

RECRUITMENT, SELECTION & DISCLOSURE

POLICY NO. 56

1. Introduction

Philpots Manor 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 to 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, sex or sexual orientation, marital status, disability or age;
- to ensure compliance with all relevant recommendations and guidance including the recommendations of the Department for Education and Skills (DfES) in "Safeguarding Children: Safer Recruitment and Selection in Education Settings" and the code of practice published by the Criminal Records Bureau (CRB);
- 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.

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.

Applicants will receive a job description and person specification for the role applied for.

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. The recruitment panel must include a person who has completed the NCSL training or equivalent.

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; and
- the receipt of an Enhanced Disclosure from the Criminal Records Bureau with which the School is satisfied.

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 DfES in "Safeguarding Children: Safer Recruitment and Selection in Education Settings" the School carries out a number of pre-employment checks 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 written offer of a job is made.

3.3 Criminal records check

Due to the nature of the work, the School applies for enhanced criminal record certificates from the Criminal Records Bureau (CRB) in respect of all prospective staff members, governors and volunteers. Enhanced disclosure are required for posts involving greater contact with children or vulnerable adults, including regularly caring for, training, teaching, supervising or being in sole charge of such people.

A standard disclosure will contain details of all convictions on record including current and spent convictions (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. If the individual is applying for a position working with children or young adults, the standard disclosure will also reveal whether he/she is barred from working with children or vulnerable adults by virtue his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DfES and the Department of Health.

An enhanced disclosure will contain the same details as a standard disclosure. It may also contain non-conviction information from local police records which 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 the equivalent of a disclosure, if one is available in the relevant jurisdiction(s).

The School expects supply/temporary worker agencies/contractors that are used by the School to register with the CRB on their own account and to follow their policy or

their own comparable policy. For further information on how to deal with visitors to the school, please refer to Policy No. 20 – Regulating & Vetting Visitors.

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 DfES 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, CRB and/or the DfES 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:-

- 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 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 Chairman of the Management Group and the Education Co-ordinator 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 CRB 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 CRB on the use of disclosure information.

In particular, the School will:-

- store disclosure information and other confidential documents issued by the CRB in locked, non-portable storage containers, access to which will be restricted to those persons who need to have access to it in the course of their duties.
- 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 CRB 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 CRB 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 either the Education Co-ordinator or the Care Co-ordinator.