



## Safer Recruitment Policy

<b>Person responsible</b>	<b>HR Manager</b>
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## Purpose

Staff both paid and unpaid in the School are committed to promoting safeguarding and the welfare of our pupils. We recognise that safer recruitment is the first step in this process and ensures we meet the obligations under our Safeguarding (Child Protection) Policy and the DfE Guidance: Keeping Children Safe in Education (September 2023) (KCSIE). The School adopts a safe and robust recruitment process as well as attracting the best possible applicants for our vacancies.

The School recognises the value of its workforce and the seriousness of meeting its safeguarding aims and uses effective and thorough recruitment procedures to recruit and retain, competent, motivated staff who are proficient in their roles and who come from diverse backgrounds. To achieve this aim we use a systematic, consistent and fair system so everyone is judged equally and we uphold the Equality Act (2010) in regards to discrimination.

## Introduction

This policy is to ensure the practice of safer recruitment of staff and volunteers appointed to the School to meet the highest standards and those determined by our Safeguarding (Child Protection) Policy, all relevant legislation, recommendations and guidance including the Education (Independent School Standards) Regulations 2014 (ISSRs), the statutory guidance published by the Department for Education (DfE), KCSIE, Disqualification under the Childcare Act 2006 (DUCA), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS). The School ensures by rigorous checks that we protect the children in our care and children are able to learn and develop in a safe and secure environment.

We aim to attract the best possible applicants for our vacancies and adopting vigorous safe recruitment practices and procedures is vital to identify, deter and reject people who are unsuitable to work with children. To ensure that the school meets its commitment to safeguarding and promoting the welfare of its pupils and as an integral factor in HR and recruitment, we carry out all the necessary pre-employment checks.

## Data Protection

The School is legally required to carry out the pre-appointment checks detailed in this procedure. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role. The School will also be required to provide certain information to third parties, such as the DBS and the Teaching Regulation Agency (**TRA**). Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal obligations. The School will process personal information in accordance with its Staff Privacy Notice.

## Principles and Practice

A well planned and structured procedure is vital to ensure that not only do we appoint the best person for the role, but to determine that they are suitable to work with children. The procedures gather a lot of information which is checked and considered as part of the whole process.

## Inviting Applications

All adverts wherever they are posted will clearly state the position of the School in regard to safeguarding by the inclusion of the following:

The School is committed to safeguarding and promoting the welfare of children and applicants must be willing to undergo child protection screening appropriate to the post, including reference checks and for the successful candidate an enhanced Disclosure and Barring Service (DBS) check.

The advert also clearly states that 'all candidates must fill in our application form to be considered for this post' and that we are an equal opportunities employer. The advert makes clear the qualities, qualifications and experience that are required and give details of where to get additional information like the job description and person specification so that the potential candidate is clear about the School's expectations for the role. The advert will include the safeguarding responsibilities of the post, and whether the post is exempt from the Rehabilitation of Offenders Act 1974.

## Application Information

Prospective applicants are supplied with the minimum following information:

- Application Form – which contains a declaration to sign off that the candidate is not disqualified from working with children and for the person to say that all information given on their application is correct.
- Job Description – which does have statement as per the advert about our commitment to safeguarding and the welfare of our children and the requirement for enhanced DBS checks
- Person Specification – list essential and desirable requirements for the role
- Policy Statement on Recruitment (which includes details of the process)
- Safer Recruitment Policy
- Policy Statement on the Recruitment of Ex-Offenders
- Equal Opportunity Form

## Selection and Shortlisting

All applicants as per our adverts must fill in an application to be considered for the role and CVs alone will not be accepted. The application form provides the panel with details of the candidates academic and employment history as well as providing information to see if they are suitable for the role.

Applicants will also be asked to provide details of their online profile, including account names and social media handles so that online searches can be carried out on shortlisted candidates (see '**Online Searches**' below for more information). This information must be provided by the applicant in order for the application to be accepted.

At least two people will be involved in scrutinising and selecting candidates to interview and at least one will have undertaken safer recruitment training. By using a panel to shortlist we are addressing concerns in relation to safeguarding and also unconscious bias. Our application form gives candidates the opportunity to provide us with the information about their skills both in a paid and voluntary capacity to help eliminate bias and provide us with a full history of their working time.

