



## Recruitment Policy & Procedure

### 1. Introduction

Gateways 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 is also committed to providing a supportive and flexible working environment for all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

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

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equitably and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, gender or sexual orientation, marital status, disability or age;
- to ensure compliance with all relevant recommendations and guidance including the Department of Education (DfE) Keeping Children Safe in Education Part Three: Safer Recruitment (2016) and the 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 including Disqualification by Association, Prohibition from Teaching and Prohibition from Management where relevant;
- to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by ensuring that all visiting speakers are appropriately trained and supervised while on school premises.

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

## 2. Recruitment & Selection Procedure

All applicants for employment will be required to complete an **application form** containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. A curriculum vitae will not be accepted in place of the completed application form.

The applicant may then be invited to attend a **formal interview** at which his/her relevant skills and experience will be discussed in more detail.

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;
- the receipt of two satisfactory references (one of which must be from the applicant's most recent employer) which the School considers satisfactory;
- the receipt of an enhanced disclosure from the Disclosure and Barring Service (DBS) with which the School is satisfied, and
- receipt of a satisfactory medical questionnaire.

If the offer is accepted and the above conditions are satisfied, the applicant will be issued with a **contract of employment** as confirmation of employment.

## 3. Pre-employment Checks

In accordance with the recommendations of the DfE in Keeping Children Safe in Education the School carries out a number of pre-employment checks (see Appendix C for example form) in respect of all prospective employees.

### 3.1 Verification of Identity and Address

All applicants who are invited to an interview will be required to bring the following evidence of identity, address and qualifications:-

- current driving licence (including photograph) or passport or full birth certificate; and
- two utility bills or statements (from different sources) showing their name and home address; and
- documentation confirming their National Insurance Number (P45, P60 or National Insurance Card); and
- documents confirming any educational and professional qualifications referred to in their application form.

Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

### 3.2 References

All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

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

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

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

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

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

Due to the nature of the work, the School applies for criminal record certificates from the Disclosure and Barring Service (DBS) in respect of all prospective staff members, governors and volunteers. See Appendix A for flowchart of criminal record checks and barred list checks.

There are three types of check that may be requested from the DBS depending on the nature of the position:

- **Standard disclosure** - this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC), regardless or not of whether they are spent under the Rehabilitation of Offenders Act 1974. The law allows for certain old and minor matters to be filtered out.

- **Enhanced disclosure** – this provides the same information as a standard check, plus any additional information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed; and
- **Enhanced with barred list check** – where people are working or seeking to work in regulated activity (see Appendix B for definition) with children, this allows for additional checks to be made as to whether the person appears on the children’s barred list.

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

Applicants will also be asked to self-declare that they are not disqualified by association where this is relevant to the position.

Once the DBS checks are complete, the DBS will send a certificate to the applicant. The applicant must show the original DBS certificate to their potential employer before they take up post or as soon as practicable afterwards.

If an individual is required to start work in regulated activity prior to the DBS certificate being available, the School will ensure that the individual is appropriately supervised with a risk assessment in place and that all other checks, including a separate barred list check, have been completed.

The School expects supply/temporary worker agencies/contractors that are used by the School to register with the DBS on their own account and to follow their policy or their own comparable policy. Proof of registration will be required before the School will commission services from any such organisation.

Before using a member of staff supplied by an agency, the School will check with the relevant supply agency that the required checks have been carried out to the extent relevant to that person: identity, enhanced disclosure, right to work in the UK, barred list/List 99, prohibition, qualifications, overseas checks, disqualification under the Childcare Act 2006, two satisfactory written references, a declaration of medical fitness and have verified the previous employment history. The school will carry out its own identity check and will have sight of each disclosure certificate, whether or not it discloses any information.

## 4. Policy on Recruitment of Ex-offenders

### 4.1 Background

The School will not unfairly 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 and ability. If an applicant has a criminal record this will not automatically debar 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 in paragraph 4.2 below.

