



## School Policies

# Safer Recruitment & Selection

### Mission Statement

Horton Education and Care supports children and young people and adults through their difficulties, fosters their ability to manage their own behaviour, and develops their knowledge, skills and independence, enabling them to live as full and rich a life as possible

<b>Policy Title:</b>	<b>Recruitment and Selection</b>
<b>Policy Reference:</b>	Keeping Children Safe in Education The Teachers Disciplinary (England) Regulations 2012 School Staffing Regulations 2009 Independent School Standards Equality Act 2010 Data protection Act 2018

## 1. Introduction

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

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims to:

- follow safer recruitment procedures at all times to ensure compliance with all statutory requirements and relevant recommendations and guidance, including the recommendations of the Disclosure and Barring Service (DBS);
- ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks and interview procedures;
- ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position measured against the job description and person specification;
- ensure that all job applicants are considered equitably and consistently, in line with the School's Equal Opportunities Policy;
- help deter and identify and reject prospective applicants who are unsuitable for work with children.

This Policy has regard to: ▪ Keeping Children Safe in Education (September 2021)

- Working Together to Safeguard Children (July 2018, updated December 2020)
- The Equality Act 2010

## 2. Responsibilities

The governing body ensures that procedures and policies are in place for the safe recruitment of all staff and volunteers in accordance with best practice within the sector. Additionally, the board ensures appropriate staff have received up to date safer recruitment

training. It is the responsibility of the Executive Head Teacher, Exec Team and any other staff member nominated by the Head to:

- implement the school's safer recruitment procedures correctly;
- ensure all staff and volunteers working at the school undergo appropriate checks;
- monitor agency and contractor compliance with safe recruitment;
- promote the welfare of pupils at all stages of the process.

The school will ensure that at all times at least one person on the appointments panel has undertaken Safer Recruitment training

### **3. Recruitment & Selection Procedures**

#### Advertising

To ensure equality of opportunity, the School will advertise vacant posts to encourage as wide a field of applicant as possible. Normally this entails an external advertisement. Any advertisement will make clear the School's commitment to safeguarding and promoting the welfare of children.

The School will not normally follow an external recruitment process in the case of redeployment, where employees are under notice of redundancy and the vacancy is suitable alternative work, the employee is disabled or for health reasons requires alternative employment. Employees on temporary contracts can be made permanent without their job being advertised. The Executive Head may designate some posts as suitable development opportunities for existing employees. These posts will not be advertised externally.

All documentation relating to applicants will be treated confidentially in accordance with data protection legislation.

#### Application Forms

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

The application form will include the applicant's declaration regarding convictions and working with children and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CV's will not be accepted. All applicants will be made aware that providing false information is an offence and could result in the

application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies.

### Job Descriptions and Person Specifications

A job description will be drawn up for the role and finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role. The person specification informs the selection decision and will set out the skills, experience, abilities and expertise that are required to do the job.

### Shortlisting

Shortlisting will be undertaken by at least two people from the recruitment panel. Candidates will be assessed against the person specification.

### References

References will only be sought for short listed applicants and will be sent for immediately after short listing to enable investigation as needed during interview. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and prior to any formal offer of employment being made. Two professional/character references must be provided. These will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. Any discrepancies or anomalies will be followed up. Direct contact by phone or face-to-face will be undertaken with each referee to verify the reference. In particular references will establish:

- The candidate's suitability to work with children and young people;
- Any substantiated allegations;
- Any disciplinary warnings, including time-expired warnings, relating to the safeguarding of children and young people;
- the candidate's suitability for the post;
- current post;
- attendance record;
- disciplinary record. The

School does not accept open references, testimonials or references from relatives.

### Interviews

Assessment will be by face-to-face interview, and the same panel will see all the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Procedures).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process.

All applicants who are invited to an interview will be required to bring evidence of their identity, address, right to work in the UK and qualifications. Only original documents will be accepted, and photocopies will be taken. Unsuccessful applicant documents will be destroyed following at the end of the recruitment programme unless the applicant has given specific consent for data to be retained for the purpose of later re-consideration.

#### Offer of Appointment and New Employee Process

The appointment of all new employees is subject to the successful completion of all checks required for the Single Central Record (SCR) – see section 4 below. These include a medical fitness declaration. Anyone appointed to a post involving regular contact with children must possess the appropriate level of physical and mental fitness before any appointment offer is confirmed. All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required.

