

# BRYN TIRION HALL SCHOOL



## School Safer Recruitment Policy

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## Safer Recruitment Policy

This policy outlines our commitment to safeguarding and promoting the welfare of children who are pupils at Bryn Tirion Hall School by ensuring we have implemented procedures designed to prevent unsuitable people working with our pupils.

These procedures are designed to comply with the guidance given by the All Wales Child Protection Procedures, Keeping Learners Safe (2015) Welsh Government, and form an element of the School's Safeguarding Policy to which reference should also be made.

### **Aims:**

- 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 equally 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 or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by All Wales Child Protection Procedures, Keeping Learners Safe (2015) Welsh Government, the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS);
- 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.*

### **Roles and responsibilities:**

It is the responsibility of the school Senior Leadership Team to:

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

It is the responsibility of the Principal, Business Manager 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.

- Monitor contractors' and agencies' compliance with these safer recruitment procedures.
- Promote the welfare of children and young people at every stage of the recruitment process.
- The Principal and Business Manager lead in all appointments.

### **Recruitment and selection procedure:**

#### **Advertising;**

- The Principal and Business Manager will decide on the most appropriate process for advertising posts.
- 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 GDPR.
- The School uses the Company's 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 a Company statement regarding convictions and working with children. CVs will not be accepted in place of the application form, but both may be submitted by the applicant if they so wish.
- The Safeguarding Policy will be sent out along with all other documentation relating to the post.
- It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the School. 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 referral to the police and/or the DBS.

### **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.

## References

- References for short listed applicants may be sent for prior to interview unless the applicant has expressly indicated on their application form that they do not wish their current employer to be contacted at that stage. In any event, references will be taken up before any offer of employment is confirmed.
- All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School. One of the references 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 reference should be from the employer with whom the applicant most recently worked with children if possible. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.
- 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".
- No questions will be asked about health or medical fitness prior to any offer of employment being made.
- Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference.
- The School does not accept open references, testimonials or references from relatives.

## Interviews

- There will always be a face-to-face interview and a minimum of two interviewers will see 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 School 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 Safer Recruitment Training).
- Applicants will complete a declaration form, prior to a DBS check being carried out, if there is anything they wish to notify the recruiting panel of in advance of the checks being made.
- At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.
- Notes of the interviews will be made by the recruiting panel.

## Offer of appointment and new employee process

- In accordance with the recommendations set out in Keeping Learners Safe, the School carries out a number of pre-employment checks in respect of all prospective employees.
- 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;
  - verification of the applicant's identity;
  - the receipt of two references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory;
  - where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the School considers to be satisfactory;
  - where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List;
  - confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002 which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children;
  - verification of the applicant's medical fitness for the role;
  - verification of the applicant's right to work in the UK;
  - any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
  - verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application.
- A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.
- All appointments are subject to a probationary period during which time a reduced notice period applies enabling termination of the employment for whatever reason, by either the employee or the School in a shorter time frame than would normally apply under the standard terms of their contract.
- The School's disciplinary and capability procedures do not apply during this probationary period. The School also reserves the right to extend this probationary period should it deem this necessary.

## **DBS (Disclosure and Barring Service) Certificate**

- The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information.
- It is the School's policy that the DBS disclosure must be obtained before the commencement of employment of any new employee, as it is assumed that all staff could have the opportunity to be in regulated activity, regardless of their role.

## **Portability of DBS Certificates Checks**

- Staff are informed of the opportunity to join the DBS Update Service if they are likely to require another check in the future, but it is their own responsibility to do so.
- If employment commences before the DBS certificate is verified, this may take place provided all other recruitment checks have been satisfactorily completed, a risk assessment is carried out, and the new employee is kept under supervision at all times whilst on site. This situation may occur if the DBS process is delayed to such an extent that, in the opinion of the Principal, further delay to the start date of the new employee would be to the serious detriment of the School.

## **Dealing with convictions**

- The Company operates a Recruitment of Ex- Offenders Policy and will not unfairly discriminate against any applicant for employment based on conviction or other details disclosed.
- A formal procedure is in place 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 Principal and Business Manager. A decision will be made following this meeting.
- 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 Principal will evaluate all of the risk factors above before a position is offered or confirmed.
- In the event that a disclosure is obtained relating to a potential Principal, the matter will be referred to a Director.

- If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

### **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 their identification documentation such as passport, birth certificate and driving licence 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.

### **Medical Fitness**

- The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made.
- All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. 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
- The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

### **Overseas checks**

- In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal records check from the relevant country. The applicant will part of the risk assessment process until the overseas information has been received and is considered satisfactory by the School.

### **Induction Programme**

- All new employees will be given an induction programme which will clearly identify the School policies and procedures, including the Safeguarding Policy, the Employee Handbook which make clear the expectations which will govern how staff carry out their roles and responsibilities.

### **Single Central Record (SCR)**

- All Members of Staff In addition to the various staff records kept in School and on individual personnel files, a single central record of recruitment and vetting checks (known as the "SCR") is kept in accordance with the Keeping Learners Safe (2015) Welsh Government requirements. This is kept up-to-date and retained by the Business Manager. The SCR will contain details of the following:-

- all employees who are employed to work at the School;
  - all staff of contractors who are in School on a frequent basis
  - volunteers who may be in regulated activity and for whom therefore checks have been completed
  - all Directors of the Company
- The QA & Scrutiny will be responsible for auditing the SCR and reporting their findings to School Leadership Team.

## **Record Retention / GDPR**

- The School is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.
- This documentation will be retained by the School for the duration of the successful applicant's employment with the School. All information retained on employees is kept centrally in office in a locked and secure cabinet.
- The same policy applies to any suitability information obtained about volunteers involved with School activities.
- In accordance with GDPR, the School will retain the recruitment documentation on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed.
- Contractors and agency staff Contractors regularly engaged by the School must complete the same checks for their employees that the School is required to complete for its staff. The School will confirm that these checks have been completed before employees of the Contractor can commence work at the School.
- Agencies/Universities who supply staff/students to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School will confirm that these checks have been completed before an individual can commence work at the School.
- The School will independently verify the identity of staff supplied by contractors or an agency on their first day of working at the School.
- Contractors who come on site only to carry out emergency repairs or service equipment and who are not expected to be left unsupervised on the School's premises do not need a DBS Disclosure

## **Visiting Speakers**

- The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers are suitable and appropriately supervised.
- The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.
- All visiting speakers will be subject to the School's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitors badge at all times and being escorted by a fully vetted member of staff between appointments.
- The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so the School will always have regard to the Prevent Duty Guidance.
- In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

## **Volunteers**

- The School will request the following checks on all volunteers who are involved on a regular basis, undertaking regulated activity or accompanying children on an overnight trip :-
  - A completed application form
  - A formal interview
  - Identity checks
  - Enhanced DBS Disclosure
  - Barred List check
  - Qualifications, if applicable
  - References
- Appropriate Risk Assessments and/or additional supervision will be planned to ensure safety as necessary.
- Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils.
- It is the School's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the School for three consecutive months or more. If the volunteer has signed up to the DBS Update Service, the School will obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates if the three month period has elapsed.
- Volunteers or parents who accompany staff on one-off outings or trips and do not have unsupervised access to children will not need to be vetted.

## **Monitoring and Evaluation**

- The Business Manager will be responsible for ensuring that this policy is monitored and evaluated throughout the School.