



RUGBY  
SCHOOL  
GROUP

## Pre-Employment and Vetting Policy

September 2023

## **1.0 INTRODUCTION**

- 1.1 If it is decided to make an offer of employment following completion of the Rugby School Group's recruitment and selection process any such offer will be conditional and made in accordance with this policy.
- 1.2 In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the Education (Independent School Standards) Regulations 2014 and the *Boarding schools: national minimum standards* the Rugby School Group carries out a number of pre-employment checks in respect of all prospective staff members.
- 1.3 This policy must be strictly adhered to, failure to follow the prescribed checks and allow an individual to commence any work or training with the Rugby School Group without the required checks in place will result in disciplinary action.

## **2.0 SCOPE**

- 2.1 This Policy applies to all new starters of Rugby School Group and covers Contractors, Agency Staff, Visitors and Guest Speakers and colleagues partners who reside in the Groups properties

## **3.0 PURPOSE**

- 3.1 This policy clearly outlines the required pre-employment checks that must be completed prior to any new starter commencing their employment. Any offer of employment will be conditional on the following:
  - the agreement of a mutually acceptable start date and the signing of a contract incorporating the Rugby School Group's standard terms and conditions of employment;
  - verification of the applicant's identity (where that has not previously been verified);
  - the receipt of two references (one of which must be from the applicant's most recent employer) which Rugby School Group considers to be satisfactory;
  - for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by, the Teaching Regulation Agency (TRA) (previously known as the National College for Teaching and Leadership) which renders them unable or unsuitable to work as part of Rugby School Group;
  - for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by, a regulator of the teaching profession in any other country which renders them unable or unsuitable to work as part of Rugby School Group;
  - where the position amounts to "regulated activity (see section \* below) the receipt of an enhanced disclosure from the DBS which the Rugby School Group considers to be satisfactory;
  - where the position amounts to "regulated activity" (see section \* below) confirmation that the applicant is not named on the Children's Barred List\*;

- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work as part of Rugby School Group;
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008, which renders them unable or unsuitable to work as part of Rugby School Group;
- confirmation that the applicant is not disqualified from working in connection with early or later years provision (if applicable);
- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to remain in the UK;
- any further checks which Rugby School Group decides are necessary as a result of the applicant having lived or worked outside of the UK which may include an overseas criminal records check, certificate of good conduct or professional references; and
- verification of professional qualifications which Rugby School Group deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

\*Rugby School Group is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". Rugby School Group is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, Rugby School Group 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.

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

#### **4.0 MEDICAL FITNESS**

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

4.2 It is Rugby School Group's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire. Rugby School Group will arrange for the information contained in the Health Questionnaire to be reviewed by the Group's medical advisor. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra-curricular activities, layout of the School's or Nursery etc. If the Group's medical advisor has any doubts about an applicant's fitness, Rugby School Group will consider reasonable adjustments in consultation with the applicant. Rugby School Group may also seek a further medical opinion from a specialist or request that the applicant undertake a full medical assessment.

4.3 Successful applicants will be required to sign a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with Rugby School Group instead, or to attend an occupational health assessment to consider their fitness for the role, they should contact Human Resources so that appropriate arrangements can be made.

4.4 Rugby School Group fully supports its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

## **5.0 PRE-EMPLOYMENT CHECKS**

5.1 In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the Education (Independent School Standards) Regulations 2014 and the Boarding schools: national minimum standards Rugby School Group carries out a number of pre-employment checks in respect of all prospective staff members.

5.2 In addition to the checks set out below, Rugby School Group reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work as part of Rugby School Group. This may include internet and social media searches.

5.3 In fulfilling its obligations Rugby School Group 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.

## **6.0 VERIFICATION OF IDENTITY AND ADDRESS**

6.1 All applicants who are invited to an interview will be required to bring with them evidence of identity, right to remain in the UK, address and qualifications as set out below and in the list of valid identity documents available on the download a form section of Your Employee Self Service Portal these requirements comply with DBS identity checking guidelines):

- one document from Group 1; and
- two further documents from either of Group 1, Group 2a or Group 2b, one of which must verify the applicant's current address; and
- original documents confirming any educational and professional qualifications referred to in their application form.

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

6.3 Rugby School Group asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE. Proof of date of birth is necessary so that the Group may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. Rugby School Group does not discriminate on the

grounds of age.

- 6.4 Rugby School Group asks for this information at interview to ensure that the person attending interview is who they claim to be, to ensure that they are permitted to work for the Group if appointed and that they hold the qualifications that have been requested (if any).

