



Recruitment, Selection and Disclosures Policy & Procedure

Scope

This Policy refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as 'Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or volunteers.' This Policy is applicable irrespective of whether the contract is of a temporary, fixed term, or permanent duration.

In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company which has provided the staff that it has carried out the appropriate checks.

1. AIMS AND OBJECTIVES

1.1

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

The School operates in a competitive market place and its staff are its greatest asset. Much of the School's success can be attributed to the skill and dedication of a committed team of people. We therefore aim to recruit staff that share and understand our commitment.

The School may include a preference for someone who is able to support the Christian Ethos of the School for teaching positions, in accordance with Regulation 39 of The Employment Equality (Religion or Belief) Regulations 2003 provision for independent schools of a religious character.

1.2

The aims of the Recruitment, Selection and Disclosure Policy are to ensure that:

- The School is compliant with all relevant legislation and with the current recommendations and guidance including the statutory guidance published by the Department for Education (**DfE**) *Keeping Children Safe in Education* (September 2018) (**KCSIE**), *Disqualification under Childcare Act 2006* (**DUCA**) and any guidance or Code of Practice published by the Disclosure and Barring Service (**DBS**). The School's duty of care for pupils is paramount.
- The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with employment legislation and relevant safeguarding legislation and statutory guidance (including KCSIE 2018 and Prevent Duty guidance).
- The School actively pursues and secures the highest possible calibre of experienced and qualified teachers and support staff, whilst ensuring that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010. Shortlisting, interviewing and selection will be carried out with thorough and consistent regard for equal opportunities.

- To recruit the person who is most suited to the particular job, on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, experience and skills will be assessed at the level that is relevant to the job.
- All employees involved in the recruitment and selection of staff are responsible for familiarising themselves with this Policy and complying with its provisions.
- To ensure that staff and volunteers share the School's commitment to safeguarding and promoting the welfare of children and young people.
- To comply with relevant safeguarding, employment and equal opportunities legislation.
- To promote fairness and reflect the School's Christian ethos.

2. RECRUITMENT AND SELECTION PROCEDURES

2.1

A line manager who wishes to recruit must first obtain approval from the HR Director and then seek authorisation from Head and Director of Finance & Operations (DFO) by completing an **Authorisation to Recruit Form**. Where recruitment is to fill a vacancy created by a leaver on a like-for-like basis, approval will normally be granted as a matter of course. However, if the line manager wishes to create a new post, a motivation for this must be presented to the HR Director for discussion and agreement by the Senior Leadership Team (SLT). Approval may also be required by the governing Finance Group if the post increases staff costs beyond budget.

2.2

Before embarking on the process of recruitment, the line manager must ensure that there is an up-to date **job description and person specification for the post**. The job description will describe the duties, responsibilities and level of seniority associated with the post, while the person specification will describe the type of qualifications, training, knowledge, experience, skills, aptitudes and competencies required for effective performance of the job.

2.3

The Head, DFO and Human Resources Director will decide whether and when a post will be **advertised** externally or an employment agency used.

Vacancies will normally be advertised internally (by email/posting on notice boards/website) if they are of a 'permanent' nature, as distinct from short term or temporary when a decision may be made to waive an internal advertisement. Existing employees are encouraged to apply for vacant posts if they have the requisite skills, qualifications and experience.

The School's safeguarding statement should be included in all job advertisements.

2.4

Applicants should complete an **application form** in full as an important part of the selection process, enabling selection panels to receive consistent information from applicants. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. CVs alone are not acceptable.

2.5

Application forms, job descriptions, person specifications and the School's Safeguarding and Child Protection Policy are available to download from the School's website.

2.6

An applicant submitting an electronic application form will be required to sign his or her application form if he or she attends for a formal interview. Applicants are selected for interview based on their skills, qualifications and experience.

2.7

Application forms received will be carefully read and considered independently by members of the Recruitment Selection Panel and a **shortlist** drawn up. A selection criteria grid, based on the job description and person specification, should be used when shortlisting and interviewing candidates.

Any candidate with a disability will not be excluded unless it is clear that the candidate is unable to perform a duty that is intrinsic to the role, having taken into account reasonable adjustments. Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of his/her disability.

