



# Recruitment Policy

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**Dissemination of the Policy: All staff and Governors, Website**

## History of policy changes

Date	Version	Change	Origin of change e.g. change in legislation, request by TU	Changed by

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## **Purpose and aim of the policy and procedures**

### **RECRUITMENT AND SELECTION GUIDANCE FOR SCHOOLS**

#### **1. Introduction**

- 1.1 The purpose of this guidance is to give help and assistance on the key points within the Recruitment and Selection process.
- 1.2 Pittville School regularly reviews its recruitment procedure to ensure the safety of its pupils by preventing, as far as possible, unsuitable people from working at the School. There are two separate recruitment procedures, due to the structure within the School, for the appointment of academic and support staff. Both procedures embrace the following common elements to ensure compliance and equality. Procedures also need to be compliant with all relevant legislation including the statutory guidance published by the Department for Education (DfE), Safeguarding Children and Safer Recruitment in Education (the Guidance) and the Code of Practice published by the DBS.
- 1.2 It is essential that Schools adopt a recruitment and selection policy to help deter people from applying who are unsuited to work with children and to ensure that a consistent, fair and thorough process is followed. Making safeguarding and promoting the welfare of children and young people is an integral factor in the recruitment and selection process and is an essential part of creating safe environments for children and young people.
- 1.3 This recruitment and selection guidance applies to all staff within schools; both teaching and support staff, and volunteers.
- 1.4 When a Headteacher is being appointed, Governors must contact the Local Authority for additional support and guidance.

#### **2. Recruitment and Selection categories**

- 2.1 Areas covered in this section are:
  - Equal Opportunities
  - Recruitment and Selection Training
  - Pre-recruitment Process
  - Interviews
  - Conditional Offer of Appointment
  - Maintaining a Safer Culture
  - Volunteers
  - Agency and Supply Teachers

#### **3. Equal Opportunities**

- 3.1 Fairness in how we recruit and select our employees plays a significant part in creating an equal opportunities environment. Therefore, our aim must be that every internal and external applicant for a job within the School is considered against criteria, which relate only to the requirements of the job.
- 3.2 **Discrimination against Applicants**

3.2.1 Unlike virtually all other employment legislation, an applicant can allege discrimination against an employer although there is no direct employment relationship

### **3.3 Discrimination on the grounds of race, nationality, religion/belief, age, disability, marital status, gender and sexual orientation**

3.3.1 Those involved in recruitment must be aware that under the Race Relations Act 1976 and Employment Equality (Religion or Belief) Regulations 2003, when selecting for appointment it is unlawful to discriminate against another person on racial grounds or religion/belief. Under the Sex Discrimination Act 1975 and 1986 and Employment Equality (Sex Discrimination) Regulations 2005, it is unlawful to discriminate against a person on grounds of sex or marital status or gender reassignment.

3.3.2 Under the Equal Pay Act 1970 there is also a requirement of equal treatment for men and women, where women and men are employed to do like work in the same employment.

3.3.3 The Disability Discrimination Act 1995 (DDA) requires employers to eliminate discrimination against disabled people at all levels. Disability is defined as a physical or mental impairment having a substantial and long-term (lasting longer than 12 months) adverse effect on the ability of the person to carry out normal day to day activities. If a disabled person is treated less favourably for a reason that relates to his or her disability, or there is a failure to make reasonable adjustment in these circumstances it will be seen as unlawful discrimination. The adjustments must be such that disabled persons are not placed at a substantial disadvantage to able-bodied employees. For example:

For the purposes of selection:

- Ask candidates about any special arrangements they require for the interview prior to the day, such as disabled persons' parking, assistance from their car to the interview room, etc.
- Ensure the interview room is appropriate i.e. ground level (or has a functional lift), is easily accessible for a wheelchair user, has a clear path from the door to the candidates seat, is not unduly noisy and has adequate lighting. Under the DDA there is a requirement to make reasonable adjustments. It would be reasonable for an applicant with a hearing or speech impairment to be allowed to bring an interpreter or be provided with an induction loop to aid hearing and or a written copy of the questions to be asked during the interview, etc. For further advice please contact Human Resources.

