



# GATEWAYS SCHOOL

## 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, 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 including colour, nationality, ethnic or national origin, religion or belief, sex, sexual orientation, gender reassignment, pregnancy and maternity, 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 and the code of practice published by the Disclosure and Barring Service (DBS),
- 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 Prohibition from Teaching, Prohibition from Management and Disqualification from Childcare where relevant;
- To ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by ensuring the suitability of any visiting speakers.

Relevant document links:

[Keeping children safe in education 2022](#)

[Guidance for safer working practice for those working with children and young people in education settings \(GSWP\) \(Safer Recruitment Consortium May 2019\)](#)

[Disclosure and barring service](#)

[Regulated activity in relation to children](#)

[Teacher misconduct: the prohibition of teachers 2022](#)

[Disqualification under the Childcare Act 2006](#)

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.

Shortlisted applicants will be invited to attend a **formal interview** at which his/her relevant skills and experience will be discussed in more detail.

Shortlisted applicants will be asked to complete and return a self-disclosure form a minimum of 24 hours prior to interview.

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** written 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 Children's Barred List.
- receipt of a satisfactory medical questionnaire.

## 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;

- their birth certificate, passport and current driving licence (including photograph);
- a utility bill or specified statements showing their current name and home address;
- documentation confirming any change of name by deed poll or any other mechanism (for example. marriage, adoption, statutory declaration); and
- certificates/documents confirming any educational and professional qualifications referred to in their application form.

### **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.

The school will seek to take up references for shortlisted applicants ahead of the interview date, wherever possible. If the candidate does not wish for the school to take up references in advance, they must tick the relevant boxes in the references section of our application form.

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 at interview where possible, and before any appointment is confirmed. The School will verify references with 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 two types of check that may be requested from the DBS depending on the nature of the position:

- **Enhanced DBS check** – this provides the same information about convictions, cautions, reprimands and warnings held on the Police National Computer (PNC) as a Standard DBS check, plus additional information held by police such as interviews and allegations. Additional information will only be disclosed where a Chief Police Officer reasonably believes it to be relevant and considers that it ought to be disclosed.
- **Enhanced DBS check with children’s barred list information** – where people are working or seeking to work in regulated activity relating to children (see Appendix B for definition), this allows an additional check, to be made, about whether the person appears on the children’s barred list, along with a check of the Police National Computer records plus additional information held by police as above.

Once the DBS checks are complete, the DBS will send a certificate to the applicant. The applicant must show the original DBS certificate to the School 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. Risk assessments will be reviewed every 2 weeks.

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 must receive written confirmation from the relevant supply agency that the required checks have been carried out to the extent relevant to that person: identity, enhanced DBS check has, right to work in the UK, barred list, prohibition from teaching, prohibition from management of an independent school, qualifications, overseas checks, two satisfactory references, obtained a declaration of medical fitness, checked previous employment history and checked whether the person is disqualified from childcare under the Childcare Act 2006. The School will carry out its own identity check on arrival to ensure they are the same person on whom checks have been carried out.

If the supply agency has obtained an enhanced DBS before the person is due to begin work at the School, which has ‘disclosed any matter or information’, or any information was provided to the employment business, the School shall obtain a copy of the certificate from the agency. Agencies may operate the ‘three- month rule’. The criminal record certificate shown to the School must be no more than three months old, unless the three-month rule applies.

### **3.4 Suitability checks for applicants who have lived or worked outside the UK**

Applicants who have lived or worked outside the UK must undergo the same checks as all other staff. This includes obtaining an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity) even if the applicant has never been to the UK.

Applicants who have spent a period of 3 months or more overseas in the last 5 years will also be required to obtain an overseas criminal record check. Home Office guidance can be found on [GOV.UK](https://www.gov.uk).

The school will obtain any further checks deemed appropriate to ensure any relevant events that occurred outside the UK can be considered. Following the UK's exit from the EU, the school shall apply the same approach for any applicant who have lived or worked outside the UK regardless of whether or not it was in an EEA country or the rest of the world.

Where available, such evidence will be considered together with information obtained through other pre-appointment checks to help assess staff suitability. Where this information is not available the School will seek alternative methods of checking suitability and/or undertake a risk assessment that supports the informed decision making on whether to proceed with the appointment.

Sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the Schools will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. Further information can be found in DfE Guidance: [Recruit teachers from overseas](#).

## **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 them from employment. Each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 4.2 below.

All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act (1974) (exceptions order 1975) (amended 2013). Applicants who are shortlisted will be required to provide details of any convictions, cautions, reprimands or final warnings as defined by the Rehabilitation of Offenders Act (1974) (exceptions order 1975) (amended 2013). The amendments to the Exceptions order 1975 (amended 2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure when applying for a position at the School. A failure

to disclose a previous conviction relevant to the post they are applying for, may lead to an application being rejected or, if the failure to disclose is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a relevant previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for the School to employ anyone who is barred from working with children and 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 a criminal offence for any person who is barred/disqualified from working with children to attempt to apply for a position within the School. If:

- the School receives an application from a barred/disqualified person;
- is provided with false information in, or in support of an applicant's application;
- the School has serious concerns about an applicant's suitability to work with children

it will report the matter to the Police, the LADO and/or the Disclosure and Barring Service.

## **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 and whether it would be filtered;
- 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:-

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious offence against a child,

terrorism, 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 Head of the School and the Finance Director 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.

