

SAFER RECRUITMENT POLICY

THIS POLICY IS REVIEWED ON AN ANNUAL BASIS

Policy reviewed by: Robert Bannon - Headmaster

Policy approved by: Robert Berry – Director of Operations

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Reviewer's Signature: 

Approver's Signature



Please note: 'School' refers to Chatsworth Schools; 'parents' refers to parents, guardians and carers.

This is a whole school policy, which also applies to the Early Years Foundation Stage.

General

Hall School Wimbledon (HSW) is committed to safeguarding and promoting the welfare of children and young people within its School and expects all staff¹ and volunteers to share this commitment.

The Recruitment Policy and Procedures are based on and conform to statutory and non-statutory guidance contained in '*Keeping Children Safe in Education 2020*', '*Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings March 2009*' and the *ISI Regulatory Handbook February 2016*. This policy also has due regard for *Prevent Duty Guidance: for England and Wales* (March 2015 supplemented by the non-statutory advice and a briefing note *The Prevent duty: Departmental Advice for Schools and Childminders and The Use of Social Media for On-line Radicalisation (July 2015)*).

- Chatsworth Schools (CS) and HSW are committed to the fair treatment of their staff, potential staff or users of their services, regardless of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation, or offending background.
- Chatsworth Schools and HSW actively promote equality of opportunity for all with the right mix of talent, skills, and potential, and welcome applications from a wide range of candidates.
- Candidates will be selected for interview based on their skills, qualifications and experience, as assessed from the information provided by the applicant when completing the application form.
- As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for employment, Chatsworth Schools and HSW comply fully with the DBS Code of Practice. It undertakes to treat all applicants for positions fairly and will not discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
- Chatsworth Schools and HSW are required to obtain a Disclosure for all appointments. All application forms and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- Chatsworth Schools and HSW are required to ask questions about the applicant's entire criminal record, including "spent" convictions as defined in the *Rehabilitation of Offenders Act 1974* when recruiting to any position within an educational establishment.

¹ The School follows ISI and Ofsted's definition of "staff", which is set out as follows:

- Chatsworth Schools and HSW ensure that all those who are involved in the recruitment of staff and volunteers have been suitably trained to identify and assess the relevance and circumstances of offences. Chatsworth Schools and HSW also ensure that they have received appropriate guidance and training in the relevant legislation and statutory guidance relating to the employment of ex-offenders.
- At interview, or in a separate discussion, Chatsworth Schools and HSW ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- All applicants will be made aware of the existence of the DBS Code of Practice and a copy made available on request.

“Any person working at the school, whether under a contract of employment, under a contract for services or otherwise than under a contract but does not include supply staff or a volunteer”. (ISI Integrated Handbook – Regulatory Requirements October 2016, Part 4 para 211)

- The DBS will be completed before an appointee starts work but not earlier than three months before. Although not a legal requirement, CS completes new DBS checks every three years. See also Disqualification by Association requirements in Appendix F of the Safeguarding Policy.
- Chatsworth Schools and HSW undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.
- Having a criminal record will not necessarily bar an applicant from working with Chatsworth Schools. This will depend on the nature of the position and the circumstances and background of the applicant’s offences. The decision will be made by the Head or their Deputy unless the applicant is for a post on the SLT, in which case the decision will be made by the Chair of the Board of Governors.
- If the applicant is turned down for a position because of his/ her criminal record, he/she may appeal to the Chair of the Governors. This will follow the same procedure as found in the Complaints Policy.

Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools

Standards) (England) Regulations 2014, staff are defined as:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. The school conducts identity checks on agency and contract workers on arrival in school and, in the case of agency workers, the school must be provided with a copy of the DBS check for such staff.

Overview

Throughout the overall recruitment process, the four key stages are:

1. Discourage 2. Reject 3. Prevent 4. Observe and supervise

Discourage

Hall School Wimbledon's commitment to safeguarding children and young people is strongly promoted in as many areas as possible, on our website, in our advertising and promotional materials, and in our recruitment literature, including in the application form. Our child protection policy and procedures are available on our website, as well as to pupils, students and parents on request.

Reject

Hall School Wimbledon put robust safeguards in place throughout the recruitment process that will flag up candidates who may be unsuitable to work with children and reject them.

Prevent

For shortlisted candidates, all references are taken up, and all relevant pre-employment checks are completed.

Observe and supervise

Once a new recruit has started work, induction periods are used to observe their behaviours and attitudes and, following induction, this is continued through ongoing supervision. All staff and volunteers understand the whistle-blowing policy, and have been trained in safeguarding and on our organisation's own Child Protection Safeguarding Policy. The school encourages a general ethos where safeguarding is prioritised and regularly discussed.

Planning

The advertisement will clearly state the school's commitment to safeguarding, to deter unsuitable applicants from applying.

Application Form

The School will require candidates to complete the relevant GDPR compliant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Head. If candidates would like to discuss this beforehand, they are asked to telephone the Personnel Secretary for confidential advice.