2.8

The applicant may then be invited to attend a **formal interview** in order to discuss his or her relevant skills and experience in more detail. All shortlisted applicants will be tested at interview about their suitability to work with children. At least one member of every interview panel will have successfully completed appropriate training in safer recruitment as defined by the DfE

The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

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

The Selection Panel will normally consist of:

For the recruitment of Academic Staff

The Headmaster assisted by the Deputy Head and/or Director of Studies, HR Director and the appropriate Head of Department/Section.

For the recruitment of Support Staff

The DFO and/or Human Resources Director and the appropriate Head of Department/Section.

For the appointment of the Head and DFO

The Board of Governors will all be involved.

Line managers conducting recruitment interviews will ensure that the questions that they ask job applicants are not in any way discriminatory or unnecessarily intrusive. The interview will focus on the needs of the job and skills needed to perform it effectively. There will always be interview questions covering awareness of safeguarding, promoting British values and supporting the Christian Ethos. Records of recruitment interviews should be made and passed to the Human Resources Director to be retained for a suitable period of time. On no account should any job offer be made during or at the end of an interview.

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

Appropriate notes taken at interview should be dated and kept on file.

2.9

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

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
- Verification of the applicant's identity (if the applicant failed to provide at interview);
- Verification of qualifications, whether professional or otherwise, which the School takes into account in making the appointment decision, or which are referred to in the application form;
- Verification of the applicant's employment history;
- The receipt of two references (one of which must be from the applicant's most recent employer) which the School 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**) which renders them unable or unsuitable to work at the School;
- 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 at the School;
- Receipt of a satisfactory Enhanced DBS Disclosure;
- Where the position amounts to "regulated activity" (see 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 at the School;
- For management positions, information about whether the applicant has ever been referred to the DfE, or is subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the School (appointments to the Senior Leadership Team or teaching posts with departmental headship only);
- Verification of the applicant's medical fitness for the role
- Verification of the applicant's right to work in the UK;
- A satisfactory declaration by the applicant that s/he is not disqualified by association from working with children;
- Any further checks which the School 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.

Regulated Activity

The School is not permitted to check the Childrens Barred List unless an individual will be engaging in "regulated activity". The School is required to carry out an Enhanced DBS check for all staff and governors who will be engaging in regulated activity and to ensure that all such checks have been carried out by employment agencies providing supply staff for the school. However, the School may 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.

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

3. PRE-EMPLOYMENT CHECKS

3.1

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the Education (Independent School Standards) Regulations 2014 the School carries out a number of pre-employment checks in respect of all prospective employees.

3.2

In addition to the checks set out below, the schools 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.

3.3

In fulfilling its obligations, the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

3.4 Verification of identity, address and qualifications

3.4.1

All applicants who are invited to an interview will be required to bring the following evidence of identity, of the right to work in the UK, and of their address and qualifications, such as:

- A valid passport; and
- A birth certificate; and
- 2 utility bills or bank statements from different sources issued within the past 3 months showing full name and home address; and
- Original documents confirming any educational and professional qualifications referred to in his/her application form and necessary for the performance of the required role. Applicants who are unable to bring these to interview must do so before taking up appointment; alternatively the School may carry out a check with the awarding body.
- Where appropriate any documentation evidencing a change of name
- Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK

3.4.2

Providing false information will result in the application being rejected, or summary dismissal if the applicant has been appointed.

3.5 References

3.5.1

References will be taken up on short listed candidates prior to interview, where possible, including internal applicants. No questions will be asked about health or medical fitness prior to any offer of employment being made.

3.5.2

A minimum of two references must be provided (preferably two professional references from previous employers or if this is not possible at least one professional and one personal). These will be obtained directly from the referee and their purpose is to provide objective and factual information to support the appointment decision. Any discrepancies or anomalies will be followed up. References will be verified for the successful candidate.

3.6 DBS Disclosure/Barred List

3.6.1

An enhanced DBS disclosure is required for all new appointments to the School. Individuals will be asked to declare any convictions, cautions or reprimands, warnings or bind-overs that may have been incurred. The DBS disclosure should be obtained before an individual starts work. The School will also undertake a Prohibition Check for teachers. Those employed in management roles will have an additional check for a section 128 direction.

