

ENGLISH NATIONAL BALLET SCHOOL

SAFER RECRUITMENT POLICY

September 2023

Introduction

English National Ballet School seeks to be the first choice for the next generation of international ballet students. The School offers a holistic approach to student learning. We aim to nurture and develop talented dancers of the highest standard, but who are also 'thinking' dancers. Dancers who will bring artistry, understanding and creativity into their work. Life-long dancers who will be equipped with the skills, education, and resilience to continuously develop throughout their training and throughout their lives.

Providing the best possible care and education, whilst safeguarding and promoting the welfare of children and young people is central to English National Ballet Schools' Mission. The School is also committed to providing a supportive and inclusive working environment to all members of staff and strives to recruit and retain staff who share this commitment. Fair and effective recruitment is fundamental to English National Ballet Schools' recruitment policy to ensure the right person is found for the role.

The main aims of the policy are:

- To ensure staff are recruited on the basis of their experience, ability and suitability for the role, which includes their attitudes towards safeguarding and their ability to work with students in a way which promotes the safety and welfare of young people.
- To ensure that all job applicants are considered equally and consistently.
- To ensure that no job applicant is treated unfairly in reference to any protected characteristic under the Equality Act (2010 updated June 2015) including race, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, gender reassignment, pregnancy, or maternity, 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* (updated September 2023) (KCSIE), the *Prevent Duty Guidance for England and Wales* (updated April 2021) (the Prevent Duty Guidance), DfE (2023) *Recruiting Teachers from Overseas* and any guidance or code of practice published by the Disclosure and Barring Service (DBS).
- To ensure that the School meets its commitment to safeguarding and promoting the welfare of students by carrying out all necessary pre-employment checks.
- That the training and development of current staff will not be overlooked when developing new roles at the School.

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

Please note that, except for those listed on Page 7, this policy refers to any individual directly employed by the School, whether as a permanent or an hourly paid member of staff. Where a freelancer is engaged for longer than a maximum of three teaching sessions, they would be engaged by the School under the same terms of the Policy as permanent and hourly paid staff.

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EMPLOYEE RECRUITMENT & SELECTION PROCEDURE

Staff vacancies will be advertised in a variety of media and on the School's website accompanied by a Job Description and Person Specification. Discretion not to advertise might be exercised in exceptional circumstances. Individuals can be directly appointed only if they have an existing and continuing right to work in the UK.

Applicants will be reminded in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if they are barred from engaging in regulated activity relevant to children.

The school will also provide a copy of the Child Protection and Safeguarding Policy and information on employment of ex-offenders in the application pack.

Applicants will be required to provide the following:

- Personal details, e.g., their current and former names, current address, and national insurance number
- Details of their current or most recent employment, including the reason for leaving
- Full employment history, including explanations for any gaps in their employment
- Qualifications, the awarding body and the date of the award
- Details of references
- A statement of their personal qualities and an explanation of why they meet the person specification to be a suitable candidate for the role
- A declaration form outlining whether they are barred from teaching

Where applicable, the school will use the application form to make clear that shortlisted candidates may be subject to online searches.

Prospective applicants should provide a CV and covering letter demonstrating their appropriateness for the role.

English National Ballet School is an equal opportunity employer and uses an equal opportunity form as part of the application process for all employees. The information gathered on the form is used to assist us in the implementation and effectiveness of our Equal Opportunities policy. The information collected will be stored and processed in accordance with Data Protection Principles for the purpose of preparing anonymized statistical reports. The information will not be made available to the selection panel and will not, therefore, be used in any part of the recruitment decision making process.

All personal information will be removed from the application form. The recruitment panel will see only the applicant's qualifications, employment history, skills and personal statement. This is to ensure all applicants are treated equally, regardless of any protected characteristic they may possess (as defined in the Equality Act 2010, updated 2015) and to safeguard the processing of personal data.

The panel will shortlist applicants against criteria derived from the Job Description and the Person Specification.

When shortlisting candidates, the School will:

- Ensure that at least two people carry out the shortlisting proceedings – ideally, these two people will also conduct the interview.
- Assess whether there are any inconsistencies or gaps in the candidate's employment and consider the reasons given for them.
- Consider undertaking online searches, as necessary, and explore any further potential concerns.

