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RISHWORTH SCHOOL

RECRUITMENT POLICY

Distribution: School website, Staff Policy Library

Note: The Recruitment Vetting Procedures forms an appendix to this policy and should be used in conjunction with this policy

1. Purpose

1.1 The purpose of this policy statement is to serve the principles below.

2. Principles

2.1 The School is committed to promoting and safeguarding the welfare of children and young people and expects all staff and volunteers to share this commitment. The School is committed to employing the best staff for each given job and to ensuring that students' welfare is promoted and safeguarded throughout. (The principles set out in the School's Safeguarding Policy & Child Protection Procedures and Staff Behaviour Policy underpin all recruitment and selection procedures). This policy refers to the key safeguarding requirements.

2.2 Where an appointment is made, the guidance laid out in the School's Vetting Procedure must be followed. These two documents together form the core of safeguarding children through the meticulously careful appointment of staff.

2.3 Recruitment and selection processes are conducted in a manner that reflects the School's low-level concerns policy, encouraging the early identification and sharing of concerns about professional conduct."

3. Definitions

3.1 These will vary, depending upon, amongst other factors, the nature of the position in question.

3.2 The full legal definition of '**regulated activity'** is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced Factual note on regulated activity in relation to children: scope:

Regulated activity includes:

a. teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children;

b. work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly[1]. Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

c. relevant personal care, or health care provided by or provided under the supervision of a health care professional:

personal care includes helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness of disability;

health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Regulated activity will not be:

• paid work in specified places which is occasional and temporary and does not involve teaching, training; and

• supervised activity which is paid in non-specified settings such as youth clubs, sports clubs etc

[1] The Safeguarding Vulnerable Groups Act 2006 provides that the type of work referred to at (a) or (b) will be regulated activity if "it is carried out frequently by the same person" or if "the period condition is satisfied". Paragraph 10 of Schedule 4 to this Act says the period condition is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, for the purposes of the work referred to at (a), apart from driving vehicle only for children, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children

3.3 The definition of **'staff'** is: "any person working at the school whether [1] under a contract of employment, [2] under a contract for services or [3] otherwise than under a contract, but does not include supply staff or a volunteer".

Within the three definitions of staff this can be applied as **ANY** person working at Rishworth whether they are:

1. **Under a contract of employment** (which covers every employee no matter what work they do)
2. **Under a contract for services** (which covers self-employed people who are engaged by and paid direct by the School but does not include those in a contract for services with others, subject to the next point
3. **Or otherwise than under a contract** (which covers self-employed people who are arranged by the School for the purposes of the School but paid direct by the parents e.g. Visiting Music Teachers but does not include workers arranged privately by parents)

This definition does not include supply staff or volunteers.

3.4 The following are included in 'staff': teachers, peripatetic teachers and coaches, part-time staff, students (e.g. student teachers), administrative staff, caretakers and other ancillary staff, staff appointed from overseas, students paid to work at the school (for example, as after-school carers).

3.5 Where checks are completed by a third-party agency, the School records written confirmation of those checks on the Single Central Record, including the date confirmation was received.

3.6 Safer recruitment training is refreshed at appropriate intervals to ensure ongoing compliance with statutory guidance.

4. Procedures

4.1 These will vary, depending upon, amongst other factors, the nature of the position in question. Broadly speaking, the procedure surrounding recruitment will include (but not necessarily be limited to) the following stages:

4.1.1. Planning (including specifying requirements, advertising and establishing a person to be in charge of the recruitment (a suitably qualified Lead Recruiter)).

4.1.2. Sending enquirers/applicants full information, and making clear the School's policy on Safeguarding and Child Protection, the importance to the job of promoting child welfare and of candidates' suitability for working with children and the safeguarding responsibilities of the post. This includes enclosing a copy of the Safeguarding Policy and Child Protection Procedure and policy on employment of ex-offenders with applicant's packs (or refer to a link on the School's website), and ensuring that specific notices are included about the safeguarding and promotion of child welfare (from the initial advertisement to subsequent correspondence) e.g., *Rishworth is committed to safeguarding and promoting the welfare of children, therefore, applicants must be willing to undergo child protection screening appropriate to the post, including checks with past employers, social media checks and a full DBS application.*

4.1.3. When defining the role in any advert, job description or person specification the School includes:

a. the skills, abilities, experience, attitude, and behaviours required for the post, and
b. the safeguarding requirements, i.e. to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children, and
c. whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974.

