

## Staff recruitment, selection and disclosure policy

This policy applies to the whole school, including the EYFS and includes all staff, volunteers and governors. It is updated at least annually.

In compiling this policy reference has been made to official guidance including: Keeping Children Safe in Education (KCSIE) Sept 2016, *Working Together to Safeguard Children (WT) 2015* and *Prevent Duty Guidance; For England and Wales (Prevent) March 2015*

**POLICY AIMS:** Through the operation of this policy we operate a culture of safe recruitment and adopt recruitment procedures that help deter, reject or identify people who might abuse children.

### 1. Introduction

St. Hugh's is committed to providing the best possible care and education to its pupils' and to safeguarding and promoting the welfare of children and young people. It is committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

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

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position
- to ensure that all job applicants are considered equally and consistently
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, gender reassignment, 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) (formerly the Department for Children, Schools and Families (DCSF)), *Keeping Children Safe in Education Sept 2016* (KCSIE Statutory guidance for schools and colleges) 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 children and young people by carrying out all necessary pre-employment checks

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

## **2. Recruitment and Selection Procedure**

### **2.1 Job Description and Person Specification**

Where a staffing need is identified it is the responsibility of the Head of Department to prepare a job description. If a job description already exists, the Head of Department will be responsible for ensuring it is still relevant and, if not, update it to provide a clear and formal account of the duties and responsibilities of the post.

A job description is usually accompanied by a person specification describing the qualification, skills, experience, knowledge and other attributes which applicants must possess to perform the job. The specification should be derived from the job description and forms the foundation of the recruitment and selection process.

The School has standard templates for both job descriptions and person specifications. The job description ensures applicants are aware of the School's expectations of all staff in relation to their responsibility for promoting and safeguarding the welfare of children and young persons for whom they are responsible, or with whom they come into contact.

### **2.2 Advertising**

Vacancies will be advertised using the best methods as deemed appropriate to attract and recruit the best applicants available for the position at the time. All external advertisements must include a statement about the School's commitment to safeguarding and that the successful applicant will be required to undertake an Enhanced Disclosure through the DBS service and other pre-employment checks.

All vacancy advertising will direct applicants to the School Website where the following information is available to download:

- job description and person specification
- application form

Alternatively, applicants can request details to be sent either through post or by email.

### **2.3 Application Forms**

All applicants for employment will be required to complete an application form containing questions about their right to work in the UK, academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. To ensure consistency of information provided to recruiting managers, CVs will not be accepted in place of the completed application form.

### **2.3 Shortlisting**

The School Secretary will collate submitted applications forms. The recruiting Head of Department will receive copies of the applications within 3 working days of the closing date. The Head of Department will then shortlist applicants against the criteria stipulated on the person specification. On receipt of the short-list information from the Head of Department the School Secretary will notify all unsuccessful applicants and invite all short-listed applicants to attend a formal interview.

### **2.4 Formal Interviews**

Wherever possible an interview panel, appropriate to the role, will interview short-listed applicants. This is to provide reassurance, balance and objectivity to the fairness of the process. One member of the panel will have undertaken safer recruitment training. A governor, where appropriate, will assist with the interview process, particularly in the appointment of a leadership positions.

A face-to-face interview must be conducted in person before an offer of employment is made. Telephone or Skype interviews may be used at the short-listing stage but are not a substitute for a face-to-face interview. Selection techniques are determined by the nature and duties of the vacant post.

Applicants must be prepared to:

- provide satisfactorily explanation of any gaps in employment
- explain satisfactorily any anomalies or discrepancies in the information available to the interviewers
- declare any information that is likely to appear as part of an 'Enhanced Disclosure with Barred List check'
- to demonstrate capacity to safeguard and protect the welfare of children and young people

A written record of the interview will be captured and retained documenting the above points, along with details of any periods of employment outside of the UK; and will include an assessment of suitability for the role by the interviewers. This information will be kept on the successful applicant's personnel file.

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

## **2.5 Verification of Identity and Address**

All applicants invited to an interview will be required to bring all of the following **original** evidence of identity, right to work in the UK, address and qualifications:

- current passport
- current driving licence; both paper based and photo-card
- birth certificate
- marriage certificate (if applicable)
- evidence of their National Insurance Number (P45, P60 or National Insurance Card)
- a utility bill or financial statement (from different sources) showing their name and current home address dated within three months of their interview.
- where the applicant is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK
- relevant qualification certificates

Where an applicant claims to have changed his/her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

The School asks for the date of birth of all applicants (and proof of this) so that it may verify the identity of the applicant and to check for any unexplained discrepancies in the employment and education history. The School does not discriminate on the grounds of age.