Those shortlisted will be invited to attend an interview which may include a panel interview, one-to-one, tests, presentations, class teaching/observation. For every role the interview questions will include one to test an applicants' understanding of safeguarding within a school context.

The recruitment panel will complete the necessary pre-interview checks.

Pre-interview checks will include the following:

- Requesting two references from each shortlisted candidate directly from the referees – where possible, one reference will be obtained relating to the role in which the candidate worked with children.
- Verifying that the candidate has qualifications or experience relevant to the post.
- Checking references against application forms and noting down discrepancies or concerns, and following up these concerns with referees
- Checking and, where necessary, following up candidates' self-declaration forms

Notes of the interview, test scores and classes will be recorded. All applicants will be asked the same questions including questions about their experience of working with children and young people. The panel involved in the shortlisting of candidates will remain consistent throughout the recruitment process and include no less than two members of the faculty.

The decision to appoint will be made by at least two members of staff. At least one person on any recruitment panel will have undertaken safer recruitment training.

PRE-EMPLOYMENT CHECKS

Any offer of employment will be conditional on the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment, and further checks (see below) being completed satisfactorily.

In addition to the checks set out below, the School 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 at the School. This may include internet and social media searches.

In fulfilling its obligations, the School does not discriminate on the grounds of race, religion and belief, gender reassignment, sex, sexual orientation, marital or civil partnership status, pregnancy and maternity, disability or age.

VERIFICATION OF IDENTITY, ADDRESS, RIGHT TO WORK IN THE UK AND QUALIFICATIONS

Applicants will be required to provide acceptable original documents demonstrating their right to work in the UK, as per government guidance. Manual three step identity checks are made against official documentation such as a passport, or other items deemed acceptable by the *Employer's Guide to Right to Work Checks*. At least one of the documents must show the applicant's current address. Applicants will be asked to provide documents confirming any educational or professional qualifications relevant to the role referred to in their application form. The School reserves the right to seek external verification of educational and professional qualifications.

REFERENCES

Once a candidate, including an internal candidate, has been shortlisted for a position, references will be requested and scrutinised by the recruitment panel. Concerns raised following a candidate's references will be explored further with the referee where appropriate and discussed with the candidate at interview. Any concerns will be resolved satisfactorily prior to confirming an appointment.

A minimum of two references will be sought, one of which must be from the applicant's current or most recent employer. Neither referee should be a relative or solely a friend.

All referees will be sent the job description for the role and asked whether they believe the applicant is suitable for the role. The employer referee will in addition be asked for the applicant's dates of employment, job title/duties and reason for leaving, and to the best of their knowledge if there was ever any reason to suspect them of dishonesty or breach of trust. The recruitment panel will ensure that any references requested by the school include a section asking for any past disciplinary action or allegations to be disclosed. Any disclosures will be carefully considered when assessing the candidate's suitability for the role, in line with this policy. The School will only accept references obtained directly from the referee and will not rely on open testimonials or references or those provided by the applicant.

References will be checked upon receipt to ensure that all questions have been answered satisfactorily and that information is not contradictory or incomplete. The referee will be contacted to provide further clarification where appropriate, e.g. if some answers are vague or insufficient, or contradictory information has been provided. The reference will be compared for consistency with the information on the candidate's application form.

The School will consider carefully any information about past disciplinary action or allegations that are disclosed when considering the applicant's suitability for the role. If this involves safeguarding or potential safeguarding concerns, the DSL will be consulted to help assess the candidate's suitability.

REFERENCE REQUESTS

If a reference is requested by a past employee of ENBS the School will provide a concise employment history and a summary line regarding their work with us (if applicable).

The School will comply in cases when there is a legal obligation to respond with specific information.

ONLINE SEARCHES ON SHORTLISTED CANDIDATES

In line with KCSIE, the School will consider carrying out online searches on shortlisted candidates as part of its due diligence. Online searches solely aim to help identify any incidents or issues that have happened, and are publicly available online, that the school may want to explore with the applicant at interview.

