



# RECRUITMENT & SELECTION POLICY AND PROCEDURE

## 1. INTRODUCTION AND PURPOSE

The Foundation is committed to safeguarding and promoting the welfare of children and young people. We expect and require all members of the school's community to share this commitment. We seek to ensure that our employment policies and practices support the development and maintenance of an environment where children and young people are safe and able to make the most of their opportunities to learn. Our policies and practices will support the recruitment, retention, deployment and development of competent, well- motivated employees who are suited to the roles they undertake.

The first step towards safeguarding and promoting the welfare of children in our school is to ensure that we recruit and select employees, workers and volunteers in accordance with best safer recruitment practice. However, we recognise that this is only one aspect of securing a safe environment for children and young people. This policy is designed to bring together in one document the link to all the different strands of our practices that promote safer employment. The policy is grounded in the good practice set out in the latest edition of 'Keeping Children Safe in Education (KCSIE) and/or any subsequent or updated Government or statutory guidance on recruitment.

This policy provides a good practice framework to comply with the principles set out in our Equality Policy and in the Equality Act, 2010. We fully recognise the value of, and will seek to achieve, a diverse workforce which includes people from different backgrounds with varied skills and abilities. We are committed to ensuring that the employment of all members of our school community is fair, transparent, consistent, and efficient and promotes equality of opportunity.

All posts within the Foundation are exempt from the Rehabilitation of Offenders Act, 1974, so all applicants will be required to declare spent and/or unspent convictions, cautions and bind overs (except those that are protected see section titled 'Filtering of convictions and cautions') and to undertake an enhanced Disclosure and Barring Service (DBS) check. The Foundation is committed to ensuring that people who have been convicted are given the opportunity to apply for positions. Having a criminal record will not necessarily be a bar to obtaining a position with our school.

The purpose of this procedure is:

- 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 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, marital status, disability or age;
- To ensure the schools' and external contractors' compliance with all relevant recommendations and good practice guidance including:
  - Recommendations of the Department for Education (DfE) with regard to safeguarding children, including those contained within the current editions of :

- Keeping Children Safe in Education;
  - Working Together to Safeguard Children;
  - The Independent Schools Standards Regulations;
  - The National Minimum Standards for Boarding Schools;
  - Code of Practice published by the Disclosure and Barring Service (DBS), and
  - The Independent Schools Inspectorate’s handbook for the inspection of schools.
- 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.

## **2. SCOPE**

The term ‘teaching staff’ includes all staff directly involved in the teaching of the pupils including coaching, instructing and/or teaching through electronic media.

The term ‘manager’ throughout this procedure refers to the person who has responsibility for managing the recruitment of an employee or group of employees.

The term ‘school’ in this document refers to both The Leys and St Faith’s Schools.

All records are confidential and in accordance with the Data Protection Act 2018, or any successor legislation.

## **3. THE RECRUITMENT PROCESS**

Prior to any recruitment activity, the relevant school manager(s) will take time to consider the impact of all vacancies on the successful running of the school and the outcomes for pupils.

It is the school’s decision as to how, where and when all vacancies will be advertised.

Governors lead the appointment process for both the Head and the Bursar.

### **3.1 Preparation and documentation**

The relevant manager(s) will be responsible for the recruitment and selection process, including the setting up of an appropriate selection panel consisting of at least two members of the staff (or, where relevant, governors) with the appropriate knowledge and experience of the post and the recruitment process. All recruitment and selection panels will include a manager fully trained in safer recruitment processes.

The relevant manager(s) will:

- a) Review and agree the job description, person specification and other requirements for the post;
- b) Oversee the preparation of an advertisement for internal and external publication (where appropriate). All advertisements will normally be posted internally to encourage staff development and awareness;
- c) Organise the shortlisting and selection processes, forming part of the selection panel where appropriate;
- d) Oversee the appointment process for the successful candidate, including organising an appropriate induction plan.

## Document preparation

The **advertisement** will normally contain:

- The key elements of the job description and of the person specification;
- The school's statement regarding safeguarding and promoting the welfare of children including the need to provide a DBS enhanced disclosure and other checks as required by current statutory guidance;
- The school's statement regarding equal opportunities;
- Closing date for applications.