By understanding the potential problems, we have designed inclusive procedures to make our recruitment process transparent, fair and effective in making everyone feel welcome. The shortlisting panel will individually analyse the applications according to the job criteria to keep the process objective and by using a grid to mark each applicant against the person specification, will then consult with the other member(s) of the panel to make the final selection for interview. They will check for discrepancies and gaps in employment, or repeated changes in employment which they will then check and verify with the candidate either prior to or at interview, or with the referee(s) as appropriate. The HR Manager will make a note on the HR file of the individual concerned.

The School is also aware of the principles of Value Based Recruitment and along with our advert we have a summary of the School telling potential candidates about Bute House which outlines our ethos, culture and teacher development and we refer people to our website. By a panel checking the applications we can also see if a candidate's values and behaviours align with our culture and ethos and this can also be followed up at interview.

The HR Manager will then invite the chosen applicants to the School. The HR Manager, or a member of SLT, will prepare the interview schedule and take up references before the interview date where possible. The application form states clearly that we will take up references before interview so the candidate can give notice to their referee(s). If a reference has not arrived in time, or where an applicant has indicated he/she does not want their current employer to be contacted before the interview this will be followed up or requested as soon as the offer is accepted and reviewed upon receipt. The applicant may be asked to provide further information or clarification before an appointment can be confirmed.

All shortlisted applicants will be required to complete a self-declaration form prior to interview in which they will be asked to provide information about their criminal records history and other factors relevant to their suitability to work with children. This information will be considered and discussed with applicants at interview.

All appointment offers as per our letter are subject to satisfactory references and other checks being made.

References are sought directly from the referee. The School will not accept 'To whom it may concern' or other open references or testimonials provided by the applicant or family members. All referees are asked about the candidate's service, abilities, reason for leaving and their suitability for the post and to work with children. They are also asked if they have ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children and also if any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children (except where the allegations or concerns were found to be unsubstantiated, unfounded, false or malicious), and whether the applicant could be considered to be involved in "extremism."<sup>11</sup>

\* No questions will be asked about health or medical fitness prior to any offer of employment being made.

The HR Manager will also contact the referee directly to ensure that the reference has come from a legitimate source and make a note when it has been verified.

All references received from a school must be countersigned by the Head of that school [as accurate with regard to any disciplinary sanctions].

The School treats all references given or received as confidential which means that the applicant will not usually be provided with a copy.

Candidates are all sent a form to declare any information that may appear on a DBS prior to interview. The HR manager can then discuss this with the candidate and will advise the interview panel accordingly and if required the interview panel can discuss any disclosure with the applicant at the interview. As per our Policy Statement on the Recruitment of Ex-Offenders, (see Appendix) such information will not necessarily bar a candidate from employment.

### Interview Procedures

As part of the schedule and instructions given to candidates coming for interview are a request for them to bring original documents for photo ID and we ask for a current passport and photo card driving licence if available and proof of their right to live and work in the UK so we request paperwork showing their current address on a utility bill or bank statement, which is not more than three months old, unless it is that year's council tax bill which is acceptable. We also require all applicants to bring in their birth certificates so that we can check their original name.

The HR Manager will take copies and sign and date to say she has seen the originals and these will be kept securely. For the chosen candidate these documents will be kept on their HR file and for the unsuccessful candidates they will be locked away securely with the rest of the interview data for 6 months, after which the paperwork will be shredded. Where applicable candidates are requested to bring original professional certificates, which again will be copied by the HR Manager and signed and dated to say they have seen the originals.

The HR Manager sends out all information to candidates regarding interviews such as schedules and lesson information for teachers. Teachers will be asked to deliver a lesson which will be observed so that the panel can see how they interact with children as well as their teaching ability and planning. Teaching Assistants will be asked to do a task with a group of children to see their

suitability for working with our pupils. Other staff may be asked to do tasks to demonstrate their skills/knowledge if required. The HR Manager will provide details where appropriate as early as possible, so that candidates can be well prepared and be hopefully at ease during the interview process so that they can give a fair and accurate impression of themselves.

The face-to-face interviews are designed to assess each candidate in terms of fulfilling the requisites of the job and in some roles what they can contribute to the extended curriculum. Interview questions will be designed according to the role to enable the panel to seek this information and to ascertain the level of knowledge, skills and competence of the applicant to fulfil the responsibilities of the role and their suitability to work with children. All candidates will be asked the same questions and in the same order and these will be marked on a grid.

At least one member of the interviewing panel will have done Safer Recruitment training and a safeguarding question will be asked at all interviews regardless of the role. Interviews will give the panel the opportunity to ask candidates about any gaps or anomalies in their work record or information given on their application so this can be clarified.