Online searches will be conducted on shortlisted candidates only, and only where the School considers this appropriate. The School will consider any potential risks of online searches, e.g. unlawful discrimination or invasion of privacy, and will ensure staff conducting online searches are clear on the purpose of the search. Shortlisted candidates will be made aware that online searches may be conducted as part of due diligence checks.

Online searches will only examine data that is publicly available. Staff will not 'follow' or submit a friend request to shortlisted candidates on social media platforms to access further details or information.

Online searches will be carried out by an individual who is independent of the recruitment process to minimise the risk of bias or discrimination and to ensure that only relevant information is considered. The person responsible for carrying out online searches will have due regard to Part three of KCSIE.

The online search process may include searching for the candidate by name via search engines and social media platforms.

When carrying out searches of shortlisted candidates' online presence, the school will look out for indicators of concern, such as:

- Inappropriate behaviour, jokes or language.
- Discriminatory comments.
- Inappropriate images.
- Drug or alcohol misuse.
- Anything that suggests the candidate may not be suitable to work with children.
- Anything that could harm the reputation of the School.

Any concerns will be addressed during the interview process. The School will ensure that candidates are given an opportunity to discuss any concerns raised by the online search.

AFTER THE INTERVIEW

After the interview has been completed, the recruitment panel will:

- Assess all candidates' performance using the same agreed criteria.
- Ask the successful candidate to provide proof of identification and qualifications for the school's records, and to complete the DBS check as soon as possible.
- Contact and provide feedback to the unsuccessful candidates – feedback will be verbal and based on evidence of their performance against the person specification for the role.

Interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews in case any aspect of the recruitment process is challenged.

After choosing a successful candidate, the School will:

- Make a conditional offer of employment to the candidate.
- Ask the successful candidate to provide identification and proof of qualifications, if this has not already been done.
- Complete the relevant pre-appointment checks.

Any spent or filtered convictions declared on the candidate's self-declaration form, or declared at interview, will not affect the offer of employment if already made; however, the School will undertake the relevant assessments to determine whether the candidate is suitable to work in the School.

PHYSICAL FITNESS

It is the School's practice to ask any candidate applying for a teaching role where physical fitness is a necessity, to complete a Health Questionnaire which is then, if necessary, reviewed by the School's Head of Healthcare against the Job Description for the role, along with other physical or other requirements of the role, for example proposed timetable and layout of the premises.

If the School's Head of Healthcare has any doubts about an applicant's fitness for the role, the School will consider reasonable adjustments in consultation with the applicant. The School may also seek further medical opinion from a specialist(s) or request that the applicant undertakes a full medical assessment.

All applicants are encouraged to bring any medical needs to the attention of the School at any stage of the recruitment process so that reasonable adjustments can be considered to accommodate these needs where possible.

DISCLOSURE AND BARRING SERVICE

The School will apply for a disclosure from the Disclosure and Barring Service (DBS) in respect of all prospective staff members, governors and unsupervised volunteers. The level of check will be determined by the role and its potential for access to students. In line with our Safeguarding Policy, we have safeguarding duties to all our students regardless of age. As a School in which we have both those under the age of 18 (children) and those over the age of 18 (adults) we are mindful that staff could have access to children even if they do not directly work with them.

For information: DBS and Home Office practice

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
- 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
- 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".

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>

Enhanced DBS disclosure

The School applies for an enhanced disclosure from the DBS which includes a check of the Children's Barred List 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 this level of check 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.

A role will involve undertaking "regulated activity" where it:

- comprises the provision of teaching, training, instruction, care for or supervision of children, or providing advice/guidance on well-being, **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
 - it is unsupervised
- involves the provision of personal care for children or driving a vehicle only for children, even if done only once in the course of their work.

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.

It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the School amount to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in the School office outside of term time or voluntary posts which are supervised.

The School is not permitted to check the Children's Barred List unless an individual 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 and those which are carried out within the School.

Applicants with recent periods of overseas residence or those with little/no previous UK residence may be asked to provide further information, including the equivalent of a DBS certificate, from the relevant jurisdiction(s). The School will take into account the "DBS unusual addresses guide" in such circumstances. As per NSPCC guidance, a successful applicant who has spent more than 3 months in the last 5 years outside of the UK is likely to be asked by the School to provide the equivalent of a DBS certificate or further information.

