary matters; inconsistencies are resolved before appointment is confirmed.

The school will ask shortlisted candidates for a self-declaration of criminal record.

The school will compare any information provided by the referee with that provided by the candidate on the application form. Any inconsistencies will be discussed with the candidate.

For internal candidates, we would request suitability references from senior colleagues to see if there were any suitability concerns.

Criminal Records Policy

The school 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.

The school complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:

https://www.gov.uk/government/publications/dbs-code-of-practice.

There are limited circumstances where the school will accept a check from another educational institution which are as follows:

This is 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.

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

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check is completed as part of the update service.

If disclosure is delayed

If an 'enhanced disclosure' is delayed, following the completion of a risk assessment the Head 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, a supervision plan),
- Safeguards reviewed at least every two weeks by the Headmaster or HR Advisor and member of staff,
- The person in question is informed what these safeguards are, and
- A note is added to the single central register and evidence kept of the measures put in place are kept on file.

Volunteers

The school will request an enhanced DBS disclosure including Children's Barred List information on all volunteers undertaking regulated activity with students at or on behalf of the school.

From 1 September 2026, the Crime and Policing Act 2026 removes the supervision exemption from the definition of regulated activity relating to children. A volunteer who teaches, trains, instructs, cares for or supervises students is therefore engaged in regulated activity, and requires an enhanced DBS disclosure with Children's Barred List information, if they do so frequently or if they meet the period condition, namely:

- once a week or more; or
- on four or more days in any period of 30 days; or

- overnight, meaning at any time between 2.00am and 6.00am with the opportunity for face-to-face contact with students,

and this is now the case whether they are supervised by a member of school staff.

This applies irrespective of whether the volunteer is supervised by a member of staff or by another checked volunteer. The level of supervision a volunteer receives is no longer relevant to whether the role is regulated activity, and the school will not rely on supervision as a basis for requesting a check without Children's Barred List information.

Where a volunteer helps at more than one setting, every instance of teaching, training, instructing, caring for or supervising a child counts towards the three-days-in-30 threshold, not only those days spent at this school. Volunteers are asked to tell the school about volunteering commitments at other schools, clubs or organisations so that their status can be assessed correctly. Where a volunteer is checked by another setting, the school will liaise with that setting and may accept details of that check.

The school will consider, where the role is eligible, an enhanced DBS disclosure without barred list information; where it is not, the school will carry out and record a written risk assessment and may request a basic check.

It is a criminal offence for a barred person to engage in regulated activity, and for the school to knowingly permit a barred person to do so. Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with students or permit any volunteer to begin regulated activity before the school has confirmed they are not barred.

Where a volunteer needs to begin regulated activity before their DBS certificate is returned, or where the school has recently obtained an enhanced DBS disclosure without Children's Barred List information and there has been no break in service, the school may obtain a standalone Children's Barred List check through the DfE's Check a Teacher's Record service. This will be recorded on the single central record.

Where a volunteer in a role affected by this change is removed from that role because they have harmed a child, or pose a risk of harm to a child, the school is under a legal duty to refer them to the DBS for consideration for barring.

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. DBS checks and Update Service registration are free of charge for volunteers.

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;
- Qualifications, if relevant, to the volunteering role; and
- An informal safer recruitment interview.

Visiting speakers and Prevent Duty

The Prevent Duty Guidance requires the school to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by students, 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 visitor's protocol. This will include proof of identification on arrival to the School Office, signing in and out at reception, always wearing a visitor's badge and being escorted by a fully vetted member of staff between appointments. The line manager or staff member who has organised the visitor must also complete the Visiting Speaker form which will be kept by the EVC.

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.

Retention, Security of Records and Data Protection Obligations

The school will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates are not retained as a matter of course. Where a copy is held exceptionally, it will not be retained for longer than six months

Application forms, interview notes, scoring records, references and pre-employment check records relating to unsuccessful applicants are retained for six months from the date the applicant is notified of the outcome, after which they are securely destroyed. The school does not routinely retain copies of DBS certificates; only the certificate number, date of issue, level of check and the recruitment decision are recorded.

This period is extended where:

(a) a complaint, grievance, tribunal claim or other legal proceedings are raised or threatened, in which case records are kept until the matter is concluded and any appeal period has expired; or
(b) a safeguarding concern arose during the recruitment process, in which case the relevant records are transferred to a safeguarding file and retained in accordance with the school's safeguarding retention schedule, and consideration is given to whether a referral to the DBS or the Teaching Regulation Agency is required.

Where an applicant consents to their details being held for future vacancies, records are retained for twelve months and consent may be withdrawn at any time.

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

Appendix

Policy on the Recruitment of Ex-Offenders

The school will not unfairly discriminate against any candidate for employment based on conviction or other details revealed. The school makes appointment decisions based on merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the school. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

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

Under the relevant legislation, it is unlawful for the school to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the school 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 also unlawful for the school to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (2018) where the post involves work in relevant childcare provision.

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

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

If 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 consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question,
- 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 can obtain an Ofsted waiver from disqualification, and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

The categories set out below identify offences and conduct which, because of their nature or their relevance to work with children, require the most careful scrutiny. They are a trigger for individual risk assessment, not an automatic bar to appointment. Each case is considered on its own facts by the Headmaster, and no offer is withdrawn or application rejected on the basis of a disclosure without that assessment being completed and recorded.

The offences and conduct in this category are: 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.

Where a candidate is barred from regulated activity, is subject to a prohibition order or a direction under section 128 of the Education and Skills Act 2008, or is otherwise disqualified by law, they cannot be appointed and no discretion arises. The categories above are otherwise a trigger for assessment, not a bar.

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 of robbery, burglary, theft, deception or fraud. If the post involves some driving responsibilities, it is the school's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving. In each case the length of time since the conviction, the circumstances and its relevance to the specific duties of the post are considered as part of the assessment set out above.

The candidate is given the opportunity to discuss the disclosure and make representations before a decision is reached. The assessment, the reasons for the decision and the identity of the decision-maker are recorded in writing and retained.