4.1.4. Where the role involves engaging in regulated activity relevant to children, the School will include a statement in the application form or elsewhere in the information provided to applicants that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

4.1.5. Applicants will be required to provide, on application:

- personal details, current and former names, current address and national insurance number
- details of their present (or last) employment and reason for leaving
- full employment history, (since leaving school, including education, employment and voluntary work) including reasons for any gaps in employment
- qualifications, the awarding body and date of award
- details of referees/references (see below for further information), and
- a statement of the personal qualities and experience that the applicant believes are relevant to their suitability for the post advertised and how they meet the person specification.

4.1.6. The School only accepts copies of a curriculum vitae alongside an application form.

4.1.7. Scrutinising and short-listing with appropriate reference to all safeguarding issues is completed by at least two people (and ideally are then involved in interview), who consider any inconsistencies and look for gaps in employment and reasons given for them and explore all potential concerns.

4.1.8. In addition, after the shortlisting process the School carries out an online search as part of our due diligence on the shortlisted candidates. This is used to help identify any incidents or issues that have happened, and are publicly available online, which the School might want to explore with the applicant at interview. The content that will be reviewed will include publicly available social media, news reports and professional profiles. These searches are used only to identify potential safeguarding or suitability concerns, not to assess lifestyle.

4.1.9. Shortlisted candidates will be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children. This information is not requested in the application form to decide who should be shortlisted. For example:

- if they have a criminal history
- if they are included on the children's barred list
- if they are prohibited from teaching
- if they are prohibited from taking part in the management of an independent school
- information about any criminal offences committed in any country in line with the law as applicable in England and Wales, not the law in their country of origin or where they were convicted
- if they are known to the police and children's local authority social care
- if they have been disqualified from providing childcare and,
- any relevant overseas information

4.1.10. Applicants are asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate is asked to physically sign a hard copy of the application at point of interview

4.1.11. Interviewing and assessing, with a written record of the outcome. It is recognised that the panel carrying out an interview should include a minimum of one colleague with suitable training in safer recruiting. A register of suitably qualified staff is kept within the Single Central Register. Interviews should include specific reference to child protection issues, including questioning on confidentiality and reportage (as described in more detail in *Interviewing*, below)

4.1.12. The School seeks references to allow us to obtain factual information to support appointment decisions. The Schools aims to obtain references before interview, where possible, this allows any concerns raised to be explored further with the referee and taken up with the candidate at interview.

4.1.13. The School:

- does not accept open references e.g. to whom it may concern

- does not rely on applicants to obtain their reference
- ensures any references are from the candidate's current employer and have been completed by a senior person with appropriate authority (if the referee is school or college based, the reference should be confirmed by the Head/Principal as accurate in respect of any disciplinary investigations)
- obtains verification of the individual's most recent relevant period of employment where the applicant is not currently employed
- secures a reference from the relevant employer from the last time the applicant worked with children (if not currently working with children), if the applicant has never worked with children, then the School ensures we receive a reference from their current employer
- always verifies any information with the person who provided the reference
- ensures electronic references originate from a legitimate source
- contacts referees to clarify content where information is vague or insufficient information is provided
- compares the information on the application form with that in the reference and take up any discrepancies with the candidate
- establishes the reason for the candidate leaving their current or most recent post, and,
- ensures any concerns are resolved satisfactorily before appointment is confirmed.

All references requested seek to ensure the information confirms whether the referees are satisfied with the applicant's suitability to work with children and provide the facts (not opinions) of any substantiated safeguarding concerns/allegations that meet the harm threshold. Referees are not asked to include information about concerns/allegations which are unsubstantiated, unfounded, false, or malicious.

4.1.14. The School uses a range of selection techniques to identify the most suitable person for the post. Those interviewing agree structured questions prior to interview which include:

- finding out what attracted the candidate to the post being applied for and their motivation for working with children
- exploring their skills and asking for examples of experience of working with children which are relevant to the role, and,
- probing any gaps in employment or where the candidate has changed employment or location frequently, asking about the reasons for this.

Interviews are used to explore potential areas of concern and to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:

- implication that adults and children are equal
- lack of recognition and/or understanding of the vulnerability of children

- inappropriate idealisation of children
- inadequate understanding of appropriate boundaries between adults and children, and,
- indicators of negative safeguarding behaviours.

Any information about past disciplinary action or substantiated allegations will be considered in the circumstances of the individual case.

Students are involved in the recruitment process in a meaningful way, where relevant to the post. Observing short listed candidates and appropriately supervised interaction with students is common and recognised as good practice.

All information considered in decision making is clearly recorded along with decisions made.

4.1.15. Completing vetting, background, identity and health checks (and, where appropriate, qualification checks and checks required by National Minimum Standards for Boarding Schools), as well as checks on the right to work in the UK.

4.1.16. Recording (by the Lead Recruiter or a member of administrative staff with specific responsibility) on the SCR the vetting checks completed (ID, references, medical, right to work, qualifications, employment history, compliance with NMS), by whom and the date completed.