Candidates are also asked if we need to make any reasonable adjustments before coming for interview to ensure all candidates are treated equitably.

### Pre & Employment Checks

In fulfilling its obligations to carry out pre-employment checks we do 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, gender reassignment, disability or age.

#### **Online searches**

In addition to the checks set out below, we reserve the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the school. In accordance with paragraph 221 of KCSIE this will include online searches on shortlisted candidates (**online searches**). The online searches we carry out may include searches of internet search engines, websites and social media platforms. Applicants are asked in the application form to provide details of their online profile, including account names and social media handles. This information will be used to carry out online searches. Applicants are not required to provide account passwords or to grant the school access to private social media accounts.

Online searches may be carried out at the shortlisting stage or after an offer of employment has been made (but prior to work commencing). We will not carry out online searches as part of the initial sift of applications.

The School approaches online searches on a case-by-case basis. However, all applicants for a role at the School will be treated consistently with regard to online searches.

Wherever possible online searches will be undertaken by a person who will play no other part in the recruitment process (including the shortlisting exercise) or the appointment decision. In carrying out online searches we are looking for any publicly available information about an applicant that:

- may be relevant to their suitability to carry out the role for which they have applied;

- may be relevant to their suitability to work at the school or in an education setting;
- is of a safeguarding nature; and/or
- may have an impact on the school's reputation (whether positive or negative).

Any information generated from online searches will be entered in an 'Online search results record'. Where online searches are undertaken on shortlisted applicants any relevant information generated will be provided to the interview panel for discussion with shortlisted applicants at interview. Where online searches are undertaken on the successful applicants only any relevant information generated will be discussed prior to employment commencing. All offers of employment will be conditional upon us being satisfied that the successful applicant is suitable to work at the school in light of any information generated from online searches.

In evaluating any online information for relevance, we will use the following criteria:

- whether the information is relevant to the position applied for;
- whether the information is relevant to the applicant's suitability to work at the School or in an education setting;
- whether the information could have an impact on the school's reputation (whether positive or negative);
- whether the information calls into doubt the applicant's willingness or ability to uphold the School's commitment to safeguarding and promoting the welfare of children
- the length of time since the information became publicly available and whether the applicant's circumstances have changed since the information was published;
- whether the information reveals a pattern of concerning behaviour; and
- the relevant circumstances and the explanation(s) offered by the applicant.

For successful candidates, we will retain information generated through online searches for the duration of the individual's employment and in accordance with its Retention of Records Policy after employment ends.

For unsuccessful candidates, we retain the information generated from online searches for six months from the date on which they are informed their application was unsuccessful, after which it will be securely destroyed.

Prior to taking up the post the following checks are made:

1. Receipt of at least 2 references which are considered satisfactory by the school taken up prior to interview where possible and verified by HR Manager by telephone.
2. Verification of the candidate's identity – original ID documents in accordance with DBS identity checking guidelines. This forms part of interview day, so the check is carried out face to face, including where applicable change of name documentation. We also ask for a birth certificate and if an applicant tells us, or we can see that they have changed their name, then we request documentation as evidence of that change i.e. marriage, adoption, statutory declaration.

3. Production of evidence of the right to work in the UK where applicable – bills and bank statements must all be within the last 3 months or the current council tax bill. We also ask for a birth certificate and if an applicant tells us, or we can see they have changed their name, then we request documentation as evidence of that change ie marriage, adoption, statutory declaration.

4. Verification of qualifications/professional status where applicable – certificates brought in as part of interview process

5. Enhanced DBS with Children’s Barred List Checks for Regulated Activity – if the candidate will be starting work prior to this arriving then a Children’s Barred Check List will be carried out. If the applicant has subscribed to the DBS Update Service, with permission from the individual, the school will carry out an online check of the status of their certificate. If it is a volunteer, or governor not in regulated activity then an Enhanced DBS will be done without a Children’s Barred List check.

6. Check the prohibited list maintained by the TRA via the secure access portal for those carrying out ‘teaching work’

<sup>[1]</sup> Any position undertaken at, or on behalf of the School will amount to "regulated activity" if it is carried out:

1. frequently, meaning once a week or more; or
2. overnight, meaning between 2.00 am and 6.00 am; or
3. satisfies the "period condition", meaning four times or more in a 30-day period; and
4. provides the opportunity for contact with children.

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly all posts at the School amount to regulated activity. Limited exceptions could include an administrative post undertaken on a temporary basis in the School office outside of term time or voluntary posts which are supervised.