## **7.0 REFERENCES**

- 7.1 All offers of employment will be subject to the receipt of a minimum of two references, which are considered satisfactory by Rugby School Group. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

- 7.2 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. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated or malicious;
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people, except where the allegation or concerns were found to be false, unsubstantiated or malicious;
- whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" at section 16.4 below).

- 7.3 Rugby School Group will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

- 7.4 References provided or received by Rugby School Group School are not intended to be seen by the employee. References provided by Rugby School Group will be marked "Strictly Confidential for the purposes of employment (or prospective employment) of the data subject".

- 7.5 Rugby School Group will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

- 7.6 Rugby School Group may at its discretion make telephone contact with any referee to

verify the details of the written reference provided.

## **8.0 CRIMINAL RECORD CHECKS**

8.1 Prior to 29 May 2013 an enhanced disclosure contained details of all convictions on record (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It could also contain non-conviction information from local police records, which a chief police officer considered relevant to the role applied for as part of Rugby School Group.

8.2 Since 29 May 2013 the DBS commenced the filtering and removal of certain specified information relating to old and minor criminal offences from all criminal records disclosures. The DBS and the Home Office have developed a set of filtering rules relating to spent convictions, which work as follows:

### **For those aged 18 or over at the time of an offence**

An adult conviction for an offence committed in the United Kingdom will be removed from a DBS disclosure if:

- eleven years have elapsed since the date of conviction;
- it is the person's only offence; and
- it did not result in a custodial sentence.

It will not be removed under any circumstances if it appears on a list of "**specified offences**" which must always be disclosed. If a person has more than one offence on their criminal record, then details of all their convictions will always be included.

A caution received when a person was aged 18 or over for an offence committed in the United Kingdom will not be disclosed if six years have elapsed since the date it was issued and if it does not appear on the list of "specified offences".

### **For those aged under 18 at the time of an offence**

A conviction for an offence committed in the United Kingdom will be removed from a DBS disclosure if:

- five and a half years have elapsed since the date of conviction;
- it is the person's only offence; and
- it did not result in a custodial sentence.

Again, the conviction will not be removed under any circumstances if it appears on the list of "specified offences", or if a person has more than one offence on their criminal record.

A caution received when a person was aged under 18 for an offence committed in the United Kingdom will not be disclosed if two years have elapsed since the date it was issued and if it does not appear on the list of "specified offences".

8.3 The list of "specified offences" which must always be disclosed. This contains a large number of offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record. The list of "specified

offences" can be found at:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>.

- 8.4 Rugby School Group 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. Any position undertaken at, or on behalf of Rugby School Group will amount to "regulated activity" if it is carried out:
- frequently, meaning once a week or more; or
  - overnight, meaning between 2.00am and 6.00am; or
  - satisfies the "period condition", meaning four times or more in a 30-day period; and
  - provides the opportunity for contact with children.
- 8.5 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.
- 8.6 It is for Rugby School Group to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts as part of Rugby School Group amount to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in a School's office outside of term time or voluntary posts, which are supervised.
- 8.7 The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the Rugby School Group. It is a condition of employment with Rugby School Group that the original disclosure certificate is provided to the Group within two weeks of it being received by the applicant. Original certificates should not be sent by post. Applicants must bring the original certificate to Rugby School Group within two weeks of it being received. A convenient time and date for doing so should be arranged with Human Resources as soon as the certificate has been received. Applicants who are unable to attend Rugby School Group to provide the certificate are required to send in a certified copy by post or email within two weeks of the original disclosure certificate being received. Certified copies must be sent to Human Resources. Where a certified copy is sent, the original disclosure certificate must still be provided prior to the first day of work. Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by Rugby School Group.
- 8.8 If there is a delay in receiving a DBS disclosure the Head Master has discretion to allow an individual to begin work pending receipt of the disclosure certificate. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place.
- 8.9 DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also

be asked to provide further information, including a criminal records check from the relevant jurisdiction(s), a certificate of good conduct and/or references from any employment held. Work can only commence once the overseas information has been received and only if Rugby School Group has considered that information and confirmed that the applicant is suitable to commence work within the Group.

- 8.10 Applicants with periods of overseas residence. DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.
- 8.11 Rugby School Group will take into account the "DBS unusual addresses guide" in such circumstances. Rugby School Group takes into account the guidance issued by the NSPCC when deciding whether to request overseas information from applicants, which recommends that such information should be sought on those who have lived overseas for periods of three months or more in the last five years. However, Rugby School Group recognises that Education (Independent School Standards) Regulations 2014 do not specify that a minimum period of overseas residence is required. The School therefore assesses each applicant's situation on its individual facts.
- 8.12 Where applicants are asked to provide further overseas information this will include a criminal records check from the relevant jurisdiction(s) or a certificate of good conduct (as appropriate) and / or references from any employment held.
- 8.13 Work can only commence once sufficient overseas information has been received and only if Rugby School Group has considered that information and confirmed that the applicant is suitable to commence work within the Group.

