

## Recruitment, Selection and Disclosure Policy & Procedure

### Introduction

The School (all schools within the Hampton School Trust) is committed to providing the best possible care and education for 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 of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

We will comply with all legal obligations. To the extent that this policy document sets out standards that exceed those obligations, those standards will be a non-contractual statement of best practice.

The aims of the School's recruitment policy are:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for their 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 belief, sex or sexual orientation, marital or civil partner status, gender reassignment, disability or age
- to ensure compliance with all relevant legislation and statutory guidance recommendations including *Keeping Children Safe in Education (KCSiE)* and *The Prevent Duty*
- 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, including Teacher status check, TRA Prohibition from Teaching, Identity, Enhanced DBS, Barred List, employment history, Disqualification from Childcare, Section 128 Direction and EEA member state sanction checks, qualification check, medical fitness, reference checks, right to work in the UK, and overseas checks (where applicable)

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

### Recruitment & Selection Procedure

All applicants 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 not be put forward for consideration. A curriculum vitae will not be accepted in place of the completed application form, but may be submitted as an additional document.

Applicants will receive a Job Description, including a person specification for the role applied for.

The applicant may be invited to attend a **formal interview**, at which their relevant skills and experience will be discussed in more detail. The interview panel will include at least one person trained in Safer Recruitment.

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

Date updated	January 2019	Date ratified by Governors	January 2019
Date for next review	January 2020	Reason for review	Annual review

- the agreement of a mutually acceptable start date and the signing of a contract (where appropriate) incorporating the School's standard terms and conditions of employment
- the receipt of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory
- the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory
- confirmation that the applicant is not named on either the Children's Barred List or the Adult's Barred List administered by the DBS
- confirmation that the applicant is not subject to a prohibition order, section 128 direction or any other relevant sanction or restriction
- verification of the applicant's eligibility to work in the UK
- verification of the applicant's medical fitness for the role from the School's medical adviser
- the School being satisfied that the applicant is not otherwise an inappropriate person to be appointed

Where it transpires that a successful applicant provided incorrect or incomplete information during the recruitment process with a view to improving their chances of being appointed, the likely consequence is dismissal without notice, regardless of whether or not that information would have affected a recruitment decision.

## Medical Fitness

The School will verify the medical fitness of anyone to be appointed to a post at the School. This will take place **after** an offer of employment has been made but **before** the appointment can be confirmed.

It is the School's practice that all applicants to whom an offer of employment is made must complete the Medwyn online health questionnaire. The medical advisor may contact the applicant by phone for further details. If the School's medical advisor has any doubts about an applicant's fitness, the School will consider reasonable adjustments in consultation with the applicant. The School may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn for reasons relating to any disability before considering and taking appropriate steps, such as consulting with the applicant, considering medical evidence, considering reasonable adjustments and suitable alternative employment.

## Pre-Appointment Checks

In accordance with the recommendations set out in statutory guidance, KCSiE and the requirements of the Education (Independent School Standards) (England) Regulations January 2015, the School carries out a number of pre-appointment checks in respect of all prospective employees.

### a Verification of Identity and Address

All applicants who are invited to interview will be required to bring the following evidence of identity, right to work in the UK, address and qualifications, in the form of:

- Passport and/or driving licence;

- At least one valid proof of address (i.e. utility bill or financial statement) showing their name and home address; original documents confirming any educational and professional qualifications referred to in their application form
- Where an applicant has changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration), they will be required to provide documentary evidence of the change.
- The School asks for the date of birth from all applicants (and proof of this) in accordance with the Independent Schools Inspectorate (ISI) Regulatory Requirements. Proof of date of birth is necessary so that the School may verify an applicant's identity and check for any unexplained discrepancies in their employment or educational history.

The School does not unlawfully discriminate on the grounds of age.

## **b References**

Where possible, references will be taken up on short-listed candidates prior to interview.

All offers of appointment will be subject to the receipt of a minimum of two references that the school considers satisfactory. 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 an 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 that they have applied for 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 including person specification for the role that 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, absence\* 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
- information about health-related absence (as opposed to generic information about total periods of absence) is only to be sought in reference requests sent out after the offer of employment is made

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.

## **Disclosure and Barring Service (DBS)**

The School applies for an enhanced disclosure from the DBS in respect of all prospective staff members, governors, self-employed contractors and volunteers.

An enhanced disclosure will contain details of most convictions on record (including those which are defined as 'spent' under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. An enhanced disclosure will also reveal whether an applicant is barred from working with children or vulnerable adults by virtue of their inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DfE and the Department of Health. An enhanced disclosure may also contain non-conviction information from local police records that a chief police officer thinks may be relevant in connection with the matter in question.

Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for an equivalent disclosure, if one is available in the relevant jurisdiction(s).