<sup>[2]</sup> The School applies the definition of "teaching work" set out in the Teachers' Disciplinary (England) Regulations 2012, which state that each of the following activities individually amount to "teaching work":

- planning and preparing lessons and courses for one or more pupils
- delivering lessons
- assessing the development, progress and attainment of pupils; and
- reporting on their development, progress and attainment

applicants to declare whether they have ever been referred to, or are the subject of a sanction, restriction or prohibition issued by the TRA or other equivalent body in the UK.

7. In January 2021 as the UK had left the EU the TRA teacher system no longer maintained a list of teachers sanctioned in EEA member states. We will however continue to carry out safer recruitment checks on all applicants and for those that have lived or worked outside of the UK we

already do checks with the relevant country(ies) they have worked or lived in, so any relevant events that occurred outside the UK can be considered, including obtaining an enhanced DBS certificate with barred list information (even if the teacher has never been to the UK). When requesting such information, the School has regard to relevant government guidance and will therefore always require the applicant to apply for a formal check from the country in question i.e. a criminal records check (or equivalent) or a certificate of good conduct.

In addition, where an applicant for a teaching position has worked as a teacher outside of the UK, the School will ask the applicant to obtain from the professional regulating authority of the teaching profession in each country in which they have worked as a teacher, evidence which confirms that they have not imposed any sanctions or restrictions on the applicant and that they are not aware of any reason why the applicant may be unsuitable to work as a teacher.

8 Prohibition from management checks as per agreed procedures with DBS and TRA so any s.128 directions made by the Secretary of State will show up. This will also be done for Governors.

9. Check medical questionnaire – anyone appointed who has regular contact with children must possess the appropriate level of physical and mental fitness to confirm an appointment. 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.

10. Check have agreed and signed policies sent with offer letter

11. All checks listed on Single Central Record

12. A Risk Assessment Form will be done if the DBS has not come through in time and all other checks are in place. This will be completed by the Line Manager or Supervisor of the member of staff and signed off by HR. They will be supervised at all times and the risk assessment will be reviewed at least every two weeks until the DBS has come through.

13. For Agency and contractor staff we ask for written confirmation that all checks have been satisfactorily completed on their employee. We also ask for a photo ID and full name so when they arrive at Bute we can check their passport and DBS which they are asked to bring to ensure they are the person we are expecting.

The HR Manager completes a checklist form to ensure all of the above have been completed and entered on SCR and this will be put on the individual's HR file once completed.

The successful candidate will be sent details via email so they can complete their DBS certificate online and asked to bring in their certificate when they receive it to be checked by the HR Manager, as the School no longer receives a copy. If the new member of staff is registered with the DBS Update Service the HR Manager will ask permission to access it to check that there are no concerns so she can validate it for the Single Central Record. If a new employee has lived or worked outside of the UK in the past 5 years there will be additional checks required for a police check in the relevant country.

The offer letter sent to the successful candidate will state that recent government legislation (3/9/2018 following consultation on Disqualification by Association) requires that we no longer ask new staff to declare any cautions or convictions of someone living or working in their home.

However, we state in the offer letter that there still remains an expectation that staff should inform the school of any information relating to them that may affect their suitability to work with children. We also send a form to complete for new staff. The Disqualification under the Childcare Act (2006) still applies to those working with Reception age children at any time, and to those who provide childcare to children from Reception to 8 years of age outside school hours i.e. before and after school wrap around childcare. Relevant staff will be asked to self-declare that they are not disqualified from working in relevant childcare. The grounds for disqualification include any offence involving death or injury to a child.

### Central Record of Pre-Employment Checks

In addition to staff records kept on SIMs and on individual HR files, a Single Central Record of recruitment and vetting checks is kept. This will cover not only contracted staff, but coaches, peripatetic teachers, governors and volunteers working regularly with the children. This is audited by the Director of Finance and Operations and Safeguarding Governor every term.

### Induction

All new staff will have sessions with the Deputy Head, Assistant Heads, IT Manager, Bursar and HR Manager to go through the various policies and other information to help them settle into their new role. They are given an induction pack to keep which they are asked to read of a number of key policies. All staff in the School are required to read the Safeguarding (Child Protection) Policy and Part One or Annex A of KCSIE (which will be determined by the School) the Keeping Children Safe in Education (September 2023) document (help is given to those where English is not their first language or they have special educational needs) and must confirm in writing that they have done so. All staff attend Safeguarding (Child Protection) training annually.