With the exception of utility bills and financial statements which are destroyed, copies of the documents used to verify the applicant's identity and right to work in the UK will be kept on the successful applicant's personnel file in the Headmaster's Office.

## **2.6 Conditional Offer of Employment**

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the following:

1. the receipt of at least two references which the School considers to be satisfactory (one of which must be from the applicant's most recent employer, or Headteacher in the case of a school leaver)
2. the receipt of an Enhanced Disclosure check from the DBS, formerly the Criminal Records Bureau, which the School considers to be satisfactory
3. the receipt of a satisfactory pre-employment health questionnaire/declaration of the applicant's medical fitness for the role (see Section 3)
4. for applicants to be employed as a teacher, a check that the applicant is not subject to a prohibition order issued by the Secretary of State including those personnel appointed in leadership and management positions, including governors
5. verification of professional qualifications where appropriate
6. successful completion of probation, ratified by ISTIP
7. where the successful applicant has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered
8. confirmation that the applicant is not named on the Children's Barred List administered by the DBS (formerly by the Independent Safeguarding Authority)
9. the agreement of a mutually acceptable start date and the signing of an offer letter incorporating the School's standard terms and conditions of employment
10. Disqualification by Association checks, overseas and EEA checks, and Right to work in the UK checks

### **3. Pre-employment Checks**

The School carries out a number of pre-employment checks in respect of all prospective employees. All checks must be completed before employment commences with exception of a delayed DBS check. In this instance, if there is a sound business need for an applicant to commence work, a short period of work is allowed under controlled conditions at the discretion of the Headmaster. The Headmaster may allow employment to commence:

- With verbal references from referees
- without confirming the appointment
- after a satisfactory check of the Barred List
- provided that the DBS application has been made in advance
- with appropriate safeguards taken (for example, loose supervision)- with supervision arrangements reflecting the greater potential for access to children
- the applicant understands what the safeguards are
- a review is undertaken every two weeks

In such circumstances a Headmaster's Risk Assessment (Appendix 1) will be undertaken. The Headmaster will review this risk fortnightly and a written record will be kept. The risk assessment(s) will be placed in the successful applicants personnel file.

In accordance with Safer Recruitment and Boarding Schools National Minimum Standards a successful applicant who is to be involved in boarding will not be permitted, under any circumstances, to commence employment at the School until the School is in receipt of the successful applicant's Enhanced Disclosure check which the School considers satisfactory.

### **3.1 References**

The School seeks references for all shortlisted applicants, wherever possible, prior to the interview. If the applicant does not wish the School to take up references in advance of the interview they have an opportunity to indicate this on the application form at the time of applying for a position

In all instances, all offers of employment are subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer (the Headteacher in the case of a school leaver). If the current/most recent employment does/did not involve work with children, wherever possible, then the second referee 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.

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. All referees will be sent a copy of the job description and person specification for the role which the applicant has applied for. 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, absence (only to be included in reference requests sent out after the offer of employment has been made) 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, unfounded 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 issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious.

The School 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.

Telephone references can be taken as an interim measure whilst waiting for receipt of a written reference. In this situation detailed notes will be taken of the telephone conversation, dated, signed and retained on the individual personnel file.

The School 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.

### **3.2 Medical Fitness**

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

It is the School's practice that all applicants to whom an offer of employment is made must complete a Pre-Employment Health Questionnaire/Declaration. If the School feels it is necessary it will arrange for the information contained in the Health Questionnaire/Declaration to be reviewed by the School's Lead Nurse and/or occupational health 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 and layout of the School, etc. If the School's occupational health advisor has any doubts about an applicant's fitness the School will consider reasonable adjustments in consultation with the applicant. The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn on capability grounds without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

### **3.3 DBS Checks**

There are three types of DBS checks that may be requested from the DBS depending on the nature of the position; namely Standard Disclosure and Enhanced Disclosure and Enhanced Disclosure with Barred List.

Due to the nature of the work, and the opportunity for contact with children whilst at work, the School considers that all positions with it amount to “regulated positions” as defined by the DBS. Accordingly it is the School’s normal policy to require a satisfactory Enhanced Disclosure with Barred List check for all prospective staff, Governors and volunteers.