Any unspent convictions, cautions, reprimands or warnings that are not 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) must be disclosed to the School. The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service (DBS) for the position.

In the interests of openness and transparency, applicants are notified that standard checks will be carried out before employment commences including accessing lists of 'Teacher and Others' prohibited from the profession; GTC sanctions; Induction and Probations failures; and sanctions imposed by EEA authorities. 'prohibition from teaching' checks; and, for management positions, checks as required under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014.

The Childcare Act 2006 and the Childcare (Disqualification) Regulations 2009, place separate and additional safeguarding requirements on schools. In accordance with the statutory guidance from the Department for Education ('Disqualification under the Childcare Act 2006'), Hall School Wimbledon will take steps to gather and retain sufficient and accurate information.

Staff disqualified from childcare include those who have unspent cautions or convictions for a relevant offence. The Childcare (Disqualification) Regulations 2009 apply to those providing early years childcare or later years childcare, including before school and after school clubs, to children

who have not attained the age of 8 and to those who are directly concerned in the management of that childcare.

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate must notify the Head immediately of anything that may affect his/her suitability to work with children. Where relevant, the appropriate form must be completed (Appendix 2). Reminders to this effect, as recommended by the Department for Education, are sent to staff within the scope of the legislation.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed.

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

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

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

References

The School will seek the references for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will ask all referees if the candidate is suitable to work with children. The School will

compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate. Any questions arising from the references will be asked at the interview.

Invitation to Interview

The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least two people chaired by a designated senior member of staff. The School follows recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The interview will be conducted in person and the areas which it will explore will include suitability to work with children. Questions which are asked are attached in Appendix 4.

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism', known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. All staff are required to support the School's expectations and subscribe to its values. Accordingly, as part of the Prevent Duty risk assessment, attitudes are probed during candidates' interviews.

Complying with the Prevent duty includes promoting and exemplifying British values: i.e. democracy, rule of law, individual liberty, tolerance and mutual respect and different faiths and beliefs. The Equality Act 2010 prohibits discrimination against those groups with protected characteristics: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

All candidates invited to interview must bring documents confirming identity and any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc.).

A full list of acceptable identity documents is provided with the application form. The School requests that all candidates invited to interview also bring with them the following original valid documents:

- one document from the DBS Group 1 Primary identity documents list, preferably a current passport, UK current photo driving licence and a full birth certificate;
- two further documents from either Group 1, or Group 2a or 2b, e.g., bank statement and utility bill
- At least one of the documents must show the applicant's current address.

- Where appropriate any documentation evidencing a change of name will also be required;
- Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

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

7. Conditional Offer of Appointment: Pre-Appointment Checks

All staff, not just teaching staff, are subject to the checks below, as a member of staff may initially be appointed to a non-teaching role, and then may move to a teaching role. Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references, one of which should be the current employer. Ideally, the second reference will be from the applicant's previous position;
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and if appropriate, a Barred List check;
4. A check that the candidate, whether for a teaching or non-teaching position, is not subject to a prohibition order issued by the Secretary of State; GTC sanctions; or is recorded on the Induction and Prohibition failures list.
5. Verification of professional qualifications, where appropriate;
6. Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered;
7. Satisfactory medical fitness;
8. No disqualification from providing childcare under the Childcare (Disqualification) Regulations 2009;
9. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Senior Management Team members and teaching heads of department;
10. For a candidate that has lived or worked outside the UK, an EEA check using the appropriate Teacher Services system for information about any teacher sanction or restriction. It is the School's practice that a successful candidate must complete a pre-employment health declaration after an employment offer has been made. The information contained in the declaration will then be held by the School in strictest confidence. This information will be reviewed against the demands of the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, and school layout. The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and reasonable adjustments.

As a condition of their employment, it is HSW policy that all staff are asked to join the DBS Update Service and give their permission for annual checks to be undertaken.

Induction

All new staff undertake Child Protection training and induction. Other training includes Online Newly-appointed staff are advised of national and local guidance, and receive an induction to the school which covers, in particular:

- Part One of 'Keeping Children Safe in Education' Department for Education Guidance July 2020 and Annex A
- The school's Child Protection and Safeguarding Policy
- Staff Code of Conduct
- Whistleblowing Policy
- Health and Safety policies and associated First Aid and Fire procedures, including evacuation procedures
- Equal Opportunities Policy and associated Recruitment of Ex-Offenders Policy

10. Records

Safety, Health and Safety and the Prevent Duty.

The Single Central Record will be maintained accordingly throughout the recruitment process. The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

Appendix 1: Policy on the Recruitment of Ex-Offenders

The School will not unfairly discriminate against any candidate 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 individual has a criminal record this will not automatically bar him or 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.

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

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

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

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

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

- whether the conviction or other matter revealed is relevant to the position in question
- the seriousness of any offence or other matter revealed
- the length of time since the offence or other matter occurred
- whether the applicant has a pattern of offending behavior or other relevant matters
- whether the applicant's circumstances have changes since the offending behavior 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: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it 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 high risk to employ anyone who has been convicted of drunk driving.