**Safeguarding Children:** All advertisements, publicity materials, applicant information packs, person specifications, job descriptions and induction material will contain the following phrase:

*'This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment'*. Before appointment in any role in the school, checks will be undertaken in accordance with current statutory guidance.

**Equal Opportunities:** All advertisements, publicity materials, applicant information packs, person specifications, job descriptions and induction material will contain the following phrase:

*"This school welcomes diversity"*

The **Job Description** will normally set out:

- Job title
- Working arrangements i.e. hours / days
- Job grade
- Line manager
- Overall purpose of the post
- Key tasks and responsibilities
- Extent of contact with children / degree of responsibility

The **Person Specification** will normally set out essential criteria and desirable criteria for the post in terms of:

- Qualifications
- Experience
- Skills / competencies
- Other qualities / requirements needed to fulfil the post

Care must be taken to ensure that criteria could not reasonably be viewed as discriminatory.

The **information pack** for applicants will normally include:

- Information about the school
- Application form;
- Job description and person specification for the post;
- Equal opportunities statement;
- Recruitment of ex-offenders statement;
- Reference to CP/Safeguarding Policy – Recruitment & Selection Policy;
- Closing date;
- Salary;
- Canvassing members of staff.

All applicants will normally be required to complete the school's application form. CVs and/or covering letters alone will not normally be accepted.

### **3.2 Shortlisting**

All applicants will be assessed against the essential and desirable criteria listed in the person specification. Essential and desirable criteria may be weighted if appropriate.

Applicants invited to the selection process will be required to provide evidence of identity and relevant right to work evidence to comply with the schools' requirements (see also section 3.8).

### **3.3 References**

Wherever possible, references will be sought and received for all short-listed applicants prior to interview. References will also be verified by the school, by ensuring they have a company stamp or are sent by company email.

Any issues of concern will be explored further with the referee and taken up with the candidate at interview, in accordance with Keeping Children Safe in Education statutory guidance or other appropriate Department of Education guidance.

### **3.4 Selection process**

Short-listed candidates will normally be invited to attend a selection day, or days where appropriate, at which his/her relevant skills and experience will be explored in more detail.

#### **Interviews**

The selection process for all jobs will include a formal interview.

Candidates will be asked if they wish to declare anything in the light of the requirement for a DBS (formerly CRB) check from the Disclosure and Barring Service.

#### **Other selection methods**

Other selection tools to assess candidates against the essential and desirable criteria for the post will be used as appropriate and/or as set out in the person specification for the post. All applicants for teaching posts will be required to teach an observed lesson as part of the selection process.

#### **Outcomes and feedback**

Unsuccessful candidates will normally be informed by telephone and interview feedback may be given if requested if it is appropriate to do so.

### **3.5 Conditional offer of employment and pre-employment checks**

Any offer of employment, either verbal or written, is conditional upon satisfactory completion of all relevant pre-employment checks as follows:

- The receipt of two references that are verified and satisfactory to the school covering a minimum period of 5 years;
- A satisfactory relevant DBS disclosure, including a Children's Barred List check;
- A prohibition from teaching check;

- A section 128 check (for management positions as set out in the current edition of Keeping Children Safe in Education);
- Disqualification under the Childcare Act 2006 (where appropriate to the role);
- Verification of identity, right to work in the UK, professional status and qualifications (where appropriate);
- If the person has lived or worked outside the UK, further checks the school considers appropriate;
- A report from a medical practitioner of the school's choice, or appropriate medical declaration, which the school considers satisfactory;
- Agreement of a mutually acceptable start date and the signing of a contract incorporating the school's standard terms and conditions of employment (which will normally include a probationary period);

All shortlisted candidates will be asked to sign their application (if submitted electronically) to confirm that it is accurate. Any gaps in employment will be followed up at interview and, where relevant, with the referee(s).

All checks will be confirmed in writing, documented and retained on the personnel file where appropriate.

Only the Head is able to make a conditional offer of employment (for teaching roles). For support staff roles, only the Bursar may make a conditional offer of employment, unless it has been delegated to another appropriate senior manager.

### **3.6 References**

All offers of employment will be subject to the receipt of a minimum of two satisfactory professional references, one of which must be from the applicant's current or most recent employer. The references will cover a period of five years, so candidates may need to provide more than two references in some circumstances.

