



# SAFER RECRUITMENT & SELECTION POLICY

*This policy refers to both Wellington Senior School and Wellington Prep School*

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Date Reviewed	July 2019 (Approved by FGB – August 2019)
Date of Next Review	August 2020
Website	Yes

## **1. Guiding Principles**

Wellington School is committed to ensuring the best possible environment for children and young people and therefore safeguarding and promoting the welfare of students is its highest priority. The School aims to recruit staff that share and understand a commitment to safeguarding and are willing to contribute to the ethos of the School.

This policy aims to ensure that all Wellington School staff appointments are made fairly and transparently with the intention of securing staff of the highest possible quality. Right appointments at all levels will enhance the reputation of the School and make it a rewarding place to work.

## **2. Introduction**

The recruitment process must be rigorous and thorough, but candidates can expect to be treated fairly and judgements will be based on relevant and transparent criteria. The School will ensure that no applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

For teaching and teaching support posts, the final decision on all appointments is made by the Headmaster or Prep School Headmaster (whichever is relevant). For non-teaching support staff, the final decision is made by the Bursar. The Director of Music has delegated responsibility for recruiting visiting music teachers.

Headteachers (Senior School and Prep School) and the Bursar are appointed by the Governing Body.

All queries on the School's Application Form and recruitment process must be directed to the HR Manager.

An entry will be made on the Single Central Register for all current members of staff at the School, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

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

## **3. Scope of this Policy**

The Safer Recruitment and Selection Policy herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2010, 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.*

In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks or in some cases will elect to undertake its own checks. The School conducts identity checks on agency and contract workers on arrival in school and, in the case of agency workers, the School must be provided with a copy of the DBS check for such staff.

Any staff who TUPE transfer into the School's staff, will be required to undertake the statutory requirements with regard to safer recruitment checks.

#### **4. Advertisements**

All substantive roles will be advertised internally as a minimum by posting details on noticeboards in key buildings around the School. The Headmaster or Bursar may reserve the right to allocate additional responsibilities to existing staff at their discretion. Details of roles advertised externally will be posted on the School's website and Facebook page as well as in relevant publications.

All adverts meet the safer recruitment guidelines of referencing that all staff will need to undertake DBS and other child protection checks.

#### **5. Application Form**

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms but should be submitted alongside the Application Form and accompanied by a covering letter.

The School will make candidates 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. Candidates for employed posts will receive a Job Description for the role applied for.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen by the HR Manager. The envelope will be resealed and kept on file for consideration by the HR Manager in the event of the applicant applying for another position or additional responsibilities in the future. If candidates would like to discuss this beforehand, they are asked to telephone the HR Manager in confidence for advice. The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position.

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 has a continuing duty to notify the HR Manager immediately. Any unspent convictions, cautions, court orders, reprimands or warnings must be disclosed to the HR Manager. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service (“DBS”) for the position. Additionally, successful applicants should be aware that they are required to notify the school immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

The Disqualification under the Childcare Act 2006 (Regulations July 2018) apply to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

Staff and/or successful candidates who are disqualified from childcare or registration, may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the HR Manager for more details.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have ‘due regard to the need to prevent people from being drawn into terrorism’. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made 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".

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure. Please note that where an allegation was proven to be false, unsubstantiated, unfounded or malicious, it should not be included in an employer reference. A history of repeated concerns or allegations which have all been found to be unsubstantiated, unfounded or malicious should also not be included in any reference.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.

## 6. Invitation to Interview

The School will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview day at which his/her relevant skills and experience will be considered in more detail.

The School will use a variety of methods to select the best candidate. For teaching staff, this could involve methods such as observing lessons, a formal interview or technical testing. The selection process will involve at least 3 people chaired by the Head/Bursar or another designated senior member of staff. At least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and all candidates will be assessed as to their suitability to work with children and their knowledge of safeguarding and child protection.

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:

1. Two of the following: a current driving licence including a photograph or a passport or a full birth certificate;
2. A utility bill or financial statement issued within the last 3 months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK.

**Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.**

Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements needed to assist them in attending or participating in the interview process.

## 7. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least 2 satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;

4. For a candidate to be employed as a teacher, a check that that the candidate is not subject to a prohibition order issued by the Secretary of State or from January 2016, any restrictions imposed by other EEA authorities. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
  - Planning and preparing lessons and courses for pupils
  - Delivering and preparing lessons to pupils
  - Assessing the development, progress and attainment of pupils
  - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999);
7. Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered; and
8. Satisfactory medical fitness.
9. Where appropriate, confirmation that you are not disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (July 2018) **OR** Receipt of a signed Staff Suitability Declaration form showing that you are not disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (July 2018).
10. Where the successful candidate will be taking part in the management of the School, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department; and
11. For a candidate that has lived or worked outside the UK, an EEA check using the TRA system for information about any teacher sanction or restriction.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence. This information will be reviewed against the Job Description for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, co-curricular activities, layout of 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.

## **8. References**

For teaching roles, the School will seek the references referred to in section 6 above for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

For non-teaching roles, the School will seek the references referred to in section 6 above for the successful candidate, upon an offer being made and accepted.

The School will ask all referees if the candidate is suitable to work with children.

All references must be in writing. Telephone references will always be followed up with a request for a written response. Checks will be made to ensure that electronic references are from a legitimate source. In the case of vague or incomplete references appropriate follow ups will be made either in writing or via telephone.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

Internal candidates must provide references before interview and such references must be from a senior person with appropriate authority (not simply a colleague).

## **9. Criminal Records Policy**

The School will refer to the Department for Education ("DfE") document, *'Keeping Children Safe in Education'* and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request [or accessed here:

<https://www.gov.uk/government/publications/dbs-code-of-practice>.

There are limited circumstances where the school will accept a check from another educational institution which are as follows:

This is where the new member of staff ("M") has worked in: –

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

during a period, which ended not more than three months before M's appointment.

In these circumstances the school may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

### **DBS Update Service**

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the School to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

### **If disclosure is delayed**

A short period of work is allowed under controlled conditions, at the Head or Bursar's discretion. However, if an 'enhanced disclosure' is delayed, a Head may allow the member of staff to commence work:

- Without confirming the appointment;

- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate risk assessment and safeguards undertaken (for example, the individual is never left unsupervised);
- Risk Assessment and Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;
- The person in question is informed what these safeguards are;
- A note is added to the single central register and evidence kept of the measures put in place.

## **10. Retention and Security of Records**

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. Copies of DBS certificates will not be retained.

## **11. The 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 Childcare (Disqualification) Regulations 2009, whether by association, or otherwise.

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;

- 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.