If there is a delay in receiving a DBS certificate, the Head of Wellbeing and Safeguarding will review the matter, in consultation with the Artistic Director where the role is part of the Artistic team, and make a recommendation to the Executive Director (ED). The ED then has the discretion to allow an individual to begin work pending receipt of the disclosure, provided all other checks, including a check of the Children's Barred List (where sought) have been completed and once appropriate supervision has been put in place. The level of supervision deemed appropriate will take account of any advance information from Atlantic Data Ltd, our registered DBS umbrella body, which confirms that the certificate has been issued and contains information. Supervision arrangements will be continually monitored by the line manager and HR.

PROHIBITION FROM TEACHING CHECK

The School asks all applicants for roles which involve "teaching work" (and their referees) to declare as part of the application process whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (TRA) or other equivalent body in the UK.

It is the School's position that this information must be provided 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, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

The School carries out this check, and requires associated information, for roles which involve "teaching work". In doing so the School applies the definition of "teaching work" set out in the *Teachers' Disciplinary (England) Regulations 2012* (updated September 2018) which states that the following activities amount to "teaching work":

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

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

In addition, for all appointments made on or after 5 September 2016, where an applicant has carried out teaching work outside of the UK, the School will ask the applicant 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.

CONTRACTORS, AGENCY STAFF AND THOSE TRANSFERRED UNDER TUPE REGULATIONS

All those engaged by the School as contractors (or their employees), agency staff and those transferred under TUPE regulations must complete the same checks that the School is required to complete for its own staff. The School requires written confirmation that these checks have been completed before such persons can commence work at the School.

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

COVER TEACHERS AND PIANISTS, GUEST TEACHERS AND VISITING SPEAKERS

The School is not required to obtain a DBS disclosure or Children's Barred List information on any temporary member of staff such as cover teachers, cover pianists, guest teachers and visiting speakers who do not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.

All such roles will be subject to the School's usual visitors' protocol. This will include signing in and out at the Office using the School's Inventory system to record all visitor information and being accompanied by an appropriate member of staff at all times when on site.

The School will also obtain such formal or informal background information about a cover, guest or visiting role as is reasonable in the circumstances to decide whether to invite and / or permit them to attend the School.

GOVERNORS

Governors will have an enhanced criminal records certificate from the DBS. Governance is not a regulated activity and so governors will not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity.

Governors will be subject to a section 128 direction check.

RECRUITMENT OF EX-OFFENDERS

The School makes appointment decisions on the basis of merit and ability and will not unfairly discriminate against any applicant on the basis of conviction or other details revealed. If an applicant has a criminal record this will not automatically bar them from employment with the School. Each case will be decided on its merits in accordance with the objective assessment criteria set out in the paragraph below.

As all positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974 (updated November 2020), all applicants are expected to declare all previous convictions, including those which may be considered 'spent', excepting those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.

A failure to disclose a previous conviction may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

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

- it receives an application from a barred person.
- it is provided with false information in, or in support of an applicant's application.
- it has serious concerns about an applicant's suitability to work with children.
- it becomes aware of an ex-employee of the School becoming barred from working with children.

Assessment criteria

In the event that relevant information is volunteered by an applicant during the recruitment process and / or subsequently obtained through a disclosure check, the School will consider the following factors and carry out a risk assessment before reaching a recruitment decision. The assessment criteria are as follows:

- if 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 and the circumstances surrounding the offence and the explanation(s) offered by the applicant.

If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted, at any time of murder, manslaughter, rape and other serious sexual offences, grievous bodily harm and other serious acts of violence, serious class A drug related offences, 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 within the last ten years.

A risk assessment form will be completed and the School will consider the applicant's position against these criteria which must be signed off by the Executive Director before a position is offered.

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

RETENTION AND SECURITY OF DISCLOSURE INFORMATION

The School's policy is to observe the guidance by the DBS and adhere to Data Protection legislation on the use of disclosure information. Such information will be stored on a database for inspection purposes, accessible only to the HR team and relevant senior

leaders. The School will not retain disclosure information or associated correspondence for longer than necessary, and for a maximum of six months.

