



## **DRAGON SCHOOL SAFER RECRUITMENT POLICY**

**For further information please contact:** HR Manager

**Last Reviewed:** April 2017

### **Introduction**

This policy applies to all sections of the school including the EYFS.

The Dragon School is committed to safeguarding and promoting the welfare of children and expects all staff and volunteers to share this commitment. This Recruitment Policy draws on and supports the School's Safeguarding Children Policy. It also forms a key part of the School's suite of HR policies. The School's recruitment policy and process derive from, and comply with, 3 complementary sets of legislation and guidance:

- Keeping Children Safe in Education (September 2016)
- Boarding Schools National Minimum Standards NMS April 2015
- The Education (Independent Schools Standard) Regulations Sept 2014

### **Primacy:**

The more onerous requirements of NMS 14 must be adhered to when recruiting all staff who work with boarders after the normal daily curriculum programme finishes. Satisfactory DBS disclosures must be received for all new staff who fall into this category before they are allowed to begin work. For all others, the Headmaster may authorise a new member of staff to start work prior to receipt of a satisfactory DBS disclosure providing that a satisfactory Barred check has been completed, and a risk assessment has been conducted with satisfactory measures put in place to supervise the new member.

### **Associated Policies:**

The policy applies across the range of employment policies and practice, including those relating to:

1. Equal Opportunities
2. Code of Conduct
3. Safeguarding
4. Harassment and Bullying in the work place
5. Disciplinary and Grievance

## **AIMS AND OBJECTIVES**

The aim of the Safer Recruitment policy is to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The School has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the School based on the applicant's abilities, qualification, experience and merit as measured against the job description and person specification.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation.

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

This policy objectives are to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at The Dragon School.

Throughout your employment at the school, all staff are expected to disclose any convictions, cautions, court orders reprimands and warnings which may affect their suitability to work with children (whether received before or during their employment at the school).

## **ROLES AND RESPONSIBILITIES**

It is the responsibility of the governing body to:

- Ensure the School has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements.
- Monitor the School's compliance with them.

It is the responsibility of the Headmaster, Bursar and other Managers involved in recruitment to:

- Ensure that the School operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the School.
- To monitor contractors' and agencies' compliance with this document.
- Promote welfare of children and young people at every stage of the procedure.

In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the Headmaster (teaching staff) and Bursar (support staff) to lead in all appointments. School governors may be involved in staff appointments but the final decision will rest with the Headmaster / Bursar.

## **VOLUNTEERS**

As a volunteer you may be required to apply for the Disclosure and Barring Service (DBS) check. Usually this will be when you are volunteering for an opportunity that requires working in regulated activity (i.e. frequent or regular and unsupervised) or providing personal care. This is government run service that checks whether you have a Criminal Record or are on the DBS Barred List. The DBS barred list holds the names of people that the Disclosure and Barring Service have deemed unfit to work or volunteer with children or adults (There is a separate list for adults and children). The School will determine the level of checks required according to their role.

## **SUPPLY AGENCY STAFF**

When the School uses agency or supply staff we are required by the Education Regulations 2010 to obtain confirmation in writing from the agency that all checks required before anyone may work in a school have been completed. Agencies are required to comply with the Conduct of Employment Agencies and Employment Businesses Regulations 2003 (the Conduct Regulations), which in turn require agencies to make all reasonable enquires to ensure that the interests of the School would not be harmed if an individual is provided by the agency to work at the School. All checks must be received before the start of employment and that an ID check will be carried out on the first day of arrival.

## **RECRUITMENT AND SELECTION PROCEDURE**

### **Advertising**

To ensure equality of opportunity, the School will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.

Any advertisement will make clear the School's commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

### **Application Forms**

The Dragon School uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition

all applicants are required to account for any gaps or discrepancies in employment history).

The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CV' will not be accepted.

All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and possible referral to the police and other professional regulatory bodies (eg. National College for Teaching and Leadership; Disclosure and Barring Service).

For Teachers, a handwritten cover note must be scanned and attached to the application process.

