

BISHOP WORDSWORTH'S SCHOOL  
**SAFER RECRUITMENT POLICY**

**Definitions:**

1. *'Parent(s)' includes guardian(s) or any person who has parental responsibility for the pupil or who has care of the pupil.*
2. *'Is to', 'are to' and 'must' are obligatory. 'Should' is not obligatory but is good practice and is to be adhered to unless non-compliance can be justified.*

**INTRODUCTION**

- 1 The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Bishop Wordsworth's School is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the school expects all staff and volunteers to share this commitment.

**AIMS AND OBJECTIVES**

- 2 The aims of the Safer Recruitment Policy are to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff. The objectives of the Policy are therefore 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 - September 2022 ('KCSIE 2022'), 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.*
- 3 Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this Policy.
- 4 The School has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualifications, experience and merit as measured against the job description and person specification.
- 5 The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2022 and the Prevent Duty Guidance).

- 6 If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

## **ROLES AND RESPONSIBILITIES**

- 7 It is the responsibility of the governing body to ensure the School has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements; and monitor the School's compliance with them.
- 8 It is the responsibility of the Headmaster, Bursar and other Managers involved in recruitment to ensure that the School operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the School; monitors contractors' and agencies' compliance with this Policy; and promotes the welfare of children and young people at every stage of the procedure.
- 9 The governing body has delegated responsibility to the Headmaster (teaching staff) and Bursar (support staff) to lead in all appointments. School governors may be involved in staff appointments but the final decision will rest with the Headmaster/Bursar.

## **Definition of Regulated Activity and Frequency**

- 10 Any position undertaken at, or on behalf of, the School will amount to "Regulated Activity" if it is carried out:
- *frequently, meaning once a week or more; or*
  - *overnight, meaning between 2.00 am and 6.00 am; or*
  - *satisfies the "period condition", meaning four times or more in a 30-day period; and*
  - *provides the opportunity for contact with children.*
- 11 Roles which are carried out on an unpaid/voluntary basis will only amount to Regulated Activity if, in addition to the above, they are carried out on an unsupervised basis.
- 12 The School is not permitted to check the Children's Barred List unless an individual will be engaging in Regulated Activity. The School is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in Regulated Activity. However, the School can also carry out an enhanced DBS check on a person who would be carrying out Regulated Activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to Regulated Activity if carried out more frequently.

## **RECRUITMENT AND SELECTION PROCEDURE**

### **Advertising**

- 13 To ensure equality of opportunity, the School will normally advertise all vacant posts (either internally or externally) to encourage as wide a field of applicants as possible. Any advertisement will make clear the School's commitment to safeguarding and promoting the welfare of children.
- 14 All documentation relating to applicants will be treated confidentially in accordance with the GDPR

## **Application Forms**

- 15 The School uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history). Applicants submitting an incomplete application form will not be shortlisted.
- 16 The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not be accepted.
- 17 It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the School. All applicants will be made aware that providing false information is an offence and could result in the application being rejected, or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

## **Job Descriptions and Person Specifications**

- 18 A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the process. It will clearly and accurately set out the duties and responsibilities of the job role.
- 19 The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job.

## **Written References**

- 20 References for short-listed applicants will be sent for immediately after short-listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after interview if the School wishes to proceed with that applicant. Applicants who choose not to allow contact with their current employer until after interview are not to be disadvantaged during the recruitment process.
- 21 All offers of employment will be subject to the receipt of a minimum of two written 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 reference should be from the employer with whom the applicant most recently worked with children (unless the post is a support staff position where previous experience of working with children may be desirable but not essential). The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.
- 22 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. Referees will also be asked to confirm that the applicant has not been radicalised, so that they do not support terrorism or any form of extremism.
- 23 References will also ask whether the applicant is (or has been) subject to either disciplinary or capability procedures during the period of employment. In addition the referee will be asked to confirm that the reference is not subject to a compromise agreement.

