



# 18a Foundation Safer Recruitment Policy



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## **1.1 Introduction**

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. University College School (Senior School, Junior Branch and Pre-Prep) is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the School expects all staff and all volunteers to share this commitment.

In line with recent legislation including the Children Act 2004, Keeping Children Safe in Education September 2018, The Independent Schools Standards Regulations 2014 (Standards 4, 4A, 4B, 4C), and the Safeguarding Vulnerable Groups Act 2006 the School takes very seriously its duty of care for all pupils. This includes all positions relating to the EYFS. In order to help safeguard and promote the welfare of all its pupils the school is committed to thorough and consistent safer recruitment procedures.

Similar checks apply to employment agencies, contractors (including self-employed contractors) and are also covered in this policy.

## **1.2 Aims and Objectives**

The aim of the Safer Recruitment Policy is to help deter, reject or identify people who might harm pupils or are otherwise unsuited to working or volunteering with them by having appropriate procedures for appointing staff and volunteers

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 is designed to 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, including the Equality Act (2010) and the requirement to make reasonable adjustments for a candidate with a disability to take up their appointment.

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

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

## **2 Roles and Responsibilities**

It is the responsibility of the Council of University College School 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 Head Teachers, Director of Finance and Operations, The Human Resources Department and any 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 work at the school;
- monitor contractors' and agencies' compliance with this document; including the following:
  - Contractors including self-employed contractors
  - Employment agencies
  - Governors
  - Parent helpers and volunteers
- promote welfare of children and young people at every stage of the procedure.

The Council of University College School has delegated responsibility to the Headmaster and Vice Master (Senior School), Headmaster (Junior Branch) and Headmistress (Pre-Prep) and the Director of Finance and Operations to lead in all appointments. Members of Council may be involved in staff appointments but the final decision will rest with the Senior Managers above. This responsibility includes authorisation to recruit to existing roles.

Where a new academic role is created, this will need to be agreed by at least the Headmaster/Headmistress of the relevant school and the Headmaster of the Senior School and for additional support staff, the Director of Finance and Operations and the Headmaster of the Senior School. Established headcounts will be planned for on a yearly basis through the Finance and General Purposes Committee (F&GPC). Any additional roles not planned for will be reported to the F&GPC

## **3 Definition of Regulated Activity and Frequency**

Regulated activity for children is unsupervised activities on a frequent basis, for example, teaching, training, care or supervision, advice or guidance on wellbeing or driving a vehicle with children as passengers.

Frequent is once a week or more on an ongoing basis, or four or more times in a single month or overnight.

## **4 Recruitment and Selection Procedure**

When a vacancy arises, the relevant Head Teacher or Director of Finance and Operations will consider whether recruitment is necessary or whether alternative arrangements can be made.

If recruiting, either internally, externally or both, the manager responsible for the recruitment must review and revise the existing job description. He/she may ask the HR Department for support in this.

The HR Department is responsible for placing of advertisements, managing advertising deadlines and costs, as well as for the use of third parties such as media booking agencies and recruitment agencies and consultants.

#### **4.1 Advertising**

To ensure equality of opportunity, the School will advertise all vacancies to encourage as wide a field of applicants as possible; normally this will entail 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 General Data Protection Regulations 2018.

#### **4.2 Application Forms**

University College School uses its own application forms 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. Applicants may submit a CV if they wish, but a CV will not be accepted in lieu of an application form.

All applicants will be made aware that providing false information may be a criminal 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: DBS, TRA).

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

The job description is a key document in the recruitment process, and will 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 role. A 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. The job description and person specification may be subsumed into a single document.

#### **4.4 References**

References for shortlisted applicants will be sent for immediately after shortlisting. 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 successful candidate being permitted to start work.

Two 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. One of the references provided must be from the current or most recent employer. Where neither the applicant's current nor previous employment has involved working with children, referees will still be asked about their suitability to work with children. In this instance, however, they may where appropriate answer 'not applicable' if the candidate's duties have not brought them into contact with children or young persons. Direct contact by telephone or face-to-face may be undertaken with a referee to verify the reference.

Health or sickness related questions will only be asked once a conditional offer has been made.

The School does not accept open references, testimonials or references from relatives. The source of electronic references will be verified by UCS. Information provided by candidates will be verified with referees. Staff will not be permitted to start work until at least two satisfactory references have been received by the school.

#### **4.5 Interviews**

Shortlisting of candidates will be undertaken by the relevant recruiting manager and other panel members, which may include a member of HR Department. The decision to invite a candidate to interview will be based on the information supplied in the application form and the degree to which the candidate meets the requirements set out in the person specification for the role.