### **Job Descriptions and Person Specifications**

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

### **References**

References for short listed applicants will be requested in advance of an interview. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and prior to any formal offer of employment being made. Two (three for support staff) professional/character references must be provided. These will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions. Any discrepancies or anomalies will be followed up. Direct contact by phone or face-to-face will be undertaken with each referee to verify the reference.

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. 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". In doing so the school will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

*“Extremism” is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations.”*

The School does not accept open references, testimonials or references from relatives.

## **Interviews**

There will be a face-to-face interview wherever possible, and the same panel will see all the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with the Safer Recruitment Training).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

## **Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status**

All applicants invited to attend an interview at the School will be required to bring at least 3 identification documents as proof of address/ identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations. ID documents such as:

- Valid Passport
- Current Valid Driving Licence (both parts)
- Marriage Certificate
- Birth Certificate
- Utility Bill/Landline Phone Bill (issued within the last 3 months)
- Bank/Building Society Statement (issued within the last 3 months)
- Credit Card Statement (issued within the last 3 months)

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

Original document will only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed following at the end of the recruitment programme.

## **OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS**

The appointment of all new employees is subject to the receipt of all checks returned back satisfactory such as DBS Certificate, Barred List (and all other required checks specific to the role). A personal file checklist will be used to track and audit paperwork obtained in accordance with the Safer Recruitment Training. The checklist will be retained on personal files. The Human Resources Department will contact the appointing Manager to confirm that all paperwork has been received and a start date can be agreed.

**PLEASE NOTE THAT IF THE DBS CERTIFICATE DOES NOT ARRIVE BEFORE YOUR ANTICIPATED FIRST DAY OF EMPLOYMENT, WE MAY MODIFY YOUR START DATE TO THE DATE OF WHEN WE ARE ABLE TO VERIFY YOUR DBS CERTIFICATE.**

**All checks must be completed to the school's satisfaction before commencement of employment.**

### **The Rehabilitation of Offenders Act 1974**

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying for any position at The Dragon School.

### **DBS (Disclosure and Barring Service) Certificate (formerly known as CRB Disclosure)**

All staff at The Dragon School requires an enhanced DBS Certificate and therefore a DBS Certificate must be obtained before the commencement of employment of any new employee.

It is the School's policy to re-check employee's DBS Certificates every three years and in addition any employee that takes leave for more than three months (e.g. career breaks etc.) must be re-checked before they return back to work.

Members of staff at The Dragon School are aware of their obligation to inform the Bursar or HR Department of any cautions or convictions that arise between these checks taking place.

All new staff are required to sign up to the portable DBS Update Service.

## **Portability of DBS Certificates Checks**

The DBS code of Practice, the Independent Boarding School Association and OFSTED does not facilitate portability of DBS Certificate checks unless the applicant has registered to the DBS Update Service. For clarity portability refers to the re-use of a DBS Certificate obtained for a position in one organisation and later used for another position in another organisation. The Dragon School is committed to adhering to these Codes of Practice and does not accept DBS Certificates carried out by another organisation unless they are registered with the DBS Update Service.

## **European Economic Area (EEA) Checks**

In addition to other, current recruitment checks for candidates from overseas, schools must now check whether individuals from countries in the EEA who will be carrying out teaching work (including peripatetic and coaching), are subject to a sanction or restriction imposed by another EEA professional regulating authority for teachers. The check is carried out using the NCTL Teachers Services system.

## **Barred List (Formerly Known as List 99)**

Before starting work all new staff will be checked against the barred list.

A list maintained by the Disclosure and Barring Service (formerly the Independent Safeguarding Authority) are of individuals who are barred from working with children. The children's barred list replaces:

- List 99 (individuals barred from working in education under section 142 of the Education Act 2002)
- Protection of Children Act list (PoCA)
- Disqualification orders operated by the criminal justice system.

It is illegal for schools to employ anyone who is on the list.