## **9.0 PROHIBITION FROM TEACHING CHECK**

- 9.1 The School is required to check whether staff who carry out "teaching work" are prohibited from doing so. Rugby School Group uses the Teaching Regulation Agency Teaching Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the TRA.
- 9.2 In addition Rugby School Group asks all applicants for roles, which involve "teaching work" (and their referees) to declare in the application form whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by, the TRA or other equivalent body in the UK.
- 9.3 It is Rugby School Group's position that this information must be provided in order to fully assess the suitability of an applicant for a role, which involves "teaching work". Where an applicant is not currently prohibited from teaching but has been the subject of a referral to, or hearing before, the TRA (or other equivalent body) whether or not that resulted in the imposition of a sanction, or where a sanction has lapsed or been lifted, Rugby School Group will consider whether the facts of the case render the applicant unsuitable to work within the Group.
- 9.4 Rugby School Group carries out this check, and requires associated information, for roles, which involve "teaching work". In doing so Rugby School Group applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations



2012 which states that the following activities amount to "teaching work":

- planning and preparing lessons and courses for students;
- delivering lessons to students;
- assessing the development, progress and attainment of students; and
- reporting on the development, progress and attainment of students.

9.5 The above activities do not amount to "teaching work" if they are supervised by a qualified teacher or other person nominated by the Head Master. If in any doubt or if the applicant has taught previously, or may teach in future, the check will be undertaken, including for sports coaches.

9.6 In addition, for all appointments made on or after 18 January 2016, where an applicant has carried out teaching work outside of the UK the School will ask the applicant (and their referees) whether they have ever been referred to, or are the subject of a sanction issued by, a regulator of the teaching profession in the countries in which they have carried out teaching work. This will include checking for the existence of any sanctions issued by regulators of the teaching profession in other EEA countries using the TRA Teacher Services system.

## **10.0 PROHIBITION FROM MANAGEMENT CHECK**

10.1 Rugby School Group is required to check whether any applicant for a management position is 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 (a section 128 direction).

This check applies to appointments to the following positions made on or after 12 August 2015:

- Head Master;
- teaching posts on the senior leadership team;
- teaching posts which carry a departmental head role; and
- support staff posts on the senior leadership team and
- Rugby School Group will assess on a case-by-case basis whether the check should be carried out when appointments are made to teaching and support roles which carry additional responsibilities.

It also applies to appointments to the governing body.

10.2 The relevant information is contained in the enhanced DBS disclosure certificate (which Rugby School Group obtains for all posts within the Group that amount to regulated activity). It can also be obtained through the TRA Teacher Services system. Rugby School Group will use either, or both, methods to obtain this information.

10.3 In addition, Rugby School Group asks all applicants for management roles to declare in the application form whether they have ever been the subject of a referral to the Department for Education, or are subject to a section 128 direction or any other sanction, which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

10.4 It is Rugby School Group's position that in order to fully assess the suitability of an applicant for a management role it must be provided with the above information. Where an applicant is not currently prohibited from management but has been the subject of a referral to, or hearing before, the Department for Education or other appropriate body whether that resulted in the imposition of a section 128 direction or other sanction, or where a section 128 direction or other sanction has lapsed or been lifted, Rugby School Group will consider whether the facts of the case render the applicant unsuitable to work as part of the Group.

#### **11.0 DISQUALIFICATION FROM ACTING AS A CHARITY TRUSTEE OR SENIOR MANAGER**

11.1 Under the Charities Act 2011 it is a criminal offence for a person to act as a trustee or senior manager of a charity when disqualified from doing so. The Charities Act 2011 sets out the grounds on which a person can be disqualified from acting as a trustee or senior manager. These include various spent and unspent criminal offences and other sanctions.

11.2 A person is considered to be a charity trustee if they are one of the people who have general control and management of the administration of the charity. In an independent school the trustees will typically be the governors of the school.

11.3 Senior managers include those employees who report directly to the charity trustees or have responsibility for the overall management and control of the charity's finances. At Rugby School Group the disqualification rules will be applicable to all governors, the Head Master, COO and potentially other senior staff who report directly to the governors.