- 24 No questions will be asked about an applicant's health or medical fitness prior to any offer of employment being made.
- 25 Any discrepancies or anomalies which cause the reference to be considered unsatisfactory by the School will be followed up including, where necessary, by telephone if there is any doubt over the origin of the reference.

### **Online Searches**

- 26 We will conduct basic online searches for all candidates prior to interview which will look for evidence of offensive or inappropriate behaviour, jokes or language, discriminatory comments, inappropriate photos, drug or alcohol misuse and anything that suggests the candidate may not be suitable to work with children and to help identify any incidents or issues that have happened, and are publicly available online, which we may want to explore with the applicant at interview.
- 27 To minimise the risk of discrimination, online reviews are carried out confidentially by a member of staff not directly involved in the recruitment process with that person feeding into the process, only information that impacts safeguarding or reputation.

### **Interviews**

- 28 There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps which have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with the Safer Recruitment Training operated in school).
- 29 Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.
- 30 At least one member of any interviewing panel will have undertaken Safer Recruitment Training or refresher training as applicable.
- 31 All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Original documents will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed 6 months after the recruitment programme but identification documents will be destroyed within a week of the appointment process closing.

### **Offer of employment and new employee procedures**

- 32 In accordance with the recommendations set out in KCSIE 2022 and the requirements of the relevant legislation, the School carries out a number of pre-employment checks in respect of all prospective employees.
- 33 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 (if not previously verified);*
  - *the receipt of two references in accordance with paragraph 22 above; verification of the applicant's medical fitness for the role;*
  - *verification of the applicant's right to work in the UK;*

- *any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and*
- *verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where not previously verified).*

For positions which involve "teaching work":

- *the School being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other country which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School; and*
- *the School being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School;*
- *where the position amounts to regulated activity 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;*
- *confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school or working in a position which involves regular contact with children.*

34 Whether a position amounts to Regulated Activity must therefore be considered by the School in order to decide which checks are appropriate. It is however likely that in nearly all cases the School will be able to carry out an enhanced DBS check and a Children's Barred List check.

35 A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files and relevant data will be cross checked to the Single Central Record (see below section 58 et seq).

#### **The Rehabilitation of Offenders Act 1974**

36 The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'spent' must be declared when applying for any position at the School.

#### **DBS Check**

37 It is the School's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee. Where this is not possible (for example where there are unavoidable bureaucratic delays nationally) a full risk assessment will be carried out by the HR Officer and this will be signed off by the Headmaster. The employee will then be permitted to work under supervision until final DBS clearance is obtained. This will only happen in exceptional cases.

38 DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

### **Portability of DBS Certificates Checks**

39 Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is payable by the applicant. This allows for portability of a Certificate across employers. The School will:

- *obtain consent from the applicant to carry out an update search;*
- *confirm the Certificate matches the individual's identity; and*
- *examine the original certificate to ensure that it is for the appropriate workforce and level of check, ie enhanced certificate/enhanced including barred list information.*

40 The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

### **DBS Certificate**

41 The DBS no longer issues Disclosure Certificates to employers, therefore employees/applicants should bring their original Certificate to the HR Department (for employees within 7 days of issue or for applicants before they commence work or any project involving Regulated Activity).

### **Dealing with convictions**

42 Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- *the nature, seriousness and relevance of the offence;*
- *how long ago the offence occurred;*
- *one-off or history of offences;*
- *changes in circumstances; and*
- *decriminalisation and remorse.*

43 A formal meeting will take place face-to-face to establish the facts with the Headmaster. A decision will be made following this meeting. 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 Headmaster will evaluate all of the risk factors above before a position is offered or confirmed.

44 If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### **Secretary of State Prohibition Orders (Teaching & Management roles)**

45 In all cases where an applicant is to undertake a teaching role of any kind, a Prohibition Order check will be made using the Employer Access Online Service. It is anticipated that this will be performed at offer stage. A person who is prohibited from teaching must not be appointed to work as a teacher in the School.