No account will be taken of any information relating to an applicant's health until a conditional offer of employment has been made.

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.

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 before any appointment is confirmed and/or may affect the school's decision to engage or employ the applicant. References will be verified by the school.

### **3.7 Criminal Records (Disclosure and Barring Service) Checks**

Due to the nature of the work, the school will apply for enhanced criminal record checks (Disclosure and Barring Service disclosures) from the DBS subject to the rules relating to Regulated Activity (see below) in respect of:

- All prospective staff members;
- Governors;
- Volunteers; and
- Other positions where the school considers it appropriate to do so.

## **Types of criminal record check**

There are two main types of check related to working with children that may be requested from the DBS depending on the nature of the position:

### **1) Enhanced check without a barred list check**

The enhanced check is available for those carrying out certain activities or working in regulated activity

(For the purpose of assessing whether a person is working in regulated activity, 'regular' includes 'frequent' and these are defined as follows:

- frequently (once a week or more often),
- or on 4 or more days in a 30 day period,
- or overnight (between 2am and 6am).

The check contains details of all spent and unspent convictions, cautions, reprimands and final warnings from the Policy National Computer (PNC) and also includes a check of policy records held locally.

### **2) Enhanced check with barred list check**

An enhanced check with a barred list check is only available for those individuals who are in regulated activity (and a small number of other positions, such as prospective adoptive parents). It contains the same PNC information and check of locally held police records as an enhanced check, but in addition will check against the children's barring list.

## **Regulated Activity and supervision**

The school will follow the statutory guidance on supervision from the Department for Education (DfE).

## **Teacher prohibition checks**

In addition to the DBS check, a separate check will be made to ensure that all newly appointed teachers, and anyone else employed or engaged to carry out teaching work in school is not subject to a prohibition order issued by the Secretary of State. Information about Prohibition Orders is available on the Gov.UK website. From 18 January 2016 this also includes a check on restrictions imposed by other European Economic Area (EEA) authorities.

## **Section 128 check**

In addition to other checks, a Section 128 direction prohibits or restricts a person from taking part in the management of an independent school. A person who is prohibited is unable to participate in any management of an independent school such as: a management position as an employee or a governor or a member of the proprietor body for an independent school; or a governor on any governing body in an independent school that retains or has been delegated any management responsibilities. The school will conduct a check for a section 128 direction using the Teaching Regulation Agency (TRA). Where the individual will be in regulated activity, the barred list check will also show if a section 128 direction is in place.

## **Childcare Disqualification**

The school will require relevant existing staff to complete a 'Staff Disqualification Declaration', if applicable, to ensure that staff are not disqualified from working with children under the Childcare (Disqualification) Regulations 2009, made under the Childcare Act 2006.

In addition to requiring a written declaration from relevant existing staff, the school will require all relevant shortlisted candidates to complete a declaration as part of the recruitment process. Any relevant information that is declared which would mean that a shortlisted candidate is disqualified or disqualified by association will need to be considered and discussed with the candidate. The school could decide not to proceed with the application on the basis that the candidate is disqualified or proceed and, if the candidate becomes the preferred candidate, a conditional offer made and a waiver applied for. If the waiver isn't granted, the conditional offer can be withdrawn.

### **Use of disclosure information**

It is the school's policy to observe the guidance issued by the DfE and DBS on the use of disclosure information.

### **Commencing work without a DBS certificate**

Members of staff will not normally commence work without receipt of a satisfactory DBS disclosure. In exceptional circumstances, and subject to a risk assessment, full supervision, and the satisfactory outcomes of all other checks being in place, some appointments may commence before receipt of the DBS Disclosure. A risk assessment will always be undertaken leading to a supervision plan, which will be kept under regular review, pending receipt of a suitable DBS certificate.

### **Applicant-only DBS certificates**

The school requires all new employees to present the original copy of their Disclosure and Barring Service certificate for inspection, prior to the start of the new job.

### **Filtering of convictions and cautions**

Filtering is the term that the DBS uses to describe the process which will identify and remove convictions and cautions which should no longer be disclosed on DBS certificates due to changes to the Rehabilitation of Offenders Act. Further guidance is available from the Gov.UK website which explains the old and minor cautions and convictions that do not need to be disclosed.