11.4 All those who are covered by the disqualification rules are required to complete a self-declaration form to confirm whether, to the best of their knowledge, they are subject to any of the disqualification criteria.

11.5 A failure to disclose relevant information, or the provision of false information, which subsequently comes to Rugby School Group's attention may result in the termination of an appointment as a governor or senior manager or the withdrawal of an offer of employment and may also amount to a criminal offence.

11.6 All those who are required to complete a self-declaration form are also under an ongoing duty to inform Rugby School Group if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

11.7 To ensure that it has accurate and up to date information Rugby School Group will also check the following registers in respect of each governor and senior manager who is already in post or is appointed in future:

- the Insolvency Register;
- the register of disqualified directors maintained by Companies House; and
- and the register of persons who have been removed as a charity trustee.

A person who discloses that one or more of the disqualification criteria is applicable to them may apply to the Charity Commission for a waiver of the disqualification.

11.8 Rugby School Group may at its absolute discretion withdraw an offer of employment for a senior manager or cease or terminate an appointment to the governing body if a waiver application becomes necessary or is rejected by the Charity Commission. Rugby School Group is under no obligation to await the outcome of a Charity Commission waiver application before taking such action.

## 12.0 CHILDCARE DISQUALIFICATION REQUIREMENTS

12.1 The Childcare Act 2006 (**Act**) and the Childcare (Disqualification) ) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 (**Regulations**) state that it is an offence for Rugby School Group to employ anyone in connection with our early years provision (**EYP**) or later years provision (**LYP**) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP.

- EYP includes usual school activities and any other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place within Rugby School Group's premises during or outside of the normal school day;
- LYP includes provision for children not in EYP and under the age of 8 which takes place within Rugby School Group's premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.

12.2 DUCA states that only those individuals who are employed directly to provide childcare are covered by the Regulations. "Childcare" means any form of care for a child, which includes education and any other supervised activity for a child who is aged 5 or under. "Childcare" in LYP does not include education during school hours but does cover before and after school clubs.

12.3 Roles, which will be covered by the Regulations, are teaching and teaching assistant positions in EYP, and those, which involve the supervision of under 8s in LYP. Those who are directly involved in the management of EYP and LYP include the Head Master, and may also include other members of the leadership team as well as those involved in the day-to-day management of EYP or LYP as part of Rugby School Group.

12.4 DUCA contains an express statement that cleaners, drivers, transport escorts, catering and office staff are not covered by the Regulations.

12.5 Some roles within Rugby School Group may involve the provision of childcare in EYP or LYP on an occasional basis. They will not automatically be within the scope of the Regulations and Rugby School Group will therefore consider whether they do on a case-by-case basis. The Regulations only apply to a limited number of roles within Rugby School Group but do extend beyond staff members to governors and volunteers who carry out relevant work in EYP or LYP.

12.6 The criteria for which a person will be disqualified from working in connection with EYP or LYP are set out in the Regulations. They are not only that a person is barred from working with children (by inclusion on the Children's Barred List) but also include:

- having been cautioned (after 6 April 2007) for, or convicted of, certain criminal offences including violent and sexual criminal offences against children and adults whether committed in the United Kingdom or overseas;
- various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
- having been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), having been disqualified from any such registration or having had that registration cancelled;
- having been refused an application for registration of a children's home or having had any such registration cancelled;
- having been prohibited, restricted or disqualified from private fostering; or
- living in the same household as another person who is disqualified from EYP or LYP, or living in a household where a disqualified person is employed (disqualification by association). A household is deemed to cover anyone sharing "living space", including the use of a shared kitchen.

12.7 All applicants to whom an offer of employment is made to carry out a relevant role in EYP or LYP will be required to complete a Self-Declaration Form confirming whether they, or anyone in their household, meet any of the criteria for disqualification under the Regulations. Rugby School Group will decide whether a role is relevant and within the scope of EYP or LYP by having regard to the guidance in DUCA. Employment with Rugby School Group in any relevant role will be conditional upon completion of the Self-Declaration Form and upon the applicant not being disqualified. Rugby School Group cannot permit any person who is currently disqualified to start work in a relevant role. Rugby School Group also reserves the right at its absolute discretion to withdraw an offer of employment if, in the opinion of the Group, any information disclosed in the Self-Declaration Form renders that person unsuitable to work as part of Rugby School Group.

12.8 Applicants who have any criminal records information to disclose about themselves, or anyone in their household must also provide the following information:

- details of the order, restriction, conviction or caution and the date that this was made;
- the relevant court or body and the sentence, if any, which was imposed; and
- a copy of the relevant order or conviction.