- 46 Prohibition Orders are made by the Secretary of State following consideration by a professional conduct panel convened by the Teaching Regulation Agency. Pending such consideration, the Secretary of State may issue an interim prohibition order if it is considered to be in the public interest to do so. A Section 128 direction prohibits or restricts a person from taking part in the management of a school. A person who is prohibited is unable to participate in any management of a school including a governor on the governing body or a management position that retains or has been delegated any management responsibilities. A check for a Section 128 direction will be carried out using the Teacher Services' system. Where the person will be engaging in regulated activity, a DBS barred list check will also identify any Section 128 direction.

### **Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status**

- 47 All applicants invited to attend an interview at the School will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK.
- 48 Where an applicant claims to have changed their name by deed poll or any other means (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.
- 49 In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

### **Medical Fitness**

- 50 The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed.
- 51 All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. 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.
- 52 The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.

### **Overseas checks**

- 53 The School, in accordance with the UK Visas and Immigration will, if necessary, consider sponsorship of new foreign nationals.
- 54 In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal records check from the relevant country or countries (but where that is not possible, eg HM Forces, the School may waive this requirement). The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the School.

### **Induction Programme**

- 55 All new employees will be given an induction programme which will clearly identify the School's policies and procedures, including the Child Protection Policy, the Code of Conduct, and KCSIE 2022, and make clear the expectations which will govern how staff carry out their roles and responsibilities. Please see the separate Staff Induction Policy.

## **Single Centralised Register of Members of Staff**

56 In addition to the various staff records kept in the School and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with legislation. The Single Centralised Register will contain details of the following:

- *all employees who are employed to work at the School;*
- *all employees who are employed as supply staff to the School whether employed directly or through an agency;*
- *all others who have been chosen by the School to work in regular contact with children (this will cover volunteers, governors, peripatetic staff and people brought into the School to provide additional teaching or instruction for pupils but who are not staff members, eg sports coaches etc).*

57 A designated Governor will be responsible for auditing the Single Centralised Register and reporting his/her findings to the full Governing Body.

## **Record Retention/Data Protection**

58 The School is legally required to undertake the pre-employment checks set out in this Policy. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer, eg so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

59 This documentation will be retained by the School for the duration of the successful applicant's employment with the School. The same policy applies to any suitability information obtained about volunteers involved with School activities.

60 The School will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie shredded). The 6-month retention period is in accordance with the GDPR.

## **Ongoing Employment**

61 The School recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. The School will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

62 Despite the best efforts to recruit safely, there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. This Policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks the School also has a legal duty to make a referral to the DBS in circumstances where an individual:

- *has applied for a position at the School despite being barred from working with children; or*
- *has been removed by the School from working in Regulated Activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.*



63 If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the Teaching Regulation Agency.

### **Contractors and agency staff**

64 Contractors engaged by the School must complete the same checks for their employees that the School is required to complete for its staff. The School requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School. The only exceptions to this are where contractors are: (a) present for one-off visits and are accompanied; or: (b) working during holiday periods when pupils are not present on site.

65 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.

66 The School will independently verify the identity of staff supplied by contractors or an agency and will require the provision of the original DBS certificate before contractors or agency staff can commence work at the School.

### **Volunteers**

67 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 definition of Regulated Activity set out above will be applied to all volunteers). Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils.

68 It is the School's policy that a new DBS certificate is required for volunteers who will engage in Regulated Activity but who have not been involved in any Regulated Activities with the School for three consecutive months or more. Those volunteers who are likely to be involved in Regulated Activities with the School on a regular basis may be required to sign up to the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

69 In addition the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to) the following:

- *formal or informal information provided by staff, parents and other volunteers;*
- *character references from the volunteer's place of work or any other relevant source; and*
- *an informal safer recruitment interview.*

### **Monitoring and Evaluation**

70 This Policy was first adopted on 8<sup>th</sup> June 2021 and is to be reviewed annually by the HR Officer and (subsequently) the relevant Link Governor and Leadership Team.

14 <sup>th</sup> October 2022	Online Searches paragraphs added
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