4.1.17. Making any offer of employment conditional upon the satisfactory completion of statutory checks, references and confirmation of medical fitness. All staff are required to sign a declaration to confirm that they have read and understood *either* Part One of *Keeping Children Safe in Education* or, where they do not work directly with children and at the School's discretion, Annex A.

4.1.18. Post-appointment induction, including familiarisation with Safeguarding Policy and Child Protection Procedures and Prevent Training, as exemplified in staff handbooks, for example, and will include amongst other key matters an introduction to the appropriate Designated Safeguarding Lead, and the Staff Behaviour Policy.

4.1.19. Monitoring, which will include a probationary period, typically of up to one year, which can be extended at the School's discretion

4.2 As described above and as outlined in Section 3 of this policy (Definitions) the procedure in any appointment will be tailored with regard to the nature of the role and involvement of the individual being appointed / considered and in particular with regard to whether or not the role is a regulated activity

4.3 Volunteer checks are undertaken in line with KCSIE, based on whether the role constitutes regulated activity. Supervised volunteers may not require barred list checks, but appropriate risk assessments and supervision arrangements are documented.

4.4 To demonstrate compliance with regulations, the following items or processes will be checked, with persons needing to have completed, or to be checked against, each item as relevant (please note that barred list information is not requested on any person who will not be engaging in regulated activity):

- Children's Barred list check

- Enhanced disclosure (DBS), with certification (the School's policy is to conduct an enhanced check)
- Identity checked (using photo-identification such as passport as well as their birth certificate, where available)
- Mental and physical fitness to carry out their work (with due regard to implications arising from Equality Act)
- History of previous employment (checking the record to account for 'gaps')
- Professional references (required through *Keeping Children Safe in Education*) checked and followed up
- Professional qualifications, as appropriate, using original documentation or evidence. The Teaching Regulation Agency's (TRA) Employer Access Service is used to verify any award of qualified teacher status (QTS), and the completion of teacher induction or probation.
- Overseas checks, where appropriate, with regard to guidance issued by the Secretary of State.
- All checks required to comply with NMS - if related to boarding
- Right to work in the UK
- Prohibition from teaching orders and Teaching Regulation Agency (TRA) prohibition checks
- A Section 128 direction containing a restriction or prohibition from holding management positions (where a person will be engaging in regulated activity, A separate Section 128 direction check will be undertaken and recorded for roles involving management or governance responsibilities). A prohibition under Section 128 bars an individual from any management or governance position
- Disqualification from Childcare (having regard to the 2018 Childcare Disqualification Regulations). This self-declaration is only where roles fall under the childcare disqualification rules (EYFS and wrap around care).

NOTES:

A. References

A.1 The Bursar's Office will oversee the process of issuing requests for at least two professional references, including one from the current or most recent employer and reviewing the returned documents to ensure that the response is satisfactory, following up where necessary to investigate periods unaccounted for or other anomalies

A.2 The Bursar's office will ensure that someone within the recruitment process (usually the Lead Recruiter themselves) is Safer Recruitment trained.

A.3 Two references can be sought for all short-listed candidates (including internal applications for substantial posts), and referees will be sent relevant details about the School, the post and the person being sought. One reference must be from the current or most recent employer. Where an applicant is not working with children now but has done in the past, it is important that a reference is sought from the last employer with whom the applicant worked with children, although it is recognised this may not be practicable if a great deal of time has passed.

A.4 The School uses a standard reference form available from the Bursar.

A.5 Referees will be specifically asked if they are aware of any reason why the applicant would be unsuitable for work with children.

A.6 Referees will, specifically, be asked to provide a general comment on the candidate's performance history and conduct and make specific comment on their suitability to work with children and any child protection concerns the candidate has been subject to, with the outcome of any enquiry. Reasons for the candidate's leaving that employ will be sought.

A.7 Referees will be advised of their legal liability for the references they provide.

A.8 When received, references will be checked by the Bursar's Office to ensure that they are complete and that the content is satisfactory. If the reference is vague or incomplete, the referee will be asked for clarification. If the references appear satisfactory they should then be followed up with a call to the referee to validate the documentation. A record should be kept of the person making the call and the date.

A.9 Where a member of staff is employed within boarding, the school will complete an enhanced level of background checking in-line with ISI and NMS requirements. Candidates will provide us with all required information within the application form. In addition to this, candidates may provide us with their own CV should they wish to but this will be in addition to, and not instead of, the application form. Applicants will be informed on the Application Form that any previous employer may be approached.