An Enhanced Disclosure check will contain the same details as a Standard Disclosure, namely details of all convictions on record including current and spent convictions (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. If the individual is applying for a position working with children or young adults, the Enhanced Disclosure check will also reveal whether they are barred from working with children or vulnerable adults by virtue of their inclusion on the list of those considered unsuitable to work with children or vulnerable adults maintained by the DfE and Department of Health. An Enhanced Disclosure check may also contain non-conviction information from local police records that a Chief Police Officer thinks may be relevant in connection with the matter in question.

From 17 June 2013 disclosures are no longer supplied to the employer, only to the applicant.

It is therefore essential that the prospective staff member shows the **original** document to Angharad Ward (or HM in her absence) upon receipt, either before they commence work or as soon as practical. The School will then take a copy for recording the details on the School’s Single Central Register. Until the School has had sight of the original disclosure certificate, the applicant is treated as unchecked and subject to the safeguards set out below.

From 17 June 2013, applicants may now subscribe to the DBS Update service. This enables other employers to check that there have not been changes since the issue of a disclosure certificate. It is not a requirement for applicants to take out such a subscription but there are clear benefits for staff that work in a number of schools such as music tutors and exam invigilators for example.

Where an applicant is already subscribed to the DBS Update Service, the school will confirm identity with the original certificate, seek permission to carry out an update and then carry out a Barred List check. If there are any updates to the original DBS certificate, the school will carry out a new Enhanced Disclosure with Barred List.

If there is a delay in receiving an Enhance Disclosure certificate the Headmaster has discretion to allow an individual to begin work pending receipt of the certificate. The school uses the Umbrella service of Atlantic Data to carry out all Disclosures. As a school, we can view the DBS result before the applicant receives the certificate. In cases where the school can see that the DBS have no information on the Enhanced Disclosure with Barred List check but the applicant cannot provide the certificate before their Start Date, the school will carry out a Headmaster’s Risk Assessment until the certificate can be provided. In this

instance a separate Barred List check will be carried out and appropriate supervision put in place.

Enhanced Disclosure checks will be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. A UK national returning to UK after working in a foreign country will be asked to obtain a certificate of good conduct or equivalent from the country in question. Extra reference checks will be requested for applicants from countries that do not provide criminal record checks.

Where an applicant has worked in a similar position without a break in service of more than 3 months and is able to produce their last Enhance Disclosure certificate the School will carry out a separate Barred List check.

### **3.4 Prohibition Orders**

Schools must now check that anyone employed to carry out teaching work is not subject to a prohibition order issued by the Secretary of State.

“Teaching work” is defined in The Teachers’ Disciplinary (England) Regulations 2012 to encompass:

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

However, none of these activities is “teaching work” if the person is carrying out the activity under the direction and supervision of a qualified teacher or other person nominated by the Headmaster.

### **3.5 Disqualification by Association**

Disqualification by association concerns how staff can be disqualified from working with children as a result of being associated, i.e. living with someone in their household that is “disqualified” from working with children. Where an applicant has applied for a position within the School that may give rise to an opportunity to come into contact with a pupil who has not yet attained 8 years of age they will be required to complete a Staff Suitability Declaration and return this as part of their applicant.

The grounds for disqualification are not only that a person is barred from working with children (included on the Children’s Barred List) but also include, that:

- they have been cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
- other orders have been made against them relating to their care of children
- they have had their registration cancelled in relation to childcare or children's homes or have been disqualified from private fostering
- they are living in the same household where another person who is disqualified lives

The disqualification by association rule applies to all employees including volunteers and Governors as they may be working with very young children.

### **3.6 Qualifications**

Where an applicant claims qualifications as part of an application for a position, these will be checked in advance of appointment and kept on their personnel file.

## **4 Single Central Register**

The School maintains a Single Central Register (SCR) of recruitment and pre-employment checks.

The SCR contains an entry for all current members of staff at the School, including volunteers, agency staff and governors. It includes the date of the following checks where applicable:

- identity
- Barred List (date of DBS check unless a separate earlier Barred List check was undertaken)
- qualifications
- Enhanced Disclosure (or DBS status check)
- overseas checks
- right to work in the UK
- EEA checks
- Prohibition checks on all personnel including those appointed in leadership and management positions, including governors

Checks of application forms, references, medical fitness declaration and disqualification by association are also recorded on the SCR.

