

## Recruitment, Selection and Disclosure Policy

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### Introduction

The Croft Preparatory School (the School) 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. The School is also 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 employees are recruited on the basis of their merits, abilities and suitability for the position, and that members of staff hold relevant qualifications for their role.
- to ensure that all job applicants are considered equitably and consistently.
- to ensure that no job applicant is treated unfairly on any grounds including age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.
- to ensure compliance with all relevant recommendations and guidance including the recommendations of the Department for Education (DfE) in *Keeping Children Safe in Education ("The Guidance") (KCSIE)* and the code of practice published by the Disclosure & 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.

## **Recruitment and Selection Procedure**

All applicants for employment will be required to complete an application form containing questions about their 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. A curriculum vitae will not be accepted in place of the completed application form.

Applicants will receive a job description and person specification for the role applied for. The applicant may then be invited to attend at least one formal interview at which their relevant skills and experience will be discussed in more detail. It is a requirement that at least one member of the interview panel has completed Safer Recruitment training successfully prior to the start of the recruitment process. Retraining in Safer Recruitment is recommended to take place at 4-yearly intervals.

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
- the receipt of two satisfactory references (one of which should be from the applicant's most recent employer) which the School considers, at its absolute discretion, to be satisfactory
- the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory
- verification of the applicant's identity
- verification of the eligibility to work in the UK,
- an overseas check, where appropriate
- verification of the applicant's medical fitness for the role
- verification of the applicant's qualifications, where appropriate
- confirmation that the applicant is not named on either the Children's Barred List or the Adults Barred List, administered by the DBS, where the role falls within the definition of 'regulated activity'.
- confirmation that the applicant, (teaching staff only) is not the subject of a Prohibition Order, as defined by KCSIE.
- confirmation that any applicant for a management position is not subject to a prohibition from management directive (s. 128).

Offers of employment, may only be authorised by the Headteacher or the Business Manager. The HR Manager may verbally offer the role to the candidate and forward a formal written offer.

## **Medical Fitness**

The School, as part of its recruitment process, undertakes to verify the medical fitness of anyone to be appointed to a post at the School, through the use of a Health Screening Form, where individuals are asked to sign a declaration that they know of no reason, on the grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the post in question.

Medical Screening normally takes place once a conditional offer of employment has been made. Information supplied will be treated in the strictest confidence, and will be used solely to ensure that the school fulfils its duty of care to its employees.

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

## **Pre-employment Checks**

In accordance with the recommendations set out in the Guidance, the School carries out a number of pre-employment checks in respect of all prospective employees.

## **Verification of identity and address**

If successfully shortlisted and invited for an interview, applicants will be asked to provide evidence of their identity on the day of the interview. For example a passport or driving licence.

All conditional offers of employment are subject to the individual supplying evidence of identity, right to work in the UK, address and qualifications. This will normally be in the following form, although other documentation may be acceptable. Further information is available from the HR Department.

- Passport or Birth Certificate
- Two Utility Bills or Statements (from different sources) or a valid Driving Licence showing their current name and current home address
- Documentation confirming their National Insurance Number (P45, P60 or National Insurance Card) or right to work in the UK
- Original documents confirming any educational and professional qualifications referred to in their application form

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

From April 2014, the School is required by the Guidance to retain photocopies of identity documents, right to work and qualifications.

## References

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School at its absolute discretion. One of the references should be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, 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, sickness 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)
- 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.

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.

Written references may be followed up with telephone calls, at the discretion of the school.

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.

## **Criminal Records Check**

Due to the nature of the work, the School applies for an enhanced disclosure from the DBS in respect of all prospective staff members, and volunteers who take part in a regulated activity.

An enhanced disclosure will contain details of all convictions on record (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. An enhanced disclosure will also reveal whether an applicant is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DBS. An enhanced disclosure may also contain non-conviction information from local police records, which a Chief Police Officer thinks may be relevant in connection with the matter in question.