B. Interviews

B.1 Interviewees will be required to provide a full set of documents confirming identity (including, where possible, one showing a recent pictorial likeness), (where appropriate) qualifications, and mental and physical fitness for work. These are logged on the SCR, along with the date and initials of the person completing the checks.

B.2 All such documents will be copied and these copies filed.

B.3 Interviewers will always follow the best advice current at the time.

B.4 Key personnel likely to be involved in interviewing undertake safer recruitment training and the School seeks to ensure that at least one such person is involved in all selection processes. Key points from this training have been cascaded down by those who have been trained to other personnel involved in the interview process so as to ensure as full awareness as possible at interview of relevant CP matters.

B.5 Standard questions will form the core of each interview in order to ensure fairness and that all issues relating to the appointment and, in particular, safeguarding are covered, though it is expected that any interview will develop naturally within that framework.

B.6 A satisfactory explanation for any gaps in CVs will be sought at interview and the box on the application form initialled and dated to show that there are no gaps or that all such gaps have been satisfactorily explained. A written record should be kept of any explanations provided.

B.7 In any case where serious issues of a safeguarding nature were discovered during an interview process, all generally applicable obligations incumbent upon all colleagues would hold; e.g. there would be exactly the same obligation to follow safeguarding procedures in regard to reporting concerns about individuals

C. Formal, Statutory Procedures, and the Rehabilitation of Offenders

C.1 All the statutory safety checks, at the appropriate level (outlined in the Recruitment Vetting Procedures document that accompanies this policy), will be conducted on all relevant persons including employees (prospective and current, including any from overseas) and all Governors (with the Chair of Governors being checked via the DfE) in line with the ISI regulatory framework.

C.2 Where the outcome of the check shows a past offence and before the School takes a decision about the individual's employment/appointment, due consideration will be given to all relevant factors, including (but not limited to): the nature of the offence; when the offence was committed; whether or not it was a sole instance; whether or not the person declared this offence beforehand when given the opportunity to do so; and the perceived relevance of the offence to the position applied for.

C.3 Once appointed, there is a period of probation, generally of one year, which may be extended at the School's discretion.

C.4 DBS checks will be undertaken on any adult resident but not employed by the School and who lives on boarding premises.

C.5 If the School were to have any 'gap' students, checks (including DBS) would be undertaken on those students as far as possible.

C.6 Overseas criminal record checks will be undertaken where it is necessary and appropriate to be expected to do so. We will also endeavour to obtain certificate of good conduct and where available checks on teaching sanctions in other countries. It is recognised that some administrations will not keep complete records, for which shortcomings the School will be vigilant. In addition, where it proves to be impossible to get relevant information (perhaps a particular country does not have this facility) records will be retained to demonstrate that the school has done all in its power to try and obtain the information before confirming an appointment. Additional checks are required for anyone who has lived or worked overseas, not only overseas nationals.

C.7 The School has a statutory duty to report to the DBS and DfE when it has ceased to use a person's services, or when a person has ceased to provide their services, on grounds that they are unsuitable to work with children, on grounds of misconduct, or on grounds relating to the person's health where issues are raised about the safety or welfare of children. Contact details for the DBS are: customerservices@dbs.gov.uk, contact details for the DfE are misconduct.teacher@education.gov.uk

C.8 A newly-appointed member of staff will not begin work before satisfactory completion of DBS checks, except where, with specific measures taken (including risk assessments, reviewed appropriately) this is allowed within the regulation, where the individual must be supervised at all times. The risk assessment must be written, signed and reviewed regularly; then recorded on the SCR. As schools no longer receive a copy of the DBS certificate, prospective members of staff will be given 28 days from the date a check is initiated, to present their DBS certificate to the school. The school may, subject to the reason for any delay in this regard, withdraw its offer of employment, if a prospective employee fails to comply with this.

C.9 If the School were to arrange lodgings for students with any guardians DBS checks would be undertaken and references sought for the guardians and for any adults living in the lodgings. The School does not as a matter of policy, however, make such arrangements.

C.10 For supply staff, there is a formal understanding which exists between the School and the agencies which guarantees the processes as described for other members of staff have been followed against a check list supplied for our setting; thus ensuring that the same required staff checks have been carried out . The identity of supply teachers is then checked at School against a nationally recognised form of photo-identity (e.g. a Passport).

C.11 As far, specifically, as supply teachers are concerned, regulatory requirements for checks are met, including the additional requirements from the 1 May 2007, amendments to the Education (Independent School Standards) (England) Regulations 2003, as well as the section of the September 2013 version of the same regulations [DfE Standard 20] in all its particulars. The Lead Recruiter must always act in accordance with the regulatory requirements.

Note: 'DBS check' refers to the 'enhanced' check, unless otherwise stated.