## 5 Agency staff and Third Party Staff

Prior to an individual commencing work at the School the supply agency will confirm in writing the following checks have been carried out and they are satisfied with the individuals' suitability to work within a School:

- identity
- Enhanced Disclosure (of which the School must receive a copy)
- right to work in the UK
- Barred List
- check previous employment history
- references
- declaration of medical fitness
- Prohibition Order (teachers only)
- qualifications
- overseas checks
- disqualification by association

A teacher working for an agency should have a fresh disclosure every three years.

The Head of Department will check the identity of the individual, on arrival at the School, by reviewing their **original** passport or photo-card driving licence. A copy of the document used to verify the individual's identity will be placed on their temporary file.

Details of agency staff will be recorded in the School's Single Central Register.

## 6 Volunteers

The arrangements for volunteers will vary by individual and activity. A member of the School's staff will supervise a volunteer.

Where an individual is to volunteer on a regular basis at the School they will meet with an appropriate member of the School for an informal interview. They will be asked to complete an application form and supply details of two referees. An Enhanced Disclosure will be obtained for all volunteers in regulated activity. They will not commence volunteering at the School until the School has received two satisfactory references and Enhanced Disclosure details.

The disqualification by association rule and advice does not apply to volunteers.

Details relating to volunteers and the checks undertaken will be maintained within the School's Single Central Register.

## **7 Contractors**

All contractors will be escorted at all times when working in school. Exceptions to this would be where the Contractors are able to provide proof that they have undergone the necessary Enhanced Disclosure check with Barred list check and their identity has been verified.

Where the employees of contractors, such as builders, will have access to areas where unsupervised contact with children is possible, the contractor will ensure that Enhanced Disclosure checks have been undertaken and a copy supplied to the School before a new individual starts work at the School. In the event the Enhanced Disclosure is not available but has been submitted to the DBS the contractor will supply the School with the full name and date of birth of the individual and the School will carry out a separate Barred List check prior to their arrival. The Operations Manager will check the identity of the individual, on arrival at the School, by reviewing their passport or photo-card driving licence. A copy of the document used to verify the individual's identity will be copied and placed on their file in the HR Department.

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

## **8 Visiting Speakers**

Visiting speakers to the school are subject to a Risk Assessment carried out by the member of staff who has arranged the visit. Risk Assessment Forms must be submitted to the Office at least one week prior to the planned visit to be approved by AW. A Google search is required. Visitor/Guest Speaker Risk Assessments can be found on the Health and Safety Notice Board located in the Staff Room.

## **9 Staff not in regulated activity**

Staff who are not in regulated activity do not require barred list checks. Other checks as documented in *KCSIE Sept 2016* are still required.

## **10 Employees of Third Parties**

Individuals working at the school that are employed by third-parties should be checked by their employing organisation. Disclosure checks do not have to be seen by the school as visits to the school by such organisations should be confirmed in writing to the school. However, identity checks should be made on such individuals when they arrive at school.

## **11 Visitors to the boarding house**

All visitors to the boarding house will be supervised during their visit to prevent unsupervised access to the boarding house pupils or accommodation.

## **12 Persons over the age of 16**

Any persons over the age of 16 who, after April 2001, began to live on the same premises as boarders but are not employed by the school must be subject to an enhanced certificate for the DBS.

## **13 Guardians**

If required, any guardians appointed by the school are subject to the same recruitment checks as staff.

## **14 Governors**

School Governors will be subject to an Enhanced Disclosure as part of the appointment process. Other checks are:

- ID Check
- Right to work in the UK check
- Prohibition from Management check
- Overseas check if applicable

Details relating to Governors will be maintained with the School's Single Central Register.

**References:**

Legal Framework:

Equality Act 2010

Data Protection act 1998

General Guidance:

DBS – The code of practice

Technological:

Boarding Schools:

DfE statutory Guidance 'Keeping Children Safe in Education' 2016

ISI Commentary on Regulatory Requirements Jan 2016

**Related Policies:**

**Safeguarding and Child Protection**

Recruitment of Ex-Offenders

Equal Opportunities

Data Protection

Staff Responsible	Headmaster & Governing Body
Last review	Spring 2018 Reviewed by full governing board on 15.01.18
Date of next review	Spring 2019