3.6.2

Where appropriate, the School will use the DBS Update Service to check the status of an applicant's DBS Certificate (the original DBS certificate will have to be produced prior to employment start date). We request all applicants to subscribe to the DBS Update Service.

3.6.3

In exceptional circumstances an individual may be allowed to commence employment pending receipt of the DBS disclosure providing:

- DBS has been applied for
- A Barred List check has been carried out.
- All necessary paperwork has been provided and checked.
- The individual is appropriately supervised at all times. Such supervision will take into consideration the nature of their duties and level of responsibility.
- A risk assessment has been completed and signed by the Headmaster

3.6.4

The School will refer to the Department for Education (DfE) document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks. The School complies with the provisions of the DBS Code of Practice, a copy of can be accessed at: <https://www.gov.uk/government/publications/dbs-code-of-practice>.

3.6.5

The successful applicant will be required to complete an online Enhanced Disclosure & Barring Service (DBS) application for the position. Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

3.6.6

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

3.6.7

Upfront disclosure of a criminal record may not debar a candidate from appointment. The School will consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. In this event, information should be submitted in confidence enclosing details in a separate sealed envelope to the HR Director, which will be considered and then destroyed. If candidates would like to discuss this beforehand, they may contact the HR Director, in confidence for advice. Each case will be decided on its merits in accordance with the objective assessment criteria set out in the attached Appendix.

3.6.8

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

3.7 Overseas checks

All new appointments where persons have lived outside the UK are subject to additional checks as deemed necessary. These checks will include criminal records information being sought from countries where the applicants have worked or lived. The person's right to work in the UK will also need to be verified. These checks must be complete before the individual commences work. All teaching staff who have lived outside the UK will have an EEA check using the Teachers Services System.

3.8 Disqualification

3.8.1

The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2018 state that it is an offence 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.

3.8.2

All members of the teaching and non-teaching staff at the School, including part-time staff, temporary and supply staff, and visiting staff, such as VMTs, After School Activity Coaches and sports coaches , must comply with the DfE statutory guidance 'Disqualification under the Childcare Act 2006' 2018 regulations. Details about the relevant staff for whom this is applicable is set out in the statutory guidance.

3.8.3

Disqualification occurs as soon as the criteria for disqualification are met, for example, as soon as caution or conviction occurs, even before the person is formally included on the children's barred list. As part of the recruitment process all applicants are required to notify the school if they are disqualified from working with children.

3.9 Prohibition Orders Check

3.9.1

The School is required to check whether staff who carry out "teaching work" are prohibited from doing so. This check is made through DfE Teacher Services. This will enable the school to ascertain whether or not the applicant has a Prohibition Order imposed by the Secretary of State following consideration by a professional conduct panel governed by the Teaching Regulation Agency (TRA) or has a Prohibition Order imposed by the General Teaching Council for England (GTCE) prior to April 2012. An interim Prohibition Order might also be in place for an applicant if the Secretary for State has considered this to be in the public interest. This service can be used to confirm the teacher's QTS status, satisfactory completion of an induction period and the satisfactory completion of a probation period.

3.10 Prohibition from Management Check

3.10.1

The School 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**).

3.10.2

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

- Head
- Deputy Heads
- Teaching roles which carry a departmental head role; and
- Support staff on the Senior Leadership Team

- Appointments to the Governing body

3.10.3

It is the School'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 DfE 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, the School will consider whether the facts of the case render the applicant unsuitable to work at the School.

3.11 Medical Fitness

3.11.1

Following a conditional offer, it is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence. 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 workload, extra-curricular activities, and layout of the School. The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

3.11.2

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

4. Retention and Security of Records

4.1

The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their HR file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer eg so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

4.2

This documentation will be retained by the School for the duration of the successful applicant's employment with the School. It will be retained in accordance with the School's retention of records policy after employment terminates. The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

4.3

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

Reviewed by HR Director: September 2018

Next review date: September 2019

Appendix

Policy on the Recruitment of Ex-Offenders

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

All staff are required to complete a staff suitability self-declaration form as part of the application process and existing staff are required to notify the employer of any change in circumstances pertaining to their self-declaration.

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

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

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question
- the seriousness of any offence or other matter revealed
- the length of time since the offence or other matter occurred
- whether the applicant has a pattern of offending behaviour or other relevant matters
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

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 any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.