No employee will be permitted to start work until all statutory checks have been completed. The only exception to this rule is where there may be delayed receipt of a DBS certificate or delayed completion of overseas police checks. In such instances a barred list check will be completed and a risk assessment and signed off weekly to ensure the candidate is engaging in an appropriate level of activities with appropriate supervision pending final approval. The appropriate levels will vary depending on the risk factors and nature of the role.

#### DBS (Disclosure and Barring Service) Certificate

All staff at the School require an enhanced DBS Certificate and therefore a DBS Certificate must be obtained before the commencement of employment of any new employee (though see note below). The employee must bring their certificate to the school before commencing any form of regulated activity. The certificate will be recorded in the Single Central Record (SCR) though copies will not be retained for longer than six months in line with data protection legislation.

Any employee that takes leave for more than three months (i.e. maternity leave, career break etc.) must be re-checked before they return back to work.

Members of staff at the School must inform the Executive Head of any cautions or convictions that arise between these checks taking place as well as their obligation to disclose if they are disqualified from providing relevant childcare provision (as defined in the Department for Education's statutory guidance on Disqualification under the Childcare Act 2006 (as amended from time to time)).

As from 1 January 2021 the Teaching Regulation Agency will no longer maintain a list of EEA teachers with sanctions and professional regulators in the EEA (EU, Iceland, Liechtenstein and Norway) will no longer share information about sanctions imposed on EEA teachers with the Teaching Regulation Agency (TRA) via the IMI (Internal Market Information) system. Therefore, we will ask teachers to provide a letter of professional standing. This should be a letter of professional standing issued by the professional regulating authority in the country in which they worked. We will consider such evidence alongside other information obtained through other preappointment checks to help assess their suitability.

For applicants that have lived or worked outside of the UK, we will continue to follow safer recruitment requirements and make any further checks we think appropriate so that relevant events that occurred outside the UK can be considered, this will include obtaining an enhanced DBS certificate with barred list information (even if the teacher has never been to the UK).

#### Dealing with convictions

The exemption provisions under the Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at the School. The School operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to:

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

A formal meeting will take place face-to-face to establish the facts with the Executive Head. A decision will be made following this meeting.

#### Induction Programme

All new employees will be given an induction programme which will clearly identify the School's policies and procedures and make clear the expectation and Code of Conduct

which will govern how staff carry out their roles and responsibilities. In particular the programme seeks to:

7 ▪ ensure candidates understand the School's Child Protection and Safeguarding Policy;

▪ check the candidate has read Part 1 and Annexe A of KSCIE, in addition to key School policies and procedures.

▪ support individuals in a way that is appropriate for the role to which they have been appointed;

▪ provide opportunities for the candidate to discuss any issues or concerns about their role or responsibilities

▪ enable the candidate's subject coordinator or mentor to identify any concerns regarding the settling in process, teaching, behaviour management, relationships with pupils or staff and rectify them swiftly

#### **4. Single Central Record (SCR)**

A Single Central Record (SCR) of recruitment and vetting checks, in line with legal requirements, is maintained by the School. All individuals who work in regular contact with children, including proprietor, governors, volunteers and those employed by third parties (supply agencies), are included. The SCR is kept up to date and checked regularly.

The SCR contains details of the following;

▪ Proof of identity and address;

▪ Confirmation of reference checks;

▪ Disqualification from childcare disclosure;

▪ Medical fitness disclosure;

▪ Enhanced DBS check for all those in regulated activity;

▪ Professional qualifications if appropriate;

▪ Overseas police checks where applicable;

▪ Right to work in the UK;

▪ Prohibition from teaching orders check where applicable;

▪ Prohibition from Management check where applicable.

With regard to supply staff the register will record notification from the supply agency that all necessary checks have been made. Peripatetic staff such as music teachers and sports coaches will be subject to the checks as listed above before commencing employment.

## **5. Retention and security of disclosure information**

The school's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, with reference to data protection legislation.

In particular, the school will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the school's senior leadership team
- not retain disclosure information or any associated correspondence for longer than is necessary, usually 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
- prohibit the photocopying or scanning of any disclosure information

### Retention of other records

The school will retain any relevant information provided on the application form (together with any attachments) on the personnel file of candidates who are offered and accept the position for which they have applied. These files will be stored in a locked and secure cabinet.

DfE guidance requires that schools retain copies of identity documents, right to work, medical fitness and qualifications. Medical information may be used to help the school to discharge its obligations as an employer e.g. so that the school may consider reasonable adjustments if an employee suffers from a disability, or to assist with any other workplace issue. It is normal practice for the school to retain personnel files for seven years after the member of staff has left, though any information relating to potential safeguarding concerns may be permanently retained.