Staff all have a six-month probation period in their contracts and they will have regular meetings with their Line Manager, to ensure that they have full support and information regarding the School's policies and procedures. It also enables both parties to raise any areas of concern. These meetings will be documented to ensure that the new employee has settled into their new role and environment and are fulfilling the requirements of the role and are suitable for the post. The meetings provide support to the new employee in settling into the School and can assist with training or other resources if required.

### Peripatetic Teachers/Coaches/Supply Staff/Volunteers

Peripatetic teachers and Coaches are all provided with agreements stating clearly the terms and conditions by which they must work here and regulations they must adhere to. The School will complete the same checks on peripatetic teachers and Coaches as it does for its employed staff or contractors (and their employees) undertaking regulated activity at the School as it does for its own employees. The School requires written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at the School before any such individual 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. The agency is required to confirm in writing to the School that it has completed all required checks and must provide a copy of the DBS certificate for

any individual it supplies to the School before work can commence. The DBS certificate must be less than three months' old on the day work is due to commence unless the individual has worked in another school or further education college in England in the previous three months. If the DBS certificate is more than three months' old the School will need to be provided with information about the individual's previous employment history.

The member of supply staff must bring proof of identity with them on their first day of work so that the School may verify their identity.

The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the School.

The School will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day to day supervision by a fully checked member of staff or by a volunteer who the School has deemed appropriate to supervise and ensure the safety of those pupils in their care.

Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils.

### Retention of Records

When an applicant is appointed, the school will retain any relevant information provided on their HR file. If an applicant has been unsuccessful, all documentation relating to them will be kept securely for 6 months in accordance with the GDPR (2018) and Data Protection Act (2018) and then shredded by the HR Manager unless the applicant asks the school to keep their information for longer.

### Ongoing Employment

The School recognises that safer recruitment is not just about the selection and appointment process, but forms part of a wider brief as part of our Safeguarding (Child Protection) procedures. If subsequent to an appointment, allegations are raised through our whistleblowing policy and concern children's welfare then the Head will follow procedures as per that policy in regard to reporting these.

Applicants should also be aware that the School has legal responsibilities to fulfil when employment comes to an end. In particular, the School has a legal duty to make a referral to the DBS where:

- an individual has applied for a position at the School despite being barred from working with children; and / or
- an individual 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.

The School is aware of its legal responsibility and will make referrals in accordance with its obligations. The DBS will consider whether to impose sanctions on that individual which may restrict or prevent them from working with children in future.

In addition, if a teacher is dismissed because they are found to have committed serious misconduct, or they have breached the Teachers' Standards, or they resign prior to dismissal on such grounds, the School will make a referral to the TRA.

The TRA will consider whether to impose a prohibition from teaching order.

This policy is designed to work in conjunction with our Safeguarding (Child Protection) Policy as part of our culture of support and commitment to the welfare of the children and staff working in the School. Other policies linked to this ethos and to support staff both new and existing are the Whistleblowing Policy, Staff Behaviour Policy, Anti-Harassment and Bullying Policy and Visitors Policy, which ensures that visitors are suitably supervised and cared for whilst in the School.

The School ensures through induction and training that our staff know that we have an open and safe culture where all concerns can be voiced without fear of retribution and will be properly looked at and investigated.

## APPENDIX

### Policy Statement on The Recruitment of Ex-Offenders

If an applicant has a criminal record this will not automatically bar them from employment with the School. However, the School is entitled to decide whether the disclosure of criminal records information affects a person's suitability to work for the School. Applicants with a criminal record will be treated equally and fairly, and the School would not discriminate against a person on the basis of their criminal record alone. The School is therefore entitled to reject applicants if they consider that their criminal records history makes them unsuitable to work in a school environment.

It is unlawful to allow a person to work in a role with children or adults at risk if that person is named on the Children's Barred List or the Adults' Barred List. It is a criminal offence for any person who is barred from working with children or adults to apply to carry out such work. A School that is recruiting for a role working with children or adults at risk must make a report to the police and/or the DBS if it:

- receives an application from a person who is barred from working in the role
- is provided with false information in an application, or in support of an application
- has serious concerns about an applicant's suitability to work with children or adults at risk

### Assessment Criteria

In the event that criminal records information is volunteered by an applicant during the recruitment process or obtained through a DBS disclosure, 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 occurred
- the circumstances surrounding the offence and the explanation(s) offered by the applicant

It is good practice for the School to carry out and document a risk assessment with reference to the above factors (and others that are relevant).