

## Recruitment policy

### Introduction

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

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

- to ensure that the best possible 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 belief, sex or sexual orientation, marital or civil partner status, disability or age
- to ensure compliance with all relevant recommendations and guidance including the recommendations of the Department for Education (DfE) in *Keeping Children Safe in Education (September 2023)*
- 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 sometimes a personal specification for the role applied for.

The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary

according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

As part of the shortlisting process, the School will carry out an online search on all shortlisted candidates as part of its due diligence prior to the interview. This may help to identify any incidents or issues that have happened, and are publicly available online, which the School would like to explore with the candidate at interview. This forms part of the School's wider safeguarding due diligence which aims to prevent and/or deter individuals who may be unsuitable to work with children from working in a school environment.

Shortlisted candidates will be asked to complete a self-declaration form in relation to their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to the Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview.

The shortlisted candidates will be invited to attend a **formal interview** at which his/her relevant skills and experience will be discussed in more detail by two members of staff, at least one of whom will have been trained in Safer Recruitment. Candidates may be questioned upon anything arising from the application (to include matters set out in the application form or any omissions) which we may wish to clarify or explore further with the candidate. Clarification will be recorded and a written record of the outcome of the interview will be kept.

Any offer to a successful candidate will be conditional upon:

- Receipt of at least two satisfactory references (if these have not already been received);
- Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK (if not already received);
- A satisfactory enhanced DBS check and if appropriate, a check of the Children's Barred List maintained by the DBS;
- For a candidate to be employed as a teacher, a check that that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
  - \* Planning and preparing lessons and courses for pupils;
  - Delivering and preparing lessons to pupils
  - Assessing the development, progress and attainment of pupils; and
  - Reporting on the development, progress and attainment of pupils;
- Verification of professional qualifications, where appropriate;

- Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
- Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate.
- For a candidate involved in the leadership and 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 Governors, Senior Management Team and teaching heads of department;
- From 1 January 2021 the Teaching Regulation Agency will no longer maintain a list of EEA teachers with sanctions.
  - Schools must continue to carry out full safer recruitment checks on all applicants, including obtaining an enhanced DBS certificate with barred list information (even if the teacher has never been to the UK).
  - Teachers will be requested to provide proof of their past conduct as a teacher, in the form of a letter of professional standing issued by the professional regulating authority in the country in which they worked.
- Evidence of satisfactory medical fitness.

We advise that anyone appointed to a post involving regular contact with children or young people must be medically fit. It is the School's responsibility to be satisfied that employees of the School have the appropriate level of physical and mental fitness **before** an appointment is confirmed.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Recruitment Privacy Notice and Data Protection Policy. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, and layout of the School.

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 considering reasonable adjustments.

In accordance with the National Minimum Standards for Boarding Schools, newly appointed staff may not begin work (or residence) at the School until satisfactory completion of all checks and receipt of references. In exceptional circumstances, **but not in boarding**, if a DBS check is delayed, then a short period of work is allowed under controlled conditions, at the Headmaster's discretion. The Headmaster may allow the member of staff to commence work:

- without confirming the appointment;

- after a satisfactory check of the barred list;
- provided that the DBS application has been made in advance;
- with appropriate safeguards taken (for example, supervision);
- safeguards reviewed via a risk assessment at least every two weeks;
- the person in question is informed what these safeguards are;

In such situations, a note is added to the Single Central Register and evidence kept of the measures put in place.

In the EYFS setting we do not allow people whose suitability has not been checked, including through a criminal records check, to have unsupervised contact with children being cared for. Where a new member of staff starts work before the disclosure is available, we would ensure that the person is supervised at all times (i.e. not loose supervision), all other checks (including barred list) having been completed satisfactorily.

We follow the EYFS Statutory Framework and ensure that all staff understand the safeguarding policy and procedures, and all have up to date knowledge of safeguarding issues. Training is made available which enable staffs to identify signs of possible abuse and neglect at the earliest opportunity, and to respond in a timely and appropriate way. These may include:

- significant changes in children's behaviour;
- deterioration in children's general well-being;
- unexplained bruising, marks or signs of possible abuse or neglect;
- children's comments which give cause for concern;
- any reasons to suspect neglect or abuse outside the setting, for example in the child's home; and/or
- inappropriate behaviour displayed by other members of staff, or any other person working with the children. For example: inappropriate sexual comments; excessive one-to-one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images.

### **Pre-employment checks**

In accordance with the recommendations of the DfE in *Keeping Children Safe in Education (September 2023)* 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, right to work in the UK, address and qualifications:

- A current driving licence including a photograph or a passport or a full birth certificate;
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
- Where appropriate any documentation evidencing a change of name;
- Where the candidate is not a citizen of the UK, proof of entitlement to work and reside in the UK.

The School asks for the date of birth of all applicants (and proof of this) in accordance with the DfE's guidance. Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate against applicants on the grounds of age.

### **References**

References will usually be taken up on short listed candidates prior to interview. All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

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

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

The School will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials.

The School will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

The National Minimum Standards for Boarding Schools require that direct contact be made with the referees of any person applying for a position working with boarders. The School goes beyond those standards by making direct inquiries with referees of applicants for all positions.

### **Criminal Records Policy**

The School will refer to the Department for Education document, (“DfE”) ‘Keeping Children Safe in Education’ and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request or accessed here:

<https://www.gov.uk/government/publications/dbs-code-of-practice>

There are limited circumstances where the school will accept a check from another educational institution which are as follows:

This is where the new member of staff (“M”) has worked in: –

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

during a period which ended not more than three months before M’s appointment.

In these circumstances the school may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

### **DBS Update Service**

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

### **If disclosure is delayed**

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, a Head may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be engaging in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but is not a requirement, that a note is added to the single central register and evidence kept of the measures put in place.

## **8. Retention, Security of Records and Data Protection Obligations**

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.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.

The School expects ancillary workers/supply/temporary worker agencies/contractors that are used by the School to register with the DBS on their own account and to provide written confirmation that all relevant checks have been carried out in respect of staff supplied to the School. Proof of registration will be required before the School will commission services from any such organisation. The School still requires to see a copy of their DBS before they start work. The School will independently verify the identity of staff supplied by such an agency.

## **Policy on 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/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 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 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 also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006".

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 an applicant's application; or
- the School 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 DBS 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;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- 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;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; 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 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 drink driving.

### **Disqualification Under the Childcare Act 2006**

The Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 ("the Regulations") provide that a person who is disqualified under the Regulations may not provide relevant childcare or be directly involved in the management of such provision. Further, the Regulations provide that we are prohibited from employing a disqualified person in connection with relevant childcare provision and it is an offence to knowingly employ such an individual. All staff will be asked to complete a Suitability form declaring that they do not fall under the appropriate categories.

### **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. Generally this will be for a maximum of six months. The School will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken
- ensure that any disclosure information is destroyed by suitably secure means such as shredding

- prohibit the photocopying or scanning of any disclosure information

The School complies with the provisions of the DBS code of practice, a copy of which is available on request.

### **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.

### **Monitoring and Review**

Reviewed by Bursar and HR Officer: February 2024

Reviewed and Approved by The Education, Welfare and Compliance Committee: January 2023

Updated self-declaration for criminal convictions April 2024

Next Review: February 2025