



SAFER RECRUITMENT AND SELECTION POLICY

Reviewed and updated autumn 2023 | Next review autumn 2024

Introduction

St Nicholas' School is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of the School's recruitment policy are as follows:

- To ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- To ensure that all job applicants are considered equitably and consistently;
- To ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious or philosophical belief, sex or sexual orientation, pregnancy or maternity, gender re-assignment, marital or civil partnership status, disability or age;
- To ensure compliance with all relevant recommendations and guidance including the recommendations of the DfE in "Keeping Children Safe in Education" and the Code of Practice published by the DBS (in each case, as updated from time to time);
- To ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

Recruitment & Selection Procedure

All applicants for employment will be required to complete an **Application Form** containing questions about their academic and employment history and their suitability for the role.

Incomplete Application Forms will be returned to the applicant where the deadline for completed Application Forms has not passed. A Curriculum Vitae will not be accepted in place of the completed Application Form.

Applicants will receive a Job Description and Person Specification for the role applied for.

The applicant may then be invited to attend a **Formal Interview** at which his/her relevant skills and experience will be discussed in more detail.

If it is decided to make an **Offer of Employment** following the formal interview, any such offer will be conditional on the following:

- The agreement of a mutually acceptable start date by way of written acceptance of an offer letter;
- The receipt of two satisfactory references (one of which must be from the applicant's most recent employer) which the School considers satisfactory;
- The receipt of an Enhanced Disclosure from the Disclosure and Barring Service ("DBS") with which the School is satisfied;
- Satisfactory completion (where appropriate) of a Staff Suitability Declaration regarding disqualification under the Childcare Act 2006;
- The receipt of a satisfactory medical questionnaire;
- The receipt of satisfactory evidence of the right to work in the UK.

If the offer is accepted, the applicant will be issued with a Contract of Employment on or before the commencement date of their employment, subject to the above conditions being met.

Pre-employment Checks

In accordance with the recommendations of the DfE in "Keeping Children Safe in Education" (as updated annually) the School carries out a number of pre-employment checks in respect of all prospective employees.

Verification of Identity and Address

All applicants who are invited to an Interview will be required to bring the following evidence of identity, address and qualifications:

- Current driving licence (including photograph) or passport or full birth certificate; and
- Two utility bills or statements (from different sources) showing their name and home address; and
- Documentation confirming their National Insurance number (P45, P60 or National Insurance card); and
- Documents confirming any education and professional qualifications referred to in their Application Form.

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

References

References will be taken up on shortlisted candidates prior to interview where practicable.

All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, the second referee should be from the employer with whom the applicant most recently worked with children.

Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the Job Description and Person Specification for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:

- The application's dates of employment, salary, job title/duties, reason for leaving, performance, sickness and disciplinary record;
- Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired);
- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people.

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials. The School will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

DBS Check

Due to the nature of the work, the School applies for an Enhanced Disclosure from the Disclosure and Barring Service in respect of all prospective staff members, governors and volunteers whose roles are eligible for such a check under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Police Act 1997 (Criminal Records) Regulations 2002. A full enhanced disclosure should be received before commencing employment.

An Enhanced Disclosure will contain details of all convictions on record including current and spent convictions (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. It may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

If the individual is applying for a position which falls within the definition of "Regulated Activity" (as defined by the Safeguarding Vulnerable Groups Act 2006), the Enhanced Disclosure will also reveal whether he/she is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults, maintained by the Disclosure and Barring Service.

If the individual is to be appointed to a management position (which means Headteacher, all staff on the senior leadership team (including non-teaching staff) and teaching positions with departmental headship) on or after 12 August 2015 then, when applying for the DBS Check, the School will cite the "Position Applied For" (box 61) as "Child Workforce Independent School". The Enhanced Disclosure will then reveal whether that person is subject to a section 128 direction regarding prohibition from management of independent Schools.

Equivalent checks to those in the preceding paragraph be made on governors appointed on or after 12 August 2015, and anyone else appointed to a management position from that date who is not in regulated activity. Those checks will be carried out via the National College for Page 4 of 8 Teaching and Leadership using Secure Access, rather than via the Disclosure and Barring Service.

Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for the equivalent of a Disclosure, if one is available in the relevant jurisdiction(s). For applicants for teaching roles, additional checks could include a letter of professional standing, where available. The National Recognition Information Centre for the UK's database will be used to inform which professional body should be contacted. Where the information above is not available, the School will seek alternative methods of checking suitability and/or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. See KCSIE for full information.

The School expects supply/temporary worker agencies/contractors that are used by the School to register with the DBS on their own account and to follow their policy or their own comparable policy. Proof of registration will be required before the School will commission services from any such organisation. In the unlikely event of an appointee being required to commence duties in regulated activity when a criminal record check is not possible (e.g. for certain appointees from overseas when a seeking a criminal record may be illegal) or prior to receipt of full DBS clearance, a risk assessment is undertaken.

Disqualification under the Childcare Act 2006

The School will not knowingly employ or engage people to work in early or later years childcare (as defined in relevant legislation) or allow them to be directly concerned in its management, if they or others who live or work in their households are disqualified from doing so by virtue of the Childcare Act 2006.