Applicants are invited to provide information relating to any disability on the application form. This should also be contained in the letter inviting the candidate to interview. The following steps must be followed if there is a disabled applicant:

- Alert both reception and other members of the interviewing panel.
- Modify procedures for testing or assessment.
- Provide a reader or interpreter.

When appointing a successful candidate, consider the need for:

- Making adjustments to the premises.
- Altering the working hours.
- Arranging for him or her to be given training.

- Acquiring or modifying equipment.
- Modifying instructions/reference manuals.
- Providing supervision.

For further advice regarding employing people with disabilities contact Human Resources.

3.3.4 The Employment Equality (Age) Regulations 2006 requires employers not to discriminate on the grounds of age. Discrimination on the grounds of age does not just affect the over 50s. It affects people of all age groups. Age discrimination is a combination of several unconscious attitudes and habits that add up to exclusion on grounds of age. These can include:

- Stereotypes and assumptions about people of defined age groups rather than treating them on their individual merits.
- Perceptions that older workers cost more.
- Undervaluing the skill and experience which older workers can provide.
- A view that older people may be less willing to train, harder to train or unlikely to remain long enough to justify the training investment.
- A view that young people may be irresponsible or lack commitment.
- Overlooking younger members of staff for promotion or management positions on the assumption they are inexperienced due to their age

Age related criteria must not be used in advertisements or person specifications.

3.3.5 Candidates must not be refused employment on grounds of union membership e.g. because:

- He or she is or is not a member of a trade union.
- He or she is unwilling to become or cease to become a member of a trade union.

3.3.6 For further advice relating to equality in recruitment and selection contact Human Resources.

#### **4. Recruitment and Selection Training - Safer Recruitment**

4.1 Safer Recruitment is a training package developed for headteachers and governors that aims to improve recruitment processes in schools to help deter, identify and reject applicants who might be unsuitable to work with children and young people. The Safer Recruitment training provides valuable background information, advice about a safer school culture, best practice suggestions and practical advice to strengthen safeguards against employing unsuitable people.

4.2 The Bichard Inquiry concluded that schools need to pay more attention to issues about safeguarding children and young people when they recruit and appoint staff. Sir Michael Bichard recommended that headteachers and school governors should receive training to help strengthen the recruitment process and procedures, with the aim to have at least one person on every interview panel who has completed this training. The training will help schools to develop and maintain a school culture that is safer for children and young people.

4.3 It is a requirement that at least one member of the interview panel has completed this training successfully prior to the start of the recruitment process. Currently, 5 members of staff have up to date safer recruitment training.

4.4 Access to the online training please log on to

<http://www.education.gov.uk/childrenandyoungpeople/healthandwellbeing/safeguardingchildren/b00203550/safer-recruitment-training/online>

4.5 An alternative source of safer recruitment training through workshops will be offered to schools by the Local Authority. Please contact the Local Authority for further information.

## 5. Pre-recruitment Process

### 5.1 Objective

5.1.1 The objective of the recruitment process is to attract, select and retain staff who will successfully and positively contribute to the future development of the school. The first experience an individual has is important, therefore the experience should be positive and all those responsible for recruiting should:

- Leave a positive image with unsuccessful applicants
- Give successful applicants a clear understanding of the post and what is expected of them
- Reduce the risk of a bad selection decision that can be expensive and may cause line management problems in the future or may not meet the commitment to safeguard children.

### 5.2 Recruitment Planning and Advertising

5.2.1 Planning is vital to successful recruitment. It is important to be clear about what mix of qualities, qualifications and experience a successful candidate will need to demonstrate, and whether there are any particular matters that need to be mentioned in the advertisement for the post in order to prevent unwanted applications. It is an opportunity to consider other arrangements such as job sharing or part-time hours. **If a Fixed Term Contract is considered appropriate advice is available from Human Resources regarding the possible implications.** It is also essential to plan the recruitment exercise itself.