Applicants, when invited to interview, will be asked if they require any reasonable adjustments for any part of the interview process.

There will be a face-to-face interview, and (normally) 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 that have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria.

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.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Only original documents will be accepted and photocopies will be taken. Unsuccessful applicants' documents will be shredded following at the end of the recruitment programme.

Interview expenses will normally be met by the candidate. However, the Head Teacher or Head of HR may choose to reimburse some of a candidate's expenses.

#### **4.6 Offer of Appointment and New Employee Process**

The appointment of all new employees is subject to the following checks being carried out to the School's satisfaction.

- An Enhanced DBS Check
- A check of the DBS Children's Barred List
- ID check
- Confirmation of right to work in the UK
- 2 satisfactory references
- Medical check
- Proof of qualifications
- If the applicant has worked outside the UK in the preceding 5 years an overseas police check
- A check of the DFE Sanction list (including EEA sanctions) for teaching staff
- A check of the prohibition from management list for management positions

The pre-employment checks that are carried out will be recorded on the UCS Single Central Record (SCR) by the HR Department (see section 9).

It is not always possible to obtain an enhanced DBS certificate in the required timeframe. So long as the DBS process is underway and all other pre-employment checks have been completed (including a separate Children's Barred List check) a new starter may be permitted to start work under supervision. The HR Department will determine whether or not this is appropriate. In all cases there must be a risk assessment completed setting out what supervision will be in place. The risk assessment must be signed by the new starter and at:

- the Senior School – the Vice Master
- the Junior Branch – the Headmaster
- the Pre-Prep – the Headmistress

on the first day of work. Appropriate supervision will reflect what is known about the person concerned, their experience and the nature of their duties and the level of responsibility they will carry. The completed risk assessment form will be placed in the individual's personnel file in the HR Department and will be reviewed fortnightly until the DBS certificate is received.

**No new starter will be permitted to start work until the recruitment manager has received written confirmation from the HR Department that all the required pre-employment checks have been completed.**

## **5 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 in line with current guidance when applying for any position at University College School.

## **6 Checks on Applicants**

### **6.1 Disclosure and Barring Service Certificate**

The DBS (Disclosure and Barring Service) Certificate was formerly known as CRB Disclosure. All staff at University College School require an enhanced DBS Certificate with a check of the Childrens barred list, which must be obtained before the commencement of employment of any new employee and must be no older three months prior to their first date of employment.

The School reserves the right to request updated DBS Certificates. This extends to any employee that takes leave (paid or unpaid) for a period more than three months and would need to take place before any return to work.

Members of staff at University College School are aware of their obligation to inform the Head Teacher, Director of Finance and Operations or the HR Department of any cautions or convictions that arise between these checks taking place.

### **6.2 Portability of DBS Certificates**

Members of staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the service if their check was issued after 17 June 2013, for a fee of £13 per annum, which is payable by the applicant.

### **6.3 Copies of DBS Certificates**

The DBS no longer issues Disclosure Certificates to employers; therefore, employees/applicants should bring their original certificate to the Human Resources Department in the Bursary (for employees, within 7 days of issue or applicants before they commence work or any project involving regulated activity).

### **6.4 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 Head of Human Resources. A decision will be made following this meeting.

### **6.5 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 identification documentation such as passport, birth certificate, driving licence etc. with them as proof of 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.

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.

### **6.6 Medical Fitness**

Anyone appointed to a post, including those involving regular contact with children, must possess the appropriate level of physical and mental fitness. As part of any conditional offer, candidates are required via a medical questionnaire to declare their fitness before any appointment offer is confirmed. Depending on this response, a doctor's medical report may then be requested

### **6.7 Overseas Checks**

If a new employee has lived overseas for more than three months in the past five years they will be asked to provide a police check from the relevant country prior to starting employment. If a new employee has been living in a country that does not provide police checks they will be asked to provide additional references to cover the period they were abroad. The HR Department can provide information to candidates on how to obtain foreign police checks. If an applicant has been living in the EEA a check of the EEA barred list will also be carried out.

### **6.8 Prohibition from Teaching and Management Checks**

These checks also required, depending on the position/post, prior to starting employment and are undertaken by the Human Resources Department and recorded on the SCR. Internal candidates appointed to Head of Academic Department or Senior

Leadership roles will also be checked against the Prohibition from Management list (Section 128).

Internal candidates appointed to new teaching and leadership positions will also be checked against the relevant prohibition lists.

