



BEAUDESERT PARK SCHOOL

RECRUITMENT, SELECTION AND DISCLOSURES POLICY AND PROCEDURE

INTRODUCTION

Beaudesert Park School ("the School") is committed to ensuring the best possible environment for the children in its care. Safeguarding and promoting the welfare of children 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 the Headmaster.

An entry will be made on the Single Central Register for all current members of staff at the School, the governing body and all individuals who work in regular contact with children including supply staff and those employed as third parties.

The School is governed by a Board of Governors. Day to day management of the School is via the Headmaster and the Senior Management Team.

All checks will be made in advance of appointment or as soon as practicable after appointment.

SCOPE OF THIS POLICY

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, 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 sets out its safeguarding requirements in the contract between the organisation and the School and obtains written confirmation from the agency or company that it has carried out the

appropriate checks. The School conducts identity checks on agency and contract workers on arrival in School and, in the case of agency workers which includes supply staff, the School must be provided with a copy of the DBS check for such staff.

The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure - renewed every 3 years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus, in line with KCSIE, two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and that the School has carried out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the governors, and who carries overall responsibility for the day-to-day management and control of the charity. At Beaudesert Park School this would be the Head.
- A person who is accountable only to the Head or the governors, and who is responsible for the overall management and control of the charity's finances. At Beaudesert Park School this would be the Finance Director.

Being disqualified means that a person can't take on, or stay in, a senior manager position – even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School during term time. The School will determine the appropriate level of supervision depending on the circumstances.

Any staff who TUPE transfer into the School's staff will be required to undertake the statutory requirements with regard to safer recruitment checks. If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

APPLICATION FORM

The School will accept applications from candidates completing the relevant Application Form and/or submitting a full CV.

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.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

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 to the Headmaster, Finance Director or Head of Pre Prep. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Headmaster, Finance Director or Head of Pre Prep 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 and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. Additionally, successful applicants should be aware that they are required to notify the School immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

The statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The School takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the School immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Headmaster for more details.

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.

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.

INVITATION TO INTERVIEW

The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities for 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.

Shortlisted candidates are asked to complete a self-declaration form in relation to their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants are asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate physically signs a hard copy of the application at the point of interview.

In most cases candidates will be interviewed at least twice for a role and at least one person interviewing will have undertaken safer recruitment training. The current staff who have safer recruitment training are the Headmaster, the Finance Director, the Deputy Head Academic, the Director of Music, the Estates Manager and the Domestic Manager. Safer recruitment training is refreshed every 5 years, as recommended by the Gloucestershire Safeguarding Children Partnership.

The interview will be conducted in person, except where the candidate is overseas in which case an online video interview will be set up, and the areas which it will explore will include suitability to work with children including where appropriate, any discussion of information shared by a candidate in their self-declaration form.

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.

For the appointment of the Headmaster or Finance Director, the Chair of Governors should chair a panel of at least three interviewers. 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 shall decide whether the Chair should withdraw from the panel. The final appointment of the Head should be made by the full Board.

INTERNAL CANDIDATES

It is at the Head's discretion whether a post is open to both external and internal candidates or to internal candidates only.

In accordance with the requirements and expectations of this policy, internal candidates will be treated on an equal basis to all other candidates in terms of thoroughness and fairness.

Whether positions are advertised externally or purely internally, the Head will determine the nature of the formal application which will be required from internal candidates, ie letter of application, some or all of application form to be completed etc. Although a candidate is internal, the Head may nevertheless ask for references.

Internal candidates will follow as closely as possible the same interview and selection process as external candidates where the latter are involved. It will be at the Head's discretion, for example, whether they are required to teach a lesson or take part in activities.

For roles which are available only to internal candidates and where there are no external candidates, all candidates will follow the same process of application, interview and selection. This process will be explained clearly in advance to all internal candidates with all being required to complete all elements of that process.

While the responsibility of making appointments rests ultimately with the Head, he will always include in the process for all candidates, internal and external, consultation with senior colleagues and ensure that at least one other member of staff is involved in interviewing all candidates.

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, where appropriate, evidence of the right to work in the UK;
3. Verification of professional qualifications that are necessary or relevant for the post (e.g. sight of the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.
4. A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS;
5. For a candidate to be employed as a teacher, a check that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction

or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:

- * Planning and preparing lessons and courses for pupils
 - * Delivering lessons to pupils
 - * Assessing the development, progress and attainment of pupils
 - * Reporting on the development, progress and attainment of pupils;
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 in the previous 5 years, such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the candidate providing the School with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked;
 8. Confirmation in writing of satisfactory medical fitness;
 9. Receipt of a signed Staff Disqualification Declaration form, if applicable, showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".
 10. For a candidate to be employed into a senior management position as set out above under "Scope of this Policy", receipt of a signed "senior charity manager positions: automatic disqualification declaration" confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities.
 11. Where the successful candidate will be taking part in the management of the School, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department;

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the School's Privacy Notice and Data Protection Policy for Staff. 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, and/or 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 above for successful candidates (including internal applicants) and may approach previous employers for information to verify particular experience or qualifications. One of the references must be from

the applicant's current or most recent employer (where they have one). References must be received by a senior person with appropriate authority. 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 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. Where references are received electronically, the School will ensure they originate from a legitimate source.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form and in the interview. 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' September 2021 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 or accessed here:

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

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the School to check there have not been changes since the issue of a disclosure certificate. A barred list check may still be required if the original certificate did not include barred list information.

If disclosure is delayed

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, the Head may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (including suitable supervision);
- Safeguards reviewed at least every two weeks by the Headmaster or Finance Director and member of staff;
- The person in question is informed what these safeguards are;

- A written Risk Assessment summarising the above measures is placed on the employee’s personnel file and a note is added to the single central register to that effect.