5.2.2 Adopting a structured recruitment process will:

- minimise the risk of appointing someone unsuitable
- ensure the capabilities and conduct of new staff are acceptable
- enable the school to 'track' a process and ensure all relevant steps are taken
- ensure written records of procedures are available for future reference if required

5.2.3 As a result, it will help avoid making common errors in recruitment practice, such as:

- making assumptions about an individual's suitability without written evidence

- using a variety of recruitment procedures or a piecemeal approach depending on the post or individual. A well defined process can be applied consistently
- over reliance on personal judgments. Good recruitment practice is not a solitary activity. It always benefits from the support and advice of those professionals available to you in the event of any uncertainty

5.2.4 All posts should be advertised internally within the school (those on maternity and long term absences must be made aware of all suitable vacancies) and externally where appropriate. All Headteacher and Deputy Headteacher posts must be advertised in a printed publication circulated nationally.

5.2.5 Occasionally a post may not be advertised, either because a similar post has recently been advertised and an appointment can be made from the subsequent interviews, or because a fixed-term appointment needs to be made as soon as possible to ensure continuity within a post, such as covering a long term sickness absence.

5.2.6 Where the need for a fixed term post becomes a permanent one, then the governing body will need to consider whether it is appropriate for the postholder to be offered the permanent contract or whether the post should be advertised. This will depend on the original reason for the post initially being fixed-term, any subsequent changes in the needs of the school and the original recruitment process that was undertaken.

5.2.7 In line with DCSF guidance the paragraph below should be included in all Publicity Materials, Entries on Recruitment Websites, Advertisements, Candidate Information Packs, Person Specifications, Job Descriptions, Competency Frameworks, Induction Training Materials **'The School and the Local Authority is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share in this commitment.'**

### **5.3 Job Description and Person Specification**

5.3.1 The job description and person specification will need careful thought and drafting. It is also good practice to make sure at the outset that all the other material, e.g. the application form, and information/guidance for applicants that will form part of the pack to be sent to prospective applicants is up-to-date, and clearly sets out the extent of the relationships/ contact with children and the degree of responsibility for children that the person will have in the position to be filled. (N.B. all work in a school setting involves some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post.)

5.3.2 The time and effort spent in this stage of the process should help minimise the risk of making an unsuitable appointment.

5.3.3 A job description should include:

- The job purpose – why the job exists
- An Organisation structure - to show where the role is placed within the school
- The main duties and responsibilities of the post

- The individual's responsibility for promoting and safeguarding the welfare of children and young persons s/he is responsible for, or comes into contact with.
- A model blank job description is provided in Appendix 2

#### 5.3.4. Person Specification should include:

- the qualifications and experience, and any other requirements needed to perform the role in relation to working with children and young people;
  - the competences and qualities that the successful candidate should be able to demonstrate;
  - the individual's responsibility for promoting and safeguarding the welfare of children and young persons s/he is responsible for, or comes into contact with;
- and,
- explain how these requirements will be tested and assessed during the selection process.
- A model blank person specification form is provided in Appendix 3.

#### 5.3.5. Care should be taken to ensure that any discriminatory requirements are not included such as:

- Age limits or 'x' years of experience.
- Check the qualifications required are necessary and can be backed up objectively, and consider the reference to the type of exam so as not to exclude, such as O levels, GCSEs etc, perhaps state skills instead.
- Physical requirements should only be specified where it could be demonstrated that physical strength is required. Statements such as 'must be energetic' for a job mainly sedentary should be avoided.

## 5.4 Advertising

#### 5.4.1. Advertisements should be clear and state briefly

- The job title
- Number of hours
- Whether available for job share
- Job Requirement, if not explicit in the job title
- Essential criteria for job applicants
- A brief description of the school
- Job Location
- Contract Terms, permanent or fixed term
- How to apply, e.g. friendly, explicit, easy to follow instructions on what the applicant must do to apply for the job and closing date
- Name of the person advertising the job with a telephone number to call if the applicant wants to find out more information

#### Avoid

- Young, mature, energetic wording in adverts and person specifications
- Consider alternative wording, when not putting in 'years experience'
- Consider alternative wording, when positively seeking an age group, but still considering other age groups
- Think also about pictures and images used in adverts, could they be considered discriminatory

5.4.2. When a vacancy is advertised, the advertisement should include a statement similar to: *'the school is committed to safeguarding and promoting the welfare of children therefore the successful applicant will be required to undertake a criminal record check via the DBS'*. Also there should be included are the usual details of the post, salary and qualifications required.

