



FOUNDED 1879

## HALLFIELD SCHOOL

### SAFER RECRUITMENT, SELECTION AND DISCLOSURE POLICY & PROCEDURE

<b>Head Master</b>	Mr K Morrow	
<b>Chairman of Governors</b>	Mr T Venner	
<b>Staff member with responsibilities</b>	HR Manager	
<b>Subcommittee with responsibilities</b>	HR & Legal	
<b>ISI Regulatory Policy</b>	Yes	
	Date	Spring 2021
<b>Date for policy review</b>	Spring 2022 (unless new legislation requires amendment)	

***“Hallfield School promotes the safeguarding and welfare of children in its care;  
all policies support the Safeguarding Policy”***

# Safer Recruitment, Selection and Disclosure Policy & Procedure

## 1. Introduction

Hallfield School (“the 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 recognises that, in order to achieve these aims, it is fundamentally important to attract and retain staff of the highest calibre who share this commitment.

The School is also committed to ensuring robust recruitment and vetting arrangements are in place to prevent unsuitable people from working with children in the School or in activities organised by the School.

The aims of this 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 equally 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 legislation, recommendations and guidance including the statutory guidance published by the Department for Education (**DfE**), *Keeping children safe in education (KCSIE)*, *Disqualification under the Childcare Act 2006 (DUCA)*, the Prevent Duty Guidance for England and Wales 2015 (the **Prevent Duty Guidance**) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
- 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.

All checks will be made in advance of appointment or as soon as practicable after appointment.

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

## 2. Scope

The Safer Recruitment, Selection and Disclosure Policy & Procedure 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.*

## **Contractors and Agency Staff**

The School must complete the same checks for contractors (and their employees) undertaking regulated activity at the School as it does for its own employees. The School requires written confirmation from the contractor that it has completed these checks on all of those individuals whom it intends will work at the School before any such individual can commence work at the School.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.

The School will independently verify the identity of individuals supplied by contractors or an agency and requires the provision of a DBS disclosure certificate before those individuals can commence work at the School.

## **Volunteers**

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

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

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

## **3. Recruitment and Selection Procedure**

When advertised, job vacancies will include a statement outlining the School's commitment to safeguarding and promoting the welfare of children and young people and the expectation that all staff and volunteers share this commitment.

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. Should there be any gaps in academic or employment history, a satisfactory explanation must be provided. A CV will not be accepted in place of the completed application form.

The School will make applicants 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. Application forms, job descriptions, person specifications and the School's Safeguarding and Child Protection Policy are available to download from the School's website and can be forwarded to applicants on request.

The School will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Shortlisted 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. It is recommended best practice that at least one person on the panel will have undertaken safer recruitment training. All shortlisted applicants will be tested at interview about their suitability to work with children. Interviews with academic applicants will normally include contact with pupils; which may include a lesson being taught, a shared lunch, meeting a representative panel or an informal discussion

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The School requests that all candidates invited to interview also bring with them:

- 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 applicable, proof of entitlement to work and reside in the UK.

The School takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the School immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

#### **4. Offer of Employment**

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 and the signing of a contract incorporating the School's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- verification of qualifications, whether professional or otherwise, which the School takes into account in making the appointment decision, or which are referred to in the application form, whether a requirement for the role or not;
- verification of the applicant's employment history;
- the receipt of two / three references (three references are required for teaching staff), one of which must be from the applicant's most recent employer, which the School considers to be satisfactory;

- for positions which involve "teaching work", information about whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency which renders them unable or unsuitable to work at the School.
- for applicants who have carried out teaching work outside the UK, applicants will be requested to provide proof of their past conduct as a teacher including whether they have ever been referred to, or are the subject of a sanction issued by a regulator of the teaching profession in any other country which renders them unable or unsuitable to work at the School. This should be provided in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked and can be considered alongside other information obtained through other pre-appointment checks to help assess their suitability;
- where the position amounts to "regulated activity" (see definition below) the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
- where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List;
- information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 which renders them unable or unsuitable to work at the School;
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the Education and Skills Act 2008 which renders them unable or unsuitable to work at the School;
- confirmation that the applicant is not disqualified from acting as a trustee / governor or senior manager of a charity under the Charities Act 2011 (if applicable);
- confirmation that the applicant is not disqualified from working in connection with early or later years provision;
- verification of the applicant's medical fitness for the role. Upon offer of employment an employee will be required to complete a medical questionnaire and may be required to attend a medical check with a nominated occupational health specialist approved by 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;
- verification of the applicant's right to work in the UK; and
- any further checks which the School decides are necessary as a result of the applicant having lived or worked outside of the UK which may include an overseas criminal records check, certificate of good conduct or professional references.