## **Contractors and Agency Staff**

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 the Contractor or their staff can commence work at the School.

Agencies (employment businesses) who supply staff to the School must also complete the pre-employment checks that 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.

## **Policy on Recruitment of Ex-offenders**

### **a Background**

The School will not unlawfully discriminate against any applicant for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit, ability and suitability. If an applicant has a criminal record, it will not automatically bar them from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph b) below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore disclose all previous convictions even those that would normally be considered 'spent', when applying for a position at a school. A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct, whether or not it would have materially affected the decision to appoint. A failure to disclose a previous conviction may also amount to a criminal offence.

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 attempt to apply for a position at the School. The School will report to the Police and/or the DBS if:

- an application is received from a disqualified person;
- false information is provided in, or in support of an applicant's application; or
- there are serious concerns about an applicant's suitability to work with children.

## **b Assessment Criteria**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

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

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 a serious offence.

- 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 a crime related to dishonesty, including 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 disqualified from driving or convicted of driving under the influence of alcohol/drugs within the last ten years.

## **c Assessment Procedure**

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will carry out a risk assessment by reference to the criteria set out above. The Risk Assessment form (**Appendix 1**) must be signed by The Headmaster and/or the Bursar before a position is offered.

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

## **d Retention and Security of Disclosure Information**

The School 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 and HR.
- not retain the disclosure certificate longer than is necessary. From that point, the School may still 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, but again for no longer than is necessary.

- ensure that, when required to do so, any disclosure information is destroyed by suitably secure means such as shredding
- The School complies with the provisions of the DBS code of practice, a copy of which is available on request.

**e 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 12 months. Please also see the School's Data Protection Policy for information on the retention of records.

**f Queries**

If an applicant has any queries on how to complete the application form or any other matter, they should contact the School's HR Manager.

**Induction and Training**

The School is committed to Safer Recruitment practices and promoting the safety and wellbeing of all pupils. Every new member of staff working at the School and every new self-employed contractor and volunteer receives induction training, involving but not limited to:

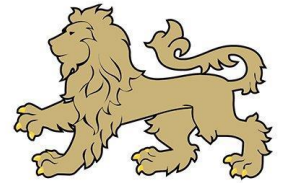
- Hampton School Trust Safeguarding Policy (including Missing Children)
- Hampton School Trust Staff Behaviour Policy (Code of Conduct)
- Hampton School Trust Whistleblowing Policy
- Behaviour, Rewards, Sanctions, Discipline and Exclusions
- Keeping Children Safe in Education (KCSIE) – staff are required to sign to confirm they have read and understood Part 1 of KCSIE and Annex A

All members of staff and Governors will undertake appropriate safeguarding training, which will be updated regularly in accordance with the guidance.

In accordance with the **Prevent Duty (July 2015)** (which states that, from 1 July 2015, all schools are subject to a duty under section 26 of the Counter-Terrorism and Security Act 2015, in the exercise of their functions, to have 'due regard to the need to prevent people from being drawn into terrorism') staff training is also provided in eSafety to identify those at risk of radicalisation.



# HAMPTON SCHOOL TRUST



## Risk Assessment – DBS Disclosure

*(To be completed if a disclosure of warnings, cautions or prosecutions is made and/or the DBS Certificate contains Information)*

Name of employee / Name on DBS Certificate: \_\_\_\_\_

Certificate No: \_\_\_\_\_ Date of issue: \_\_\_\_\_

Position: \_\_\_\_\_

	Yes	No	Comments/Actions/Explanations
Date of the offence (s)			
Was the applicant a juvenile at the time of the offence(s)?			
Does the disclosure show a pattern of offending?			
Does the disclosure show a recent offence and/or a recent change in behaviour?			
Does the offence(s) have any relevance to the position they will be appointed to?			
Does the offence relate to Safeguarding?			

<p>Does the nature of the position present any opportunities for the post holder to reoffend in the workplace?</p>			
<p>Has the applicant disclosed their offence(s) on the School Application Form or at interview?</p>			
<p>Is there any potential reputational risk to the School in appointing the candidate, in particular if there were to be a future similar offence?</p>			
<p>What was the outcome of the discussion with the applicant about their criminal background? Has the candidate satisfactorily explained the circumstances of the offence?</p>			
<p>Comments:</p>			



**Outcome of Assessment**

<b>I am</b> satisfied that, based on the above, the criminal background of this person should not prevent them taking up the position	
<b>I am not</b> satisfied that, based on the above, the criminal background of this person can be disregarded when assessing whether they are suitable to take up the position	

**Bursar/Headmaster Name:** \_\_\_\_\_

**Bursar/Headmaster Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Designated Safeguarding Lead Name:** \_\_\_\_\_

**Designated Safeguarding Lead Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_