## **6.9 Disqualification checks**

Under current legislation, certain members of staff are required to complete a self-declaration which will then be recorded on the SCR. This requirement applies to

- members of staff at the Pre-Prep who teach or provide any care for pupils in the nursery and reception classes and/or any supervised activity both during and outside of school hours for pupils in the early years age range;
- members of staff at the Junior Branch or Pre-Prep who provide later years childcare (children above reception age but who have not attained the age of 8) . This does not include education or supervised activity for pupils above reception age during school hours, including extended school hours for co-curricular learning activities, such as the school choir or sports teams but does include before school settings and after school provision. Neither the Junior Branch nor Pre-Prep have this provision;
- The Head Teachers of the Pre-Prep, Junior Branch and Senior School, who are directly concerned with the management of the above childcare.

## **7 Certificates of Sponsorship (CoS)**

If an appointed applicant is a national of a non-EEA country a CoS may be required. Before any offer of employment is made, the senior manager leading the appointment process will consult with the Human Resources Department to establish whether the school has any unallocated Sponsorship Certificates.

The Criteria for issuing a CoS are:

- the job is in a “designated shortage” occupation, or
- it passes the Resident Labour Market Test (RLMT);
- The job is at NQF6 Level or above;
- Minimum salary levels are met.

Only the Human Resources Department will be able to issue a CoS. In addition to the CoS, the applicant must apply for entry clearance/leave to remain through the UK Visas and Immigration and provide personal evidence of competence in English and ongoing maintenance.

The process can take up to three months and a member of staff cannot, under any circumstances, be employed until permission is given.

Detailed advice on the above is available from the Human Resources Department.

## **8 Induction Programme**

All new employees will undertake an induction programme, which will include Child Protection/Safeguarding training, anti-bullying, internet safety, health, safety and fire and whistleblowing. The induction programme will clearly identify the School's policies and procedures (particularly the Safeguarding Policy) and will make clear the expectations and code of conduct which govern how members of staff carry out their roles and responsibilities. All staff will be required to read and acknowledge the fact that they have read, "Keeping Children Safe in Education part 1 and Annex A (September 2020)"

## **9 Single Centralised Record 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 in The Bursary. The Single Centralised Record will contain details of the following:

- all employees who are employed to work at the school;
- all employees who are employed as supply staff to the school whether employed directly or through an agency;
- all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, governors, peripatetic music staff and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members eg. sports coaches etc.

The SCR is audited termly by a member of the Foundation's Management Team and the Audit reports are submitted to the UCS Council via the Compliance Committee.

Records on the SCR are deleted in the event of someone not taking up a post or at the end of the academic year if they leave employment. The SCR is archived at the end of each academic year before any records are deleted.

A full list of checks carried out is provided in Appendix 1.

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

University College School will retain all interview notes on all applicants for a period of 6 months, after which time the notes will be shredded. The 6 month retention period is in accordance with the General Data Protection Regulations 2018 and will also allow the School to deal with any data access requests, recruitment complaints or to respond to any complaints made to an Employment Tribunal.

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

## **11 Ongoing Employment**

University College 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 appraisal procedures.

## **12 Leaving Employment at University College 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 (where the alleged behaviours are within the context of four categories of

abuse, i.e. physical, sexual, emotional and neglect), the School's disciplinary procedures will apply.

In cases of dismissal or resignation due to the above behaviour, University College School will inform the DBS, TRA and the Children's Safeguarding Unit of the circumstances why the employee is leaving the School's employment.

Under the Safeguarding and Vulnerable Groups Act 2006 there is a legal duty for the School to make a referral to the DBS when we have permanently removed a person from regulated activity through dismissal or permanently transferred them from regulated activity (or would have done if the person had not left, resigned, retired or been made redundant) and the person has carried out one of the following:

- Been cautioned or convicted of a relevant (automatic barring) offence; or
- Engaged in relevant conduct in relation to children that has harmed a child or put them at risk of harm; or
- Satisfied the Harm Test in relation to children (i.e. No action or inaction occurred but the present risk that it could was significant). To satisfy the harm test there needs to be credible evidence of risk of harm to children such as statements made by an individual regarding conduct / behaviour etc.

### **13 Supply Agencies**

UCS will obtain a written declaration/confirmation from any agency or third party organisation that supplies staff to the School that that organisation has carried out all the checks on an individual who will be working at the School that the School would otherwise have performed. This must include all the requirements set out in Appendix 1. In addition, any employee of a third party will be required to bring with them their original DBS certificate and either their current valid passport or driving license (provided this is a valid driving license with a photograph) on arrival or before starting. The HR Department will administer all these checks.