In view of the fact that all positions within the School will amount to "regulated positions" within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), all applicants for employment must declare all previous convictions (including those which would normally be considered "spent" under the Rehabilitation of Offenders Act 1974). 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. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DfE and the Department of Health 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 a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. 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

it will report the matter to the Police, DBS and/or the DfE Children's Safeguarding Operations Unit (formerly the Teacher's Misconduct Team).

## **4.2 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; 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:-

- against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence;
- against children or adults: 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 within the last ten years.

### **4.3 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 assessment form must be signed by the Director of Finance and the Headmistress of the School before a position is offered.

If an applicant wishes to dispute any information contained in a disclosure, he/she 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.

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

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information.

In particular, the School will:-

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's Leadership Team.
- not retain disclosure information or any associated correspondence for longer than is necessary. In most cases, the School will not retain such information for longer than 6 months although the School will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken.
- ensure that any disclosure information is destroyed by suitably secure means such as shredding;
- prohibit the photocopying or scanning of any disclosure information.

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

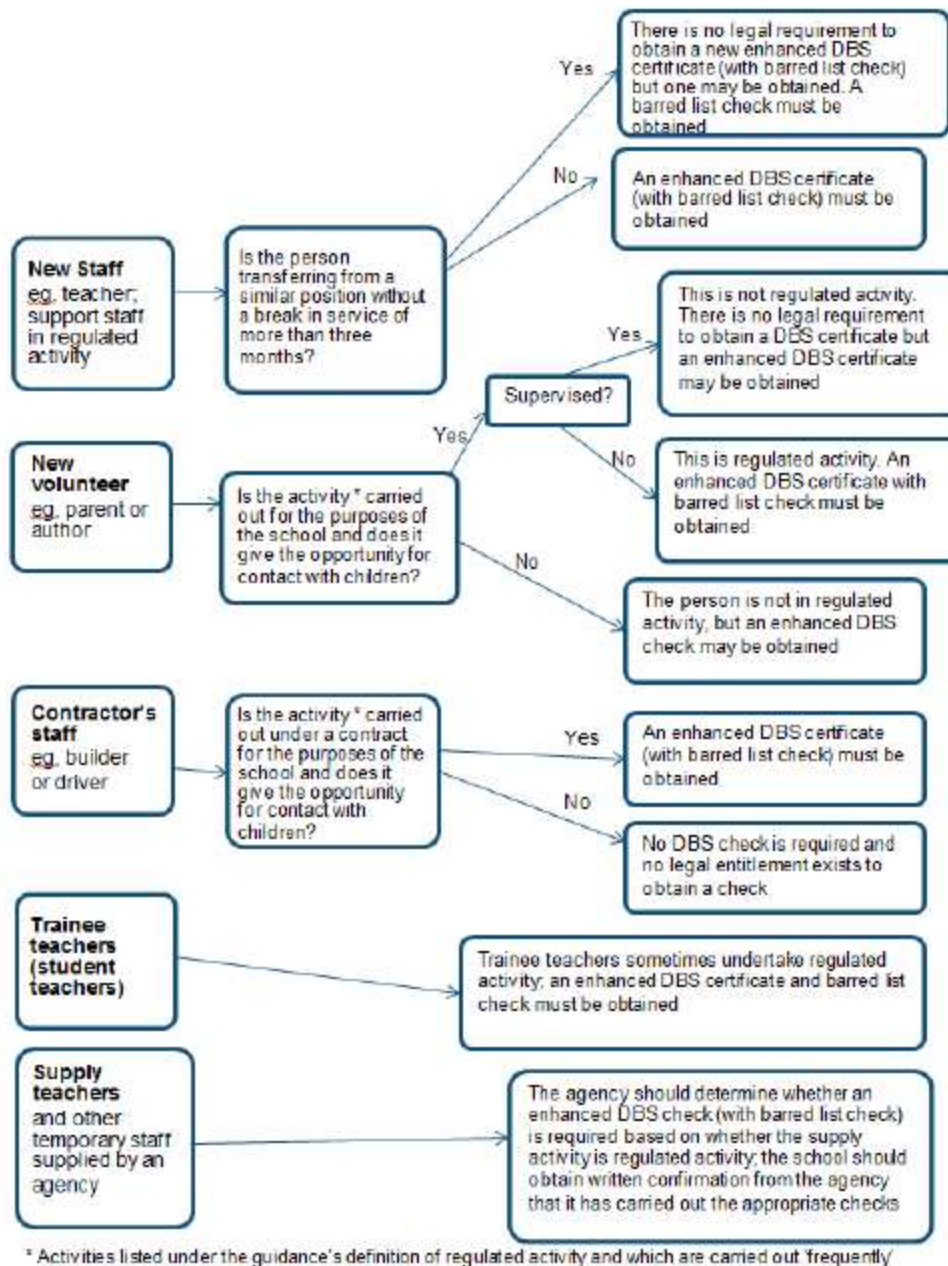
## **5. Retention of Records**

If an applicant is appointed, the School will retain any relevant information provided on their application form (together with any attachments) on their personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months unless the applicant specifically requests the School to keep their details on file.

## **6. Queries**

If an applicant has any queries on how to complete the application form or any other matter they should contact the Head's PA.

## APPENDIX A - FLOWCHART OF DBS CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS



Source: Keeping Children Safe in Education 2016