### **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 six 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.



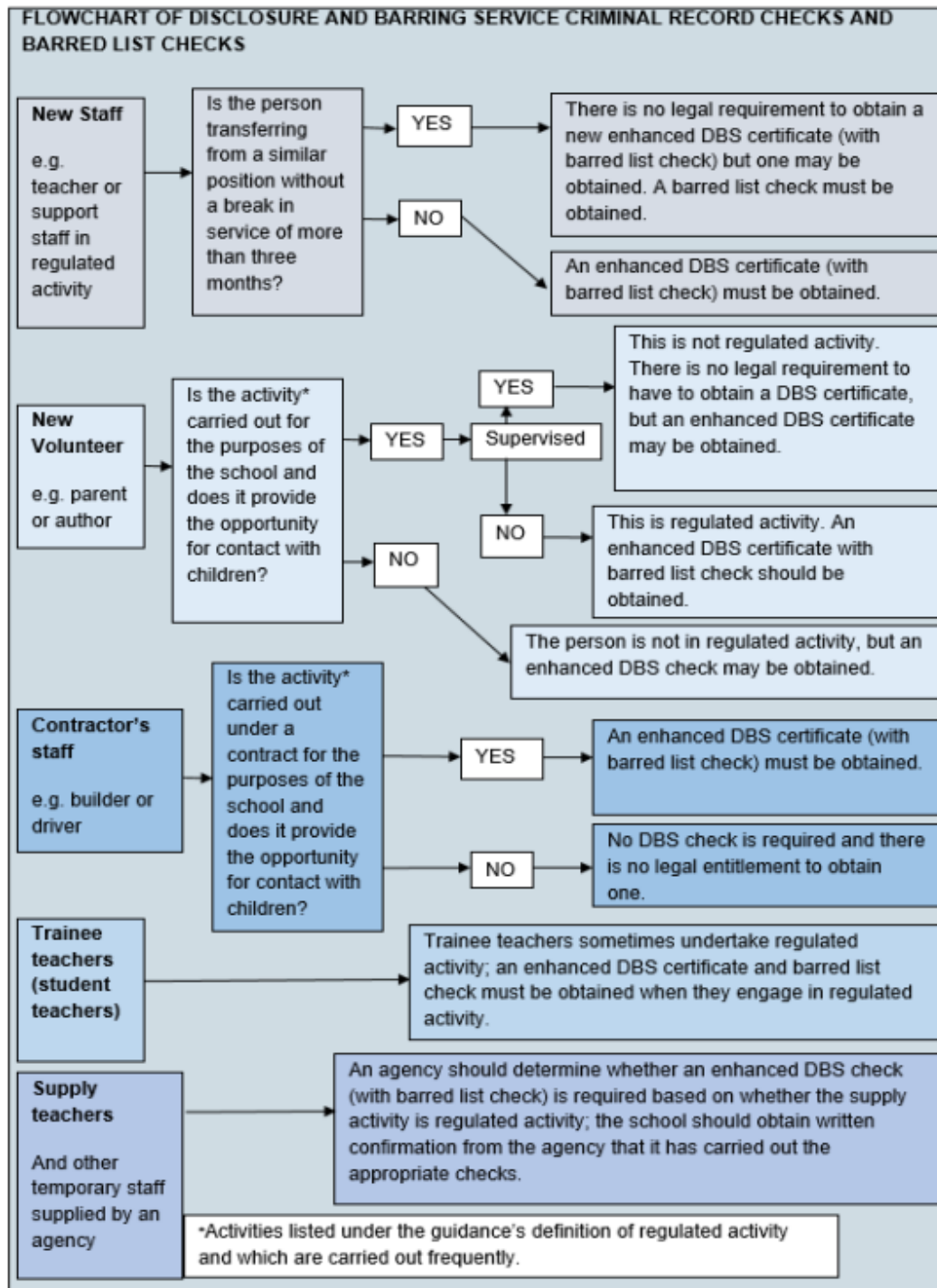
## **5. Retention of Records**

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 be confidentially destroyed after six months unless the applicant specifically requests the School to keep their details on file where they will be kept for one year.

## **6. Queries**

If an applicant has any queries on how to complete the application form or any other matter related the recruitment process 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 2022

## APPENDIX B – DEFINITION OF REGULATED ACTIVITY

The new definition of regulated activity (i.e. work that a barred person must not do) in relation to children comprises, in summary:

- unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;
- work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, childcare premises. Not work by supervised volunteers.

Work is regulated activity only if done regularly.

Refer to [Regulated activity in relation to children](#) for a full and complete definition.

## APPENDIX C – REGULATORY APPOINTMENT CHECKLIST

### Gateways School – Regulatory Appointment Checklist - Employee

Candidate Name: ..... Post Applied For: .....

Interview Date: ..... Start Date: .....

Pre- Appointment Checks	✓ or N/A	Date	Checker	2 <sup>nd</sup> Checker	Notes
1. Application form completed and <b>signed</b>					
2. Identity					
3. Right to work in UK					
4. Proof of qualifications					
5. Record of interview					
6. Medical fitness questionnaire					
7. Two satisfactory written references					
8. Online search					
9. Overseas check					
10. Barred List check					
11. Enhanced DBS clearance					Number: Dated:
12. Disqualification from Childcare					Dated:
13. Prohibition from teaching					
14. Prohibition from management					