This policy applies in respect of employees, volunteers, supply/agency staff, self-employed people, staff of other organisations contracted to provide childcare, and governors who volunteer with the relevant groups or are directly concerned with their day-to-day management (referred to in this section as 'relevant staff').

All relevant staff will be asked to sign a Staff Suitability Declaration regarding disqualification under the Childcare Act 2006 at the point of employment or engagement (as part of pre-employment checks as above), and also on an annual basis thereafter (including for existing staff). When being asked to complete a Staff Suitability Declaration, relevant staff will be provided with information as to what amounts to disqualification.

The School will keep suitable records, either on the Single Central Register, or in another easily identifiable format, of relevant staff and the date on which disqualification checks were completed.

If a person is found to be disqualified, or if there is doubt over that issue, then (pending resolution) they will be removed from the work from which they are employed. The School will conduct a risk assessment and consult with the LADO (when appropriate) regarding any possible redeployment to alternative work for which they are not disqualified; however in some circumstances it may be necessary to suspend or dismiss, once due process has been followed.

Volunteers

The School will assess whether any person volunteering their services to the School is likely to be involved in 'regulated activity' (as defined in the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012).

If a volunteer is likely to be involved in 'regulated activity' then relevant checks will be carried out in accordance with this Chapter as if that person were being recruited to an employed teaching position.

It is envisaged that in most cases volunteers will not be involved in 'regulated activity' because they will be supervised at all times by a staff member who is undertaking regulated activity, and will not be undertaking personal care. In this case, the School will, via its DSL, informally assess whether additional, discretionary checks are necessary having regard to the person, the work, the vulnerability of the children and the situation. Such checks might include requesting references, holding an informal interview, and/or checking with the School community for any concerns.

Policy on Recruitment of Ex-Offenders

Background The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically 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 below (subject at all times to the School's wider obligations under the Safeguarding Vulnerable Groups Act 2006 ("SVGA")).

All applicants for employment whose roles are eligible for an enhanced check under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Police Act 1997 (Criminal Records) Regulations 2002 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 knowingly to permit anyone who is included on the relevant lists maintained by the DBS of individuals who are considered unsuitable to work with children (and/or vulnerable adults) to engage in any Regulated Activity (as defined under the SVGA). 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 which falls within the definition of "Regulated Activity" (as defined by the SVGA).

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/or the DfE Children's Safeguarding Operations Unit (formerly the Teacher's Misconduct Team).

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 (subject at all times to the School's wider obligations under the SVGA):

- Whether the conviction or other matter revealed is relevant to the position in question;
- The seriousness of any offence or other matter revealed;
- The length of time since the offence or other matter occurred;
- Whether the applicant has a pattern of offending behaviour or other relevant matters;
- Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person; and
- Any other factor considered relevant in the circumstances.

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, drug related offences (Classes A, B & C and alcohol), robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving or any other serious driving offence.

This list is non exhaustive and there may be other offences that the School considers make the employment of an individual to be high 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 Head of the School 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 directly. In cases where the applicant could otherwise be offered a position were it not for the disputed information, the School will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

Retention and Security of Disclosure Information

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

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 six months although the School will keep a record of the date of 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 the photocopying or scanning of any Disclosure information;
- Ensure that Disclosure information is only passed to those who are authorised to receive it in the course of their duties. The School maintains a record of all those to whom Disclosures or Disclosure information has been revealed;
- Ensure that Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

The School will comply with all relevant statutory guidance relating to the retention and security of disclosure information.

Retention of Records

If an applicant is appointed, the School will retain any relevant information provided on their application form (together with any attachments) on their personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months unless the applicant specifically requests the School to keep their details on file.

Queries

If an applicant has any queries on how to complete the Application Form or any other matter they should contact the Head.

Induction for new staff

New staff must familiarise themselves with the Staff Handbook, Academic Management Handbook and Curriculum Handbook which are available electronically on the staff landing page. Hard copies are also available to view in the School office.

A mentor will be allocated to each new member of staff to help during the first year. The Deputy Heads will liaise with new staff prior to the first term and arrange a visit to discuss the School routine, subject teaching and to offer schemes of work, along with teaching materials for planning purposes. New staff may be required to attend additional INSET training prior to commencing employment at the School.

The Head of Department will give support and advice including classroom observation and regular meetings as part of the induction procedure.

Within the small staff room communication is welcomed and easy. There is considerable sharing of concerns and thoughts.

All new staff must familiarise themselves with and will receive training on the School's Child Protection and Safeguarding policy, and the procedure for reporting an incident of malpractice as outlined in the School's Whistleblowing policy.

ECT (Early Career Teacher)/STUDENT VISITORS

The School recognises the need to support new entrants to the teaching profession. Applications from newly qualified teachers within the ISCTip (Independent Schools Council Teacher Induction Programme) are welcomed as are requests from PGCE students and others to visit the School. All arrangements are made with strict regard to health and safety and legislation. Agencies such as the Disclosure and Barring Service will be approached in order to ensure maximum protection for the School's pupils. A designated member of staff is in charge of all ECTs appointed to the School.

Downloadable registration forms, as required, can be obtained from www.isc.co.uk. The registration form should be completed and sent to **Judith Fenn, St Vincent House, 30 Orange Street, London, WC2H 7HH.** **Otherwise, NQT Forms can be obtained by telephone number 020 7766 7070.**