## APPENDIX B – DEFINITION OF REGULATED ACTIVITY

### Regulated activity

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 a [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 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.<sup>31</sup> Some activities are always regulated activities, regardless of their 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, for reasons of age, illness or disability, with eating or drinking, or in connection with toileting, washing, bathing and dressing;<sup>32</sup>
  - health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

Source: Keeping Children Safe in Education 2016

## APPENDIX C – REGULATORY APPOINTMENT CHECKLIST

### GATEWAYS SCHOOL ~ REGULATORY APPOINTMENT CHECKLIST

CANDIDATE NAME: .....

POST APPLIED FOR: .....

INTERVIEW DATE: .....

START DATE: .....

PRE- APPOINTMENT CHECKS	YES- N/A	DATE	CHECKER	SECOND CHECKER	NOTES
<b>1. <u>Application form completed fully</u></b> <ul style="list-style-type: none"> <li>previous employment history</li> <li>gaps in employment</li> <li>statement to contact any previous employer</li> <li>reasons for leaving employment</li> </ul>					
<b>2. <u>Identity</u></b> <ul style="list-style-type: none"> <li>birth certificate</li> <li>utility bill</li> <li>driving licence</li> <li>passport</li> </ul>					
<b>3. <u>Medical Fitness</u></b> questionnaire completed					
<b>4. <u>Right to work in UK</u></b> <ul style="list-style-type: none"> <li>application form</li> <li>evidence if non EEA country national</li> </ul>					
<b>5. <u>Has applicant lived outside UK?</u></b>					
<b>6. <u>Two satisfactory written references</u></b> <ul style="list-style-type: none"> <li>requested to state if applicant is suitable to work with children</li> <li>one referee must be most recent employer</li> </ul>					
<b>7. <u>Telephone call to verify references.</u></b>					
<b>8. <u>Proof of Qualifications</u></b> (copies taken of originals)					
<b>9. <u>Record of interview.</u></b> <ul style="list-style-type: none"> <li>satisfactory reasons for gaps in employment history</li> <li>responses to safeguarding questions,</li> <li>outcome.</li> </ul>					
<b>10. <u>Enhanced DBS clearance</u></b> <ul style="list-style-type: none"> <li>number + date recorded on register</li> </ul>					
<b>11. <u>List 99/Barred List Check</u></b>					
<b>12. <u>Prohibited List Check/Prohibition from Management Check</u></b>					

<p>13. <u>Written agency confirmation of DBS + other appointment checks</u></p> <ul style="list-style-type: none"> <li>• details of disclosure</li> </ul>					
<p>14. <u>Proof of Public Liability</u> (For Self employed/peripatetic staff)</p>					
<p>15. <u>Undergone Safeguarding Meeting with Deputy Head</u> (All staff)</p>					
<p>16. <u>Above appointment checks are recorded fully on the Centralized Register and evidence stored in Staff files.</u></p>					