## **5. DBS and Regulated Activity**

An enhanced DBS check will be required for most applicants because they will be engaged in regulated activity. In summary "regulated activity" means if as a result of their work they:

- will be responsible, on a regular basis in School, for teaching, training instructing, caring for or supervising children; or
- will carry out paid, or unsupervised unpaid, work regularly in School where that work provides an opportunity for contact with children; or
- engage in intimate or personal care or overnight activity, even if this happens only once.

Where an applicant is a registered member of the DBS Update Service a check will be obtained and where an applicant has worked or lived abroad within the last 5 years the applicant and/or the School will obtain the relevant equivalent checks from that particular country.

In some cases, an applicant will be supervised to such a level that they are not in regulated activity. The School will need to consider:

- whether the individual will be supervised by a member of staff in a regulated activity, and whether the supervision will be regular and day to day;
- whether the supervision will be reasonable in all the circumstances to ensure the protection of children: and
- whether the supervised individual is a volunteer.

Applicants subject to the requirements set out above should not begin work (or take up residence) at the School until aforementioned checks are completed and deemed satisfactory. In exceptional circumstances, this may not be possible, in which case, the Head may allow the applicant to begin work providing the School has:

- requested a DBS check and completed a satisfactory barred list check;
- obtained satisfactory references;
- carried out a risk assessment which specifies safeguarding conditions;
- confirmed the risk assessment/safeguarding conditions will be reviewed every two weeks until the DBS check is completed;
- made the applicant aware of the safeguarding conditions; and
- made a note on the Single Central Register (SCR).

## **6. 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 under the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".

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 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;
- 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 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.

## **7. Safer Recruitment Monitoring**

The monitoring of safer recruitment is undertaken by the HR Manager. The HR Manager will, prior to any new member of staff/volunteer commencing work at the School, check the individual is entered correctly onto the Single Central Register (SCR) and that all necessary dates for recruitment checks have been entered on to the SCR in accordance with the Independent Schools Standards Regulations.

An entry will be made on to the School's SCR of all current members of staff, the proprietorial body and volunteers who work in regular contact with children.

The Director of Finance and Operations will undertake a termly review of the SCR in conjunction with the HR Manager, to ensure compliance and the Head Master will receive a termly update highlighting the new employees at the School on the SCR to further ensure compliance with all current regulations.

The Governors will examine the School's SCR on a termly basis as a standing agenda item at the HR & Legal Committee to ensure compliance with all current regulations. The monitoring of the SCR will be recorded in the minutes.

## **8. Internal Recruitment and Promotion**

All employees will be made aware of career opportunities including promotion, with details circulated via email and noticeboards. Training and job experience needed for promotional opportunities will be open to all employees. Promotion will be determined by merit and performance against objective criteria.

## **9. Visiting Speakers and the Prevent Duty**

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised. All visiting speakers will be subject to the School's Visiting Speaker Policy, which is designed to protect students and staff from the risk of radicalisation by visiting speakers or groups.

The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.

Visitors will be required to sign in and out at Reception, wear a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and / or permit a speaker to attend the School. In doing so the School will always have regard to the Visiting Speaker Policy and the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE.

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

## **10. After Appointment**

All new members of staff will go through an induction programme which will introduce them to the School and their role and provide them with support. They will be directed to read all the School's policies with key policies being issued to them at the start of their employment. This will include Safeguarding and Child Protection, Tackling Extremism and Radicalisation, Staff Code of Conduct, Whistleblowing and Anti-Bullying and Disciplinary; Capability and Grievance Procedures. Volunteers will also receive similar training.

All staff/volunteers should ensure they are familiar with the latest version of the KCSIE document and a copy will be provided as part of the induction programme. If individuals have a concern about a child or fellow staff member/volunteer in the first instance they are advised to contact the School's designated safeguarding lead. If this is not possible or appropriate, any staff member/volunteer can report such concerns directly to the local children's social care department. The induction programme will also explain the School's expectations of behaviour for staff and how to forward any concerns observed with this (with reference to the Whistleblowing Policy).

Further information can be found in the School's Induction Policy.

## **11. Data Protection Obligations**

The School is legally required to carry out the pre-appointment checks detailed in this document. Staff and prospective staff will be required to provide certain information to the School to enable the School to carry out the checks that are applicable to their role. The School will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (**NCTL**)).

Failure to provide requested information may result in the School not being able to meet its employment, safeguarding or legal 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 and Privacy Notice. Where a copy of a DBS certificate is taken, this will not be retained for longer than 6 months.

### Associated Policies

Data Protection Policy

Privacy Notice

Safeguarding and Child Protection Policy

Equality and Diversity Policy

Induction Policy

Visiting Speaker Policy