If there is a delay in receiving a DBS disclosure, the Headteacher has discretion to allow an individual to begin work, pending receipt of this, provided the following are in place:

- a written risk assessment has been undertaken which will be reviewed fortnightly (and which will then be retained by the School)
- they are appropriately supervised
- all other pre-appointment checks have been completed
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- the person in question has been informed of these safeguards

The appointment cannot be confirmed until a satisfactory Disclosure is seen by the School.

DBS checks will be requested for applicants with recent periods of overseas residence and for those with little or no previous UK residence. These applicants may also be asked to provide further information, including the equivalent of a DBS disclosure and/or a certificate of good conduct or equivalent from the country(ies) in question.

Additional references should be requested from countries which do not provide criminal record checks.

## **Prohibition Order**

Checks will be carried out on anyone employed to carry out teaching work to verify that the individual is not subject to a prohibition order issued by the Secretary of State. This does not apply to teaching assistants.

## **Contractors, Third Party Club Providers and Agency Staff**

The Business Manager is responsible for ensuring that all contractors and third party providers engaged by the School to run clubs or undertake works of any kind where unsupervised contact with children is a possibility, must complete the same pre-employment checks for their employees and agents that the School is required to complete for its own staff. The School requires written confirmation that these checks have been completed before the third party provider/contractor can commence work at the School.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.

The School will independently verify the identity of any individual supplied by such an agency/third party club provider/contractor on their arrival on site, to verify that it is the same person for whom the vetting checks have been provided.

## **Policy on Recruitment of Ex-Offenders**

### **Background**

The School will not unfairly discriminate against any applicant for employment on the basis of conviction 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 automatically bar him/her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

In view of the fact that all positions within the School will amount to "regulated activity" within the meaning of the Protection of Freedoms Act 2012, all applicants for employment must declare all previous convictions (including those which would normally be considered "spent" under the Rehabilitation of Offenders Act 1974). A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of Gross Misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

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 or vulnerable adults. 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.

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.

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, it will report the matter to the Police and the DBS

### **Assessment criteria**

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

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; or
- serious class A drug related offences, robbery, burglary, theft, deception or fraud

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





## **Assessment procedure**

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 carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headteacher before a position is offered.

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

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

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, but is under no obligation to do so.

In particular, the School will:

- store disclosure information and other confidential documents issued by the DBS securely, access to which will be restricted to the Headmaster and staff working within the Human Resources Department.
- not retain disclosure information or any associated correspondence for longer than is necessary. Generally, this will be 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.
- ensure that any disclosure information is destroyed by suitably secure means, such as shredding.

## **Visiting Speakers**

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The School is not permitted to obtain a DBS disclosure or Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.

A formal register of visiting speakers is kept in school. All visiting speakers will be subject to the School's usual visitors signing in protocol. This will include signing in and out at the Main Office, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff between appointments.

The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so the School will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

*"Extremism' is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas"*

In fulfilling its Prevent Duty 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.

## **Volunteers**

Volunteers will undergo checks commensurate with their work in the school and contact with pupils. Under no circumstances will a volunteer who has not been appropriately checked be left unsupervised or be allowed to engage in regulated activity.

## **Data Protection**

In the course of applying for employment, and then as part of any subsequent engagement, The Croft Preparatory School will collect, use and hold personal data relating to the applicant in line with the requirements of the General Data Protection Regulations (GDPR). The school outlines the way it processes personal data in the Data Protection and Retention Policy, which can be found on the website at [www.croftschool.co.uk](http://www.croftschool.co.uk).

When an applicant is appointed, the School will retain any relevant information provided on the application form (together with any attachments) as part of the employee's personal file. If the application is unsuccessful, all documentation relating to the application will be confidentially destroyed after six months.

## **Referrals to the DBS & National College for Teaching and Leadership) NCTL**

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks, the School also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the School despite being barred from working with children; or
- has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the NCTL.

## **Further Information**

Anyone seeking further details on any aspect of this policy and its implementation, or any applicant who has queries on how to complete the Application Form should contact the Business Manager.