Details of the third party or supply agency notification/confirmation are to be kept on the SCR.

### **14 Contractor Staff**

Contractors who provide ongoing service to UCS, e.g. catering, coaches, suppliers, need to provide the HR Department with a written declaration that all relevant checks detailed in Appendix 1 have been completed for any staff who have the potential to be in regulated activity.

The HR Department requires sight of identity documents and the original DBS for such staff on their first day or before starting.

All contractors must inform the HR Department of any members of staff no longer employed by them who have, at any stage, been working at UCS.

For contractors working onsite for limited periods (less than 4 times a month or once a week), a risk assessment will be completed in order to determine the appropriate checks required under ISI and KCSIE guidance.

## **15 Self-Employed Contractors**

The same checks as above will apply to any self-employed contractor in regulated activity (see Appendix 1) but UCS will conduct the DBS on behalf of the self-employed contractor.

## **16 The Appointment of Parent Helpers and Other Volunteers**

The level of checks carried out on a volunteer will depend on whether or not the member of staff is engaged in Regulated activity, how well the volunteer is known to the school and the level of responsibility the volunteer will have.

Volunteers in regulated activity must undergo the same checks as staff employed at the School. This will especially include all volunteers who accompany residential School trips. Volunteers who would otherwise be considered to be in Regulated activity may not be, if they are accompanied. All volunteer roles will be risk assessed prior to the volunteer starting to determine what checks are appropriate.

'One-off' volunteers for day outings, concerts etc. do not require vetting checks but must be supervised at all times by a suitably checked member of staff and may not undertake any kind of personal care of pupils.

## **17 The Council of UCS (Governing Body)**

All Members of Council (governors) are subject to the following checks being carried out to the School's satisfaction: ID, enhanced DBS, right to work, overseas check (if applicable), and prohibition from management check. If any member of the UCS Council will ever be in regulated activity then a barred list check will also be carried out.

## **18 The Chairman of Council**

Additionally the Chairman of Council is subject to the following checks by the Secretary of State for Education:

- Enhanced DBS check;
- Confirmation of identity;
- Check on the right to work in the UK;
- Overseas and other checks as appropriate.

## **19 Staff Not in Regulated Activity**

Some staff may come onto the school staff on an infrequent basis to work under supervision – for example, a visiting specialist running a workshop. Identity checks will be carried out when such staff arrive at UCS.

## **20 Monitoring and Evaluation**

The Head of Human Resources will be responsible for ensuring that this policy is monitored and evaluated throughout the foundation.

**Appendix 1 Check of appointment information to be held by the HR Department and on the Single Central Register for all in regulated activity. Employees/Volunteers/Contractors/Agency Workers)**

Evidence must be verified by a member of the HR Department, or a UCS employee who has been fully vetted, by signing and dating a photocopy of the original documents detailed below:

<b>Pre-employment check/activity</b>	<b>Stage in Process</b>	<b>Notes</b>
Check applicant has signed application form	Shortlist or earlier	HR check and record on SCR
Request reference, professional or character as appropriate	Shortlist	HR record two references on SCR
Telephone verification of references	Pre or post interview	Kept on file by HR
Check identity, using documentation (required by DBS)	Interview	HR see original and record on SCR
Check right to work in the UK and any restrictions	Application form and interview	Photocopy of original passport and visa information taken (if applicable) by HR, record on SCR
Provide original certificates for required qualifications, or provide other proof of holding certificates/qualifications to the satisfaction of the school	Interview	HR check originals and record on SCR
Prohibition from teaching and management checks (online checks)	Post conditional offer	HR complete and record on SCR
Complete an enhanced DBS disclosure with a check of the barred lists and receive satisfactory clearance	Post conditional offer	Original seen by HR, HR sign and date, note certificate number, date issued and anything recorded, record on SCR no more than 3 months before start date
Barred List/List 99 check (if not covered by DBS)	Post conditional offer	HR record on SCR, date and check
Overseas check (including check of EEA Sanctions list (if applicable)	Post conditional offer	HR record on SCR, date and check

Health questionnaire	Post conditional offer	HR send and record outcome on SCR
Has read latest version of Keeping Children Safe In Education (KCSIE) and provided (written) acknowledgment to HR	Before or on start date	HR provide and keep a record
Contract of employment signed and returned	Before or on start date	Kept in HR files
<b>Post-Employment Activity</b>		
Complete safeguarding training	Online – to be completed within 1 <sup>st</sup> week of employment.	HR keep record of invites and attendance