## **6. On-going Employment**

The School recognises that safer recruitment and selection is not just about the start of employment but should be part of a larger policy framework for all staff. The School will therefore provide on-going training and support for all staff, as identified through the annual review/appraisal process.

It is the employee's responsibility to ensure that their personal details which held on file are kept up to date. Changes of address, bank details, mobile phone number, marital status or



name can be made by completing the requisite form supplied by Horton Education and Care. In line with the Data Protection Act 1998, the employee must sign all documents containing employees' information. On joining the School a P45 Tax form should be provided as soon as possible.

## **7. Leaving Employment at the School**

Despite the best efforts to recruit safely there will be occasions when allegations of abuse against children and young people are raised. These allegations will be handled in accordance with the Child Protection and Safeguarding Policy. In cases of dismissal (or resignation), the School will inform the Department of Education and Children's Services of the circumstances. A referral may also be made to the Teaching Regulation Agency (TRA) in respect of teaching staff.

## **8. EYFS and Childcare for Children Under 8 - disqualification requirements**

The Childcare Act 2006, the Childcare (Disqualification) Regulations 2009, and 'Disqualification under the Childcare Act 2006' place separate and additional requirements on schools. Staff are covered by this legislation if they are involved in;

- Early years provision - staff who provide any care for a child up to and including reception age. This includes education in nursery and reception classes and/or any supervised activity (such as breakfast clubs, lunchtime supervision and after school care provided by the school) both during and outside of school hours for children in the early years age range
- Later years provision (for children under 8) - staff who are employed to work in childcare provided by the school outside of school hours for children who are above reception age but who have not attained the age of 8. This does not include education or supervised activity for children above reception age during school hours (including extended school hours for co-curricular learning activities).
- The management of early or later years provision. This includes the Head and, on occasion, other members of the school's management team and any manager, supervisor, leader or volunteer responsible for the day-to-day management of the provision.

The key requirement of the Act upon schools is that they must not knowingly employ people to work in childcare or allow them to be directly concerned in its management, if they are 'disqualified' unless they have received a valid waiver from Ofsted.

This school fulfils the duty to have regard to the Disqualification guidance by:

- Requiring all new staff to complete a self-disclosure form
- Ensuring all those connected with EYFS and childcare in the school have access to this policy and understand the requirements of the legislation, including that they may be disqualified by association

- Taking all required steps to gather sufficient and accurate information about whether any member of staff in a relevant childcare setting is disqualified

In addition to inclusion on the DBS Children’s Barred List, the grounds for disqualification include:

- being found to have been cautioned about or having committed certain violent and sexual criminal offences against children and adults at home or abroad which are referred to in regulation 4 and Schedules 2 and 3 of the 2009 Regulations (note that regulation 4 also refers to offences that are listed in other pieces of legislation)
- being the subject of certain orders made in relation to the care of children which are referred to in regulation 4 and listed at Schedule 1 of the 2009 Regulations
- refusal or cancellation of registration relating to childcare or children’s homes, or being prohibited from private fostering, as specified in Schedule 1 of the 2009 Regulations

## 8. Complaints procedure

Complaints of discrimination from job applicants on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation should be addressed to the Executive Head Teacher who will ensure that they are investigated and responded to accordingly.

Employees who have concerns about any aspect of this policy or its operation should use Resolving Conflicts policy (disciplinary and grievance).

### Audit Trail

Version	Change	By Whom	Date	Review Date
1.0	Updated Policy, new format	R. H. Parker	8 <sup>th</sup> April 2014	
1.1	HR Department – revising the whole policy	Sheila Hudson- HR HR Department	12 <sup>th</sup> December 2014	
1.2	HR Department – revising the whole policy	Sheila Hudson- HR HR Department	19 January 2015	
1.3	Updated policy & format	Janjer Ltd	June 2015	
1.4	Update policy	Principal Plus(SJH)	August 2016	
1.5	Updated S.1-S.9 inclusive; S.11; S.12; S.14; S.15	Sheila Hudson- HR HR Department	September 2017	

1.6	Review of Policy and Accuracy Check	Head Teacher and School Secretary	July 2018	July 2021
1.7	Policy Reviewed, Policy references changed.	Executive Manager	December 2020	July 2021
1.8	Policy Reviewed and Updated	Executive Manager/Head Teacher	July 2021	July 2024