12.9 Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.

12.10 For the avoidance of doubt Rugby School Group does not require applicants to request any criminal records information directly from the DBS. Rugby School Group only requires applicants to provide relevant information about themselves and members of their household "to the best of their knowledge".

12.11 A person who discloses information, which appears to disqualify them from working in a relevant role, may apply to Ofsted for a waiver of the disqualification. Rugby School Group may withdraw an offer of employment at its absolute discretion and is under no obligation to await the outcome of an Ofsted waiver application. If a waiver application

is rejected Rugby School Group will withdraw the conditional offer of employment.

- 12.12 Rugby School Group will securely destroy any information, which is provided by an applicant, which is not relevant to the childcare disqualification requirements as soon as it is established that it is not relevant. Where a person appointed to a role within Rugby School Group is found to be disqualified the Group will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the Group, after which it will be securely destroyed.
- 12.13 After making this declaration staff in a relevant role are under an on-going duty to inform Rugby School Group if their circumstances change in a way, which would mean they subsequently meet any of the criteria for disqualification. Any failure to disclose relevant information now, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.

### **13.0 MEDICAL FITNESS**

- 13.1 Rugby School Group is legally required to verify the medical fitness of anyone to be appointed to a post within the Group, after an offer of employment has been made but before the appointment can be confirmed.
- 13.2 It is Rugby School Group's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire. The Group will arrange for the information contained in the Health Questionnaire to be reviewed by the Group's medical advisor. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed timetable, extra- curricular activities, layout of the School or Nursery etc. If the Group's medical advisor has any doubts about an applicant's fitness the Group will consider reasonable adjustments in consultation with the applicant. Rugby School Group may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.
- 13.3 Successful applicants will be required to sign a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with Rugby School Group instead, or to attend an occupational health assessment to consider their fitness for the role, they should contact the HR Department; [hr@rugbyschool.net](mailto:hr@rugbyschool.net) so that appropriate arrangements can be made.
- 13.4 Rugby School Group is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

### **14.0 CONTRACTORS AND AGENCY STAFF**

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

- 14.2 Agencies who supply staff to Rugby School Group must also complete the pre-employment checks, which the Group would otherwise complete for its staff. Again, Rugby School Group requires confirmation that these checks have been completed before an individual can commence work within the Group.
- 14.3 Rugby School Group will independently verify the identity of staff supplied by contractors or an agency in accordance with section 6.1 – 6.4 and will require the provision of the original DBS disclosure certificate before contractor or agency staff can commence work within the Group. Rugby School Group at its discretion will undertake any of these checks as it feels are required.

## **15.0 VOLUNTEERS**

- 15.1 Rugby School Group will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with student at or on behalf of the Group, (the definition of regulated activity set out in section 0 above will be applied to all volunteers).
- 15.2 Rugby School Group will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day-to-day supervision by a fully checked member of staff or by a volunteer who Rugby School Group has deemed appropriate to supervise and ensure the safety of those students in their care.
- 15.3 Under no circumstances will Rugby School Group permit an unchecked volunteer to have unsupervised contact with students.
- 15.4 It is Rugby School Group'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 within the Group for three consecutive months or more. Those volunteers who are likely to be involved in activities with Rugby School Group on a regular basis may be required to sign up to the DBS update service as this permits the Group to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.
- 15.5 In addition Rugby School Group 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.

## **16.0 VISITING SPEAKERS AND THE PREVENT DUTY**

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

- 16.2 Rugby School Group 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 within the Group or perform any other regular duties for or on behalf of the Group.
- 16.3 All visiting speakers will be subject to Rugby School Group's usual visitor's protocol. This will include signing in and out at Reception, the wearing of a visitors' badge at all times and being escorted by a fully vetted member of staff between appointments.
- 16.4 Rugby School Group 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 Group. In doing so Rugby School Group will always have regard to the, 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."*
- 16.5 In fulfilling its Prevent Duty obligations Rugby School Group 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.
- 16.6 Rugby School Group reserves the right to obtain such information on any other person appointed to work for or as part of the Group.

## **17.0 BREACHES OF THE POLICY**

- 17.1 Breaches of this policy by any staff member will be dealt with under our Disciplinary Procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal.

## **18.0 RELATED POLICIES**

Safer Recruitment and Selection Policy  
Recruitment of Ex-Offenders Policy

## **19.0 FURTHER INFORMATION**

- 19.1 Further information and guidance regarding this policy or its application can be obtained from the HR Department; [hr@rugbyschool.net](mailto:hr@rugbyschool.net).