The School will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken.

The School will ensure that any disclosure information is destroyed by suitably secure means.

The School prohibits the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates.

RETENTION OF RECORDS

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is appointed, the School will retain any relevant information provided as part of the application process on their personnel file. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. To the extent that any risk assessment has been carried out in respect of convictions disclosed further to a DBS check, it will also be securely retained on the individual's personnel file. This documentation will be retained by the School for the duration of the successful applicant's employment with the School. Once employment has ended, the personnel file will be stored securely and, in line with safeguarding advice, will not be destroyed.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.

The same policy applies to any information suitability obtained about agency staff, cover teachers and pianists and guest teachers involved with school activities.

SINGLE CENTRAL RECORD

The School will maintain and regularly update the SCR.

All new employees will be added to the record, which will include:

- All staff (including supply staff) who work at the School.
- All others who work in regular contact with children in the school or college, including volunteers.

The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The record will indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed or certificate obtained:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- Further checks on people living or working outside the UK, including checks for European Economic Area (EEA) teacher sanctions and restrictions
- A check of professional qualifications
- A section 128 check

- A check to establish the person's right to work in the UK
- For those in management, trustee or governor roles, a section 128 check

If checks are carried out on volunteers, this will be recorded in the SCR.

The details of individuals will be removed from the SCR once their employment with the school ends.

SAFER RECRUITMENT TRAINING

At least one member of the recruitment panel will have completed formal safer recruitment training.

As a measure of good practice, the School will ensure that this training is renewed every two years.

Staff and governors involved in the recruitment process will have an awareness of information regarding the following:

- The recruitment and selection process
- Pre-appointment and vetting checks, regulated activity and recording of information
- Other checks that may be necessary for, staff, volunteers and others
- How to ensure the ongoing safeguarding of children and legal reporting duties on employers

SAFEGUARDING

For references provided to the School, the candidate's suitability will always be assessed with particular regard paid to their suitability to work with children. The DSL will be consulted where appropriate.

The DSL will recognise the School's duty to disclose safeguarding concerns overrides any other duties to an employee, and ensure the School complies with its safeguarding obligations. The DSL will ensure records are kept of all allegations against staff in line with the most up-to-date version of KCSIE.

For all safeguarding allegations, excluding those proven to be malicious, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached, will be kept on the confidential personnel file of the accused member of staff. Accurate information based on these records will be given in response to future requests for a reference, where appropriate. Safeguarding information will not be given in circumstances where the allegation was found to be false, unsubstantiated or malicious – this includes if it is a history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations.

REFERRALS TO THE DBS AND TEACHING REGULATION AGENCY (TRA)

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed.

In the event of a member of staff being permitted to start work whilst the DBS is being

processed, or there is a delay in the receipt of the DBS certificate, but the eventual receipt of the DBS then reveals a previously undeclared conviction(s), the School will need to discuss the matter further with the individual and undertake the necessary risk assessment. If the findings in such a case were to reveal that there was too great a risk to the School if the staff member continued in employment, the School has the right to terminate the individual's employment.

The School also has a legal duty to make a referral to the DBS in circumstances such as, an individual:

- has applied for a job despite being barred from working with children.
- has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child; or
- the School becomes aware that an ex-employee has fulfilled either of these criteria.

If the individual referred is a teacher, the School may also make a referral to the TRA.

Who We Are

English National Ballet School is a Registered Charity (No. 800512) and a Registered Company (No. 2319478) in England and Wales. Our registered office is Carlyle Building, Hortensia Road, London, SW10 0QS. English National Ballet School is registered as a Data Controller under the Data Protection Act 1998 with the Information Commissioner's Office (ICO) (No. Z9664670). English National Ballet School is committed to following the GDPR requirements and respecting any data processed which belongs to a data subject.

Document Change History

This is version 2.0 of the English National Ballet School complaints policy. This policy is for internal and external use.

This policy is subject to regular revision and maintained electronically. Electronic copies are version controlled.

Version: 2.0	Date: 30/08/23
Section Title	Change
Whole Document	Updated in line with updates in legislation
Version: 1.0	Date: 18/03/2021
Section Title	Change
Whole Document	Policy Created