



Recruitment, Selection and Disclosures Policy

This is a whole school policy including Early Years Foundation Stage (EYFS). It is written with due regard to the following:

- *Keeping Children Safe in Education (KCSIE) – September 2016*
- *Working Together to Safeguard Children 2015 – March 2015*

Introduction

Rookwood School is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the School's Application Form and recruitment process must be directed to Mrs Sophie Tetley, HR Advisor.

The scope of this policy

The Recruitment, Selection and Disclosures Policy and Procedure 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 will obtain written confirmation from the agency or company that it has carried out the appropriate checks.

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

Application Form

The School will only accept applications from candidates completing the School's Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

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 and Person Specification for the role applied for.

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 and then destroyed by the Head, Bursar or HR Advisor. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the HR Advisor for advice.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. 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.

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.

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.

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.

Disqualification by association

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.

Those who are applying to work within our EYFS setting (Rookery) or applying to work within our afterschool activities for pupils up to the age of eight years old, will also be required to advise the School if they or others in their household are 'disqualified'. People applying to SLT posts may also be required to advise the school if their role demands it with regard to Disqualification under the Childcare Act 2006.

The grounds for disqualification are not only that a person is barred from working with children (included on the children's barred list) but also include, in summary that:

- They have been cautioned for, convicted of or charged with certain violent and sexual criminal offences against children and adults, at home or abroad
- Other orders have been made against them relating to their care of children
- They have had their registration cancelled in relation to childcare or children's homes or have been disqualified from private fostering
- They are living in the same household where another person who is disqualified lives.

Disqualification occurs as soon as the above criteria are met, for example, as soon as a caution or conviction occurs, even before the person is formally included on the children's barred list. Relevant convictions are not considered 'spent' in this connection. The disqualification by association rule and advice applies to employees only, not to volunteers and trustees.

Rookwood will require all staff working in EYFS setting (Rookery) and with our afterschool activities for pupils up to the age of eight years old the early years and those directly involved in the management of such provision to provide the same information about themselves or a person who lives or works in the same household as them to complete an annual self-declaration form.

Section 128 directions – Management positions

Rookwood is required to check all staff appointed to management positions after 12 August 2015 to ensure they are not prohibited from the management of independent schools directions (also known as section 128 directions). This check will be carried out at the same time as the DBS check for those appointed to the following positions:

- Headteacher
- Deputy Headteacher
- Head of the Senior School
- Head of Prep
- Head of Pre-Prep
- Bursar

No individual will be able to commence work at Rookwood School until this information has been provided and recorded as part of the pre-employment checks for new employees.

Invitation to interview

The School will short list 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 at which his/her relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least two 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 Trustees should chair the panel for the 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 of the panel shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children.

Written notes of the interview will be retained on file for a period of six months for those candidates who are unsuccessful. The notes of the successful candidate will be retained on their personnel file.

All candidates invited to interview must bring original documents confirming any educational and professional qualifications that are necessary or relevant for the post. Where originals are not available for the successful candidate, certified copies must be provided or 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. 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 three 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 to assist them in attending the interview.

Conditional offer of appointment: Pre-appointment checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications;
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;
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. For those applying to work with EYFS and After School clubs for up to 8 year olds – a completed form, Disqualification by Association.
10. Verifying the candidate's right to work in the UK.

It is generally the School's policy that no-one will be able to start work until a satisfactory DBS check has been completed and seen. The only person who can make an exception to this is the Head teacher. If the Head teacher allows an individual to start before their DBS has been seen, it is essential that the individual has been checked against the children's barred list. Such individuals will not be allowed unsupervised access to pupils at any time until their satisfactory DBS clearance has been seen.

It is the School's practice that a successful candidate must complete and sign a health declaration. The School will then hold the information contained in the questionnaire in strictest confidence. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-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.

References

The School will seek the references referred to in section 5 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.

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

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.

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

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 for longer than 6 months.

Rookwood School's policy on 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 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; 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.

Any questions relating to this policy should be referred to the HR Advisor in the first instance.