## **Prohibition List**

All teachers will be checked on the DfE Secure Prohibition list for the following:

- Those that have been prohibited from teaching
- Those that have failed to successfully complete their induction or probation period
- Those that may be the subject of a suspension or conditional order imposed by the General Teaching Council for England (prior to abolition) that is still current

A prohibition order aims to protect pupils and to maintain public confidence in the profession.

## **Prohibition from Management Check**

All Head teachers, staff on the senior leadership team and teaching positions with departmental headship will be subject to s128 direction. This means that the School will use both the DBS and Prohibition List of checking when making appointment for any staff in a management position which involves regulated activity (which encompasses all teaching posts above classroom teacher, and all ancillary posts where the person is a member of the senior leadership team).

### **Staff Suitability Declaration Form (EYFS Only)**

The DfE *Keeping Children Safe in Education*, requires schools to ensure that all staff working or directly concerned in the management of Early Years setting (children aged 0-5 years), including reception and out-of-hours school care for children up to eight years of age are not “disqualified”.

Additionally, crucially any individuals living in the households of staff members, are also not disqualified themselves. 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 or charged with certain violent and sexual criminal offences against children and adults, at home and 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.

If a staff member has grounds for disqualification and is disqualified, you may, in some circumstances, apply to Ofsted for a decision to waive the disqualification. For more information on disqualification please visit the following website:

<http://www.ofsted.gov.uk/resources/applying-waive-disqualification-early-years-and-childcare-providers>

### **Dealing with convictions**

The school operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;
- one-off or history of offences;
- changes in circumstances,
- decriminalisation and remorse.



A formal meeting will take place face-to-face to establish the facts with the Human Resources Manager. A decision will be made following this meeting.

### **Medical Fitness**

There are certain questions the Dragon School may ask at an interview stage to determine whether applicants can undertake a function which is intrinsic to the job.

Anyone appointed to a post involving regular contact with children must possess the appropriate level of physical and mental fitness before any appointment offer is confirmed. All successful applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required.

### **Overseas checks**

All new employees where persons have lived outside the UK are subject to additional checks in accordance with Immigration, Asylum and Nationality Act 2006. The School, in accordance with the UK Border Agency Code of Practice, will sponsor all new foreign members of staff.

### **Induction Programme**

All new employees will be given an induction programme which will clearly identify the School policies and procedures, including the Safe Guarding Policy, and make clear the expectation and codes of conduct which will govern how staff carries out their roles and responsibilities.

### **Centralised Register of Members of Staff**

In addition to the various staff records kept in School and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the DfE requirements. This is kept up-to-date and retained by the Human Resources Department. The Centralised Register will contain details of the following staff:-

- 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. The following staff are included:
  - Teachers, peripatetic teachers and coaches, part-time staff, students, administrative staff, caretakers and other ancillary staff, staff appointed from overseas, pupils paid to work at the school (for example as after-school carers)

### **Record Retention / Data Protection**

The Dragon School will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be destroyed (ie: shredded). The 6 month

retention period is in accordance with the Data Protection Act 1998 and will also allow the School to deal with any data access requests, recruitment complaints or to respond to any complaints made to a Employment Tribunal.

All information retained on employees is kept centrally in the Human Resources Office in a locked and secure cabinet.

### **Ongoing Employment**

The Dragon School recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. The School will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

### **Leaving Employment at The Dragon School**

Despite the best efforts to recruit safely there will be occasions when allegations of abuse against children and young people are raised. In cases relating to the behaviour of an employee (these behaviours are within the context of four categories of abuse (ie: physical, sexual and emotional and neglect) the School's Disciplinary Policy will apply.

In cases of dismissal (or resignation) due to the above behaviour, The Dragon School will consider a referral to NCTL and the Children's Safeguarding Unit of the circumstances why the employee is leaving the Dragon's employment.

### **Monitoring and Evaluation**

The Bursar and Human Resources Manager will be responsible for ensuring that this policy is monitored and evaluated throughout the School. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit which will be presented to the Headmaster / Bursar to report to the governing body.