### **Disputing a DBS certificate**

If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS directly. The school reserves its right to withdraw any conditional offer of employment if it considers any pre-employment check to be unsatisfactory, including the enhanced DBS check pending clarification arising from a dispute or a challenge to the DBS regarding the accuracy of information obtained.

### **Storage of DBS certificates and other documentation**

The school will maintain a comprehensive and accurate record of all checks carried out and, as a Registered Body, will ensure that it complies with the code of practice for the correct handling and use, safe storage, retention and disposal of Disclosures and disclosure information. Disclosures and other confidential documents issued by the DBS will be stored in a single, locked, non-portable and secure place with strictly controlled access for a normal maximum of six months following their receipt. DBS information will not normally be held on personal files for longer than six months, however risk assessment forms may be retained if appropriate.

## **Agency workers and contractors**

The school requires third party employers e.g. temporary worker agencies and contractors to provide evidence that \*any of their employees deployed to work unsupervised on the school site have been subject to the appropriate DBS checks.

\* **Exception:** Contract workers who do not come into any contact with children will normally not need DBS checks. A record of such contractors will be maintained as part of the school's 'signing in system'.

## **Temporary staff (including peripatetic and supply staff)**

Temporary staff will be required to undergo the same safeguarding checks as permanent staff.

### **3.8 Verification of identity / right to work in the UK**

All potential members of staff will be required to confirm their right to work in the UK. Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

A summary of the checks required for different roles including: employees, proprietors, volunteers, supply teachers, contractors, those undertaking work experience can be found on the intranet.

### **3.9 Single Central Register (SCR)**

The school will maintain a Single Central Register of employment checks in accordance with Keeping Children Safe in Education and the ISI Handbook. It must include (taken from the ISI Handbook):

- Enhanced disclosure;
- Proof of identity;
- Right to work in the UK
- Overseas checks (including EEA)

Where applicable It will also include:

- The date of issue of a disclosure;
- The name of the member of staff;
- The type of disclosure;
- Whether a barred list check was undertaken (for regulated activity);
- The position for which the disclosure was requested and the employment start date;
- The reference number of the disclosure;
- For management positions, whether a section 128 direction is in place;
- For those employed or engaged to carry out teaching work, including teachers, teaching assistants and sports coaches, a check that the person is not subject to a Prohibition Order;
- References and verification;
- Health declaration;
- Notes (to explain any special circumstances such as risk assessments and supervision).

The school's complete list of items to be included on the SCR will be updated from time to

time in accordance with DfE requirements. The SCR will also be overseen by school leaders and governors.

### **3.10 Recruitment of ex-offenders.**

The school will not unfairly discriminate against any applicant for employment on the basis of convictions or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not necessarily bar him/her from employment within the School. Instead, each case will be decided on its facts and/or on a risk assessment basis and depending upon the nature of the role and/or conviction in accordance with the school's policy on recruitment of ex-offenders.

### **3.11 Fraudulent or False Applications.**

If a candidate's application is considered fraudulent or contains false information, the school will report the case to the relevant authority or body, and also consider reporting it to the police.

## **4. COMMENCING THE EMPLOYMENT RELATIONSHIP**

### **4.1 Contract**

If the conditional offer is accepted and the relevant conditions are satisfied, the new employee will be issued with a contract letter and 'statement of terms and conditions of employment' before or on commencement of employment.

### **4.2 Personnel file**

A confidential personnel file will be created for the new employee and all recruitment paperwork (including copies of documents verified when checking identity) will be included. All personnel files will be retained in accordance with the schools' relevant retention periods.

### **4.3 Induction and Probation**

It is policy that all staff who are new undergo a structured induction and successfully complete a probationary period.

## **5. MONITORING**

The school's policy, procedure and guidance will be monitored and updated in line with new guidance and legislation as it occurs. The application of the recruitment and induction processes will be monitored to cover:

- Staff turnover
- Reasons for leaving
- Exit interviews
- Attendance of new staff at Child Protection training

## **6. ALLEGATIONS AGAINST STAFF AND REPORTING TO DBS/TRA**

The school will comply with the requirements of statutory guidance (the latest edition of KCSIE) with regard to reporting to the DBS and/or TRA (or any successor bodies) where it has been demonstrated that a member of staff, volunteer or governor has acted

inappropriately towards a child/children (please see the school's safeguarding policy).