## **5.5 Application Form**

5.5.1 A standard application form produced by the LA should be used to obtain a common set of core data from all applicants. It is not good practice to accept curriculum vitae drawn up by applicants in place of an application form because these will only contain the information the applicant wishes to present and may omit relevant details.

## **5.6 Information Pack to Candidates**

5.6.1 The pack should include a copy of:

- the application form, and explanatory notes about completing the form;
- the job description, and person specification;
- any relevant information about the School and LA and the recruitment process, and statements of relevant policies such as the school's policy about equal opportunities, the recruitment of ex-offenders, etc. ;
- the School's Child Protection and Safeguarding Policy;
- a statement of the terms and conditions relating to the post;

## **5.7 Scrutinising and Shortlisting**

5.7.1 All applications must be scrutinised to ensure that they are fully and properly completed; that the information provided is consistent and does not contain any discrepancies; and to identify any gaps in employment.

5.7.2 Incomplete applications should not be accepted and should be returned for completion.

5.7.3 Any anomalies or discrepancies or gaps in employment identified by the scrutiny should be noted so that they can be taken up as part of the consideration of whether to short list the applicant.

5.7.4 As well as reasons for obvious gaps in employment, the reasons for a history of repeated changes of employment without any clear career or salary progression, or a mid career move from a permanent post to supply teaching or temporary work, also need to be explored and verified.

5.7.5 All candidates must be assessed equally against the criteria contained in the person specification without exception or variation. An example shortlisting form is provided in Appendix 4.

## **5.8 References**

- 5.8.1 The purpose of seeking references is to obtain objective and factual information to support appointment decisions. They should always be sought and obtained directly from the referee.
- 5.8.2 Do not rely on references or testimonials provided by the candidate, or on open references and testimonials, i.e. "To Whom It May Concern". There have been instances of candidates forging references, also open references/ testimonials might be the result of a "compromise agreement" and are unlikely to include any adverse comments.
- 5.8.3 Ideally, references should be sought on all short listed candidates, including internal ones, and should be obtained before interview so that any issues of concern they raise can be explored further with the referee, and taken up with the candidate at interview. In exceptional circumstances it might not be possible to obtain references prior to interview, either because of delay on the part of the referee, or because a candidate strongly objects to their current employer being approached at that stage, but that should be the aim in all cases.
- 5.8.4 In any case where a reference has not been obtained on the preferred candidate before interview, the school must ensure that it is received and scrutinised, and any concerns are resolved satisfactorily, before the person's appointment is confirmed. If necessary the panel can be consulted (possibly reconvened) to discuss any concerns before the persons appointment is confirmed.
- 5.8.5 All requests for references should seek objective verifiable information and not subjective opinion. A model reference letter and proforma are attached in Appendix 5. A copy of the job description and person specification for the post for which the person is applying should be included with all requests, and every request must ask:
- about the referee's relationship with the candidate, e.g. did they have a working relationship: if so what; how long has the referee known the candidate, and in what capacity;
  - whether the referee is satisfied that the person has the ability and is suitable to undertake the job in question, and for specific comments about the applicant's suitability for the post, and how s/he has demonstrated that s/he meets the person specification;
  - whether the referee is completely satisfied that the candidate is suitable to work with children, and, if not, for specific details of the referee's concerns and the reasons why the referee believes the person might be unsuitable;
- and should remind the referee that:
- they have a responsibility to ensure that the reference is accurate and does not contain any material misstatement or omission;
  - and relevant factual content of the reference may be discussed with the applicant.
- 5.8.6 In addition to the above, requests addressed to a candidate's current employer, or a previous, employer in work with children, must also seek:
- confirmation of details of the applicant's current post and sick record;
  - specific verifiable comments about the applicant's performance history and conduct;
  - details of any disciplinary procedures the applicant has been subject to in which the disciplinary sanction is current;

- details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or young people, including any in which the disciplinary sanction has expired, and the outcome of those; and,
- details of any allegations or concerns that 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, and the outcome of those concerns e.g. whether the allegations or concern was investigated, the conclusion reached, and how the matter was resolved.

5.8.7 On receipt of references it should be checked to ensure that all specific questions have been answered satisfactorily. If all questions have not been answered or the reference is vague or unspecific, the referee should be telephoned and asked to provide written answers or amplification as appropriate.

5.8.8 The information given should also be compared with the application form to ensure that the information provided about the candidate and his/her previous employment by the referee is consistent with the information provided by the applicant on the form. Any discrepancy in the information should be taken up with the applicant.

5.8.9 Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised, are less likely to cause concern than more serious or recent concerns, or issues that were not resolved satisfactorily. Again, the appointing panel should be consulted with and possibly reconvened to review concerns before the appointment is confirmed.

5.8.10 History of repeated concerns or allegations over time is also likely to give cause for concern.

5.8.11 If an applicant is not currently employed with children or young people it is advisable to check with the school/education establishment they were last employed in and reasons for leaving.

## **5.9 Other Checks Before Interview**

5.9.1 If a short listed applicant claims to have some specific qualification or previous experience that is particularly relevant to the post for which s/he is applying that will not be verified by a reference, it is good practice to verify the facts before interview so that any discrepancy can be explored at interview. The qualification or experience can usually be verified quickly by telephoning the relevant previous employer and asking for written confirmation of the facts.

## **5.10 Involving Pupils**

5.10.1 Involving pupils in the recruitment and selection process in some way, or observing short listed candidates' interaction with pupils is common, and recognised as good practice. There are different ways of doing that. For example, candidates for teaching posts might

be asked to teach a lesson; short listed candidates might be shown round the school by pupils and a governor or senior member of staff, and/or meet with pupils and staff.

## **6 Interviews**

**6.1** The interview should assess the merits of each candidate against the job requirements, and explore their suitability to work with children. The selection process for people who will work with children should always include a face-to-face interview even if there is only one candidate.

### **6.2 Invitation to Interview**

6.2.1 When arranging interviews a reasonable amount of notice must be given to the candidates and dates arranged with the rest of the interviewing panel. Timetables should be arranged in advance and the dates issued with the recruitment pack.

6.2.2 Arrangements should also be made for the unexpected, i.e. replacements for interviewing panel in the case of sickness.

6.2.3 In addition to the arrangements for interviews - time and place, directions to the venue, membership of the interview panel - the invitation should remind candidates about how the interview will be conducted and the areas it will explore including suitability to work with children. Enclosing a copy of the person specification can usefully draw attention to the relevant information. Please refer to Appendix 6 for an example invitation to interview letter.

6.2.4 The invitation should also stress that the identity of the successful candidate will need to be checked thoroughly to ensure the person is who he or she claims to be, and the applicant will be required to complete an application for a DBS Enhanced Disclosure straight away. Consequently all candidates should be instructed to bring with them documentary evidence of their identity that will satisfy DBS requirements, i.e. either a current driving licence or passport including a photograph, or a full birth certificate, plus a document such as a utility bill or financial statement that shows the candidate's current name and address, and where appropriate change of name documentation and professional qualifications that are necessary or

6.2.5 Candidates must also be asked to bring documents confirming any educational relevant for the post, e.g. the original or a certified copy of a certificate, or diploma, or a letter of confirmation from the awarding body.

N.B. If the successful candidate cannot produce original documents or certified copies written confirmation of his/her relevant qualifications must be obtained from the awarding body.

6.2.6 A copy of the documents used to verify the successful candidate's identity and qualifications must be kept for the personnel file.

### **6.3 Interview Panel**

6.3.1 Although it is possible for interviews to be conducted by a single person it is not recommended. It is better to have a minimum of two interviewers, and preferably three.

A panel of at least two/three people allows one member to observe and assess the candidate, and make notes, while the candidate is talking to the other. It also reduces the possibility of any dispute about what was said or asked during the interview.

6.3.2 The members of the panel should:

- have the necessary authority to make decisions about appointments;
- be appropriately trained, (one member of interview panels in schools should have undertaken the training 'Safer Recruitment')
- meet before the interviews to:
  - reach a consensus about the required standard for the job to which they are appointing;
  - consider the issues to be explored with each candidate and who on the panel will ask about each of those;
  - agree their assessment criteria in accordance with the person specification.

6.3.3 The panel cannot agree in advance a list of questions for each candidate that they will not deviate from, but they can agree a set of questions they will ask all candidates relating to the requirements of the post, and the issues they will explore with each candidate based on the information provided in the candidate's application and references (if available). A candidate's response to a question about an issue will determine whether and how that is followed up.

6.3.4 Where possible it is best to avoid hypothetical questions because they allow theoretical answers. It is better to ask competence based questions that ask a candidate to relate how s/he has responded to, or dealt with, an actual situation, or questions that test a candidate's attitudes and understanding of issues.

6.3.5 Where a candidate is known personally to a member of the selection panel it must be declared before shortlisting takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunities principles are adhered to.

## **6.4 Scope of the Interview**

6.4.1 In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel should also explore:

- the candidate's attitude toward children and young people;
- his/her ability to support the authority/establishment's agenda for safeguarding and promoting the welfare of children and young people;
  - Motivation to work with children and young people;
  - Ability to form and maintain appropriate relationships and personal boundaries with children and young people;
  - Emotional resilience in working with challenging behaviours; and, attitudes to use of authority and maintaining discipline.
- gaps in the candidate's employment history;
- concerns or discrepancies arising from the information provided by the candidate and/or a referee; and,

- ask the candidate if they wish to declare anything in light of the requirement for a DBS check.

An example final interview assessment form is provided in Appendix 7.

6.4.2 If, for whatever reason, references are not obtained before the interview, the candidate should also be asked at interview if there is anything s/he wishes to declare/discuss in light of the questions that have been (or will be) put to his/her referees. (And it is vital that the references are obtained and scrutinised before a person's appointment is confirmed and before s/he starts work.)

6.4.3 All copies of any notes relating to shortlisting and interview decisions must be retained for at least 6 months. Should any candidate complain of unfair selection or discrimination these notes should be referred to.

## **7. Conditional Offer of Appointment: Pre Appointment Checks**

7.1.1 An offer of appointment to the successful candidate should be conditional upon:

- the receipt of at least two satisfactory references (if those have not already been received);
- verification of eligibility to be employed in the UK
- verification of the candidate's identity (if that could not be verified straight after the interview)
- verification of the candidate's medical fitness (For teaching posts - Physical and Mental Fitness to Teach of Teachers and Entrants to Initial Teacher Training DfEE - Circular 4/99)
- verification of qualifications (if not verified after the interview);
- verification of professional status where required e.g. GTC registration, QTS status (unless properly exempted), NPQH; If there are any doubts please contact Human Resources.
  - Successful completion of a Disclosure from the DBS at an Enhanced level (regulated activity). This will be issued to the individual who will be required to present the original Disclosure certificate to the School for verification. Failure to present the original Disclosure certificate to the Human Resources Department within 28 days of receipt may lead to the offer of employment being withdrawn by the School. The Disclosure certificate will state if the individual is barred from working with children and vulnerable adults. It will also contain details of convictions and cautions as detailed in The Police Act 1997 and amended for England and Wales under The Order 2013 to covering the filtering of information.
- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999); and,
- (for non teaching posts) satisfactory completion of the probationary period.

7.1.2 Human Resources will liaise with the school in order to follow relevant DBS guidance if a Disclosure reveals information that a candidate has not disclosed in the course of the selection process. If the Disclosure conviction information supplied is different from the information supplied by the applicant on their original job application ask the applicant to explain this. (It can be the case that an applicant may have forgotten or incorrectly

remembered information on convictions they have because they occurred a long time ago or the applicant was young when the offences occurred). If a judgement is reached that the applicant deliberately falsified the information supplied on the job application this can be taken into account when considering whether the job offer will be withdrawn. It is normal policy that any deliberate falsification of an application, in any respect, will debar an applicant from appointment.

#### 7.1.3 All checks should be:

- confirmed in writing;
- documented and retained on the personnel file (subject to certain restrictions on the retention of information imposed by DBS regulations);
- recorded on the school's central record database; and,
- followed up where they are unsatisfactory or there are discrepancies in the information provided.

#### 7.1.4 Where:

- the candidate is found to be on List 99 or the PoCA List, or the DBS Disclosure shows s/he has been disqualified from working with children by a Court; or,
- an applicant has provided false information in, or in support of, his/her application; or,
- there are serious concerns about an applicant's suitability to work with children, the school should contact the Disclosure and Barring Service (DBS)<sup>1</sup> for consideration for barring.

## **Policy on recruitment of ex-offenders**

### **Background**

7.1.5 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 debar 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 in paragraph 7.1.6 below.

In view of the fact that all positions within The School will amount to "regulated positions" within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), 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 Department for Education and the Department of Health of individuals who are considered unsuitable to work with children. This will be checked on the

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<sup>1</sup> Contact the LADO for guidance in any case

Teaching Regulation Agency portal. 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, DBS and the Teaching Regulation Agency (TRA).

#### **7.1.6 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 and
- 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 of the following offences:

- Against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence
- Against children or adults: 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 serious driving offences within the last 10 years

### **7.1.7 Risk 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, he/she can do so by contacting the DBS direct. 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 to Disclosure information.

### **7.1.8 Retention and Security of Disclosure Information**

The School's policy is to observe the guidance issued or supported by the DBS and DfE on the use of Disclosure information.

In particular, The School will:

- Store Disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's senior management team
- Not retain Disclosure information or any associated correspondence for longer than is necessary. In most cases, The School will not retain such information for longer than 6 months although 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
- Prohibit photocopying or scanning of any Disclosure information

## **7.2 Unsuccessful candidates**

7.2.1 Unsuccessful candidates should be contacted as soon as possible. It is good practice to provide feedback where requested, for example:

- Start positively thanking them for attending the interview

- Tell the candidate why they were unsuccessful, i.e. it was felt they did not have the necessary skills or enough knowledge for the job and that the successful candidate had previous experience for that particular role.
- Take care not to make any discriminatory remarks. Any feedback should only relate to the person specification and job description, remaining tactful to ensure feelings are not hurt
- The feedback should aim to help the candidate in future interviews, not to damage confidence.

### **7.3 Post Appointment Induction**

7.3.1 There should be an induction programme for all staff, governors and other volunteers newly appointed in an establishment, including teaching staff, regardless of previous experience. The purpose of induction is to:

- provide training and information about the establishment's policies and procedures;
- support individuals in a way that is appropriate for the role for which they have been engaged;
- confirm the conduct expected of staff within the school; and,
- provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities; and,
- enable the person's line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately.

7.3.2 The content and nature of the induction process will vary according to the role and previous experience of the new member of staff, governor or other volunteer, but as far as safeguarding and promoting the welfare of children and young people is concerned the induction programme should include information about, and written statements of:

- policies and procedures in relation to safeguarding and promoting welfare e.g. child protection, anti-bullying, anti-racism, physical intervention/restraint, intimate care, internet safety and any local child protection/safeguarding procedures;
- safe practice and the standards of conduct and behaviour expected of staff and pupils in the establishment;
- how and with whom any concerns about those issues should be raised; and,
- other relevant personnel procedures e.g. disciplinary, capability and whistle-blowing.

The programme should also include attendance at child protection training appropriate to the person's role.

## **8. Maintaining a Safer Culture**

8.1 The need for continued awareness of safeguarding issues has been reinforced throughout this document. It is important that all staff in an establishment have appropriate training and induction so that they understand their roles and responsibilities and are confident about carrying them out. Also that staff, pupils, and parents feel confident that they can raise issues /concerns about the safety or welfare of children and young people, and that they will be listened to and taken seriously. That can be achieved by maintaining an ethos of safeguarding and promoting the welfare of children and young people and protecting staff which is supported by:

- a clear written statement of the standards of behaviour and the boundaries of appropriate behaviour expected of staff and pupils that is understood and endorsed by all;
- appropriate induction and training;
- regular briefing and discussion of relevant issues; and,
- including relevant material from the framework for Personal Social and Health Education in the curriculum.

## 9. Volunteers

Volunteers: A volunteer is not eligible for a DBS check if the regulated activity they undertake is supervised to the appropriate level. The person supervising must have had a DBS check with a barred list check and also undertakes a regulated activity. However, a volunteer is eligible for a DBS check with a barred list check if they carry out a regulated activity unsupervised. Where the activity is unsupervised and does not meet the definition of regulated activity, you can choose to apply for an enhanced DBS check but there is no requirement to do so.

The school will always apply best practice guidelines by asking all visitors to sign in and out, to wear a lanyard at all times, asking for identification and providing a summary of our child protection policy.

## 10. Agency/Supply Teachers

10.1 It is important thorough checks are made on anybody who will be working in a school, both to prevent unsuitable people from gaining access to children and to maintain the integrity of the teaching profession.

Schools must still satisfy themselves that the agency has carried out the necessary checks in accordance with Appendix 1.

10.2 Where a teacher is directly employed following a period of agency working it is essential that the school carries out all of the checks normally conducted on a new employee.

Pre-employment checklist for schools Initials	Date
<b>Training:</b> At least one member of the shortlisting and interview panel should have carried out the safer training (see Section 3.1)	
<b>Planning:</b> Timetable decided, job description and person specification reviewed and updated as necessary.	
<b>Advertising:</b> The advert must include reference to the policy statement of safeguarding and promoting welfare of children and young people (see Section 4.4)	
<b>Application Forms:</b> Candidates must provide information on employment history and if appropriate adequately explain the reasons for any gaps.	
<b>Shortlisting:</b> Interview panel members should also shortlist the applications.	
<b>References:</b> References must be requested prior to interview. Chase if not received. Check and scrutinise references on receipt – any discrepancies or concerns should be taken up with applicant at interview or the referee.	

<b>Invitation to Interview:</b> Interview invitation letters must include relevant information and instructions – see section 6. The candidates must complete, sign and date the Rehabilitation of Offenders Act Declaration Form.
<b>Interview:</b> The panel should have at least 2 but preferably 3 members and should have the authority to appoint. They must meet prior to interview and agree issues, questions, assessments, criteria and standards. At least one member must have completed the safer recruitment training.
<b>Conditional Offer of Employment:</b> Offer of employment must be subject to satisfactory completion of the following pre-employment checks:
<b>Identity:</b> This should be verified on the day of interview and copied.
<b>Right to work in UK:</b> This again should be verified on the day of interview and documentation copied.
<b>References:</b> If not received and scrutinised prior to interview.
<b>Qualifications Checked:</b> This should be verified on the day of interview – original certificates must be submitted and copied.
<b>DBS:</b> DBS at an Enhanced level (regulated activity)
<b>Medical Clearance:</b> The candidate must be both physically and mentally fit to undertake the post.
<b>QTS</b> – for teacher only. The candidate should provide original documentation to prove that he/she has obtained QTS. See appendix 8.
<b>Probation</b> – for support staff only. The candidate will be subject to a 6 month probationary period.
<b>Teachers Pensions</b> – all teachers are automatically members of the scheme unless they have previously opted out (proof of this must be provided).
<b>Local Government pension</b> – all support staff are automatically members of the scheme but have the right to opt out.
<b>Supply Teachers</b> – All supply teachers must undergo the same checks as above – the school should check with Human Resources that this is the case.
<b>Volunteers</b> – The above checks should be carried out on volunteers

### Monitoring Evaluation and Review

This policy will be reviewed annually to ensure compliance. This policy review will be undertaken by the Headteacher or nominated representative.

### Linked Policies

Code of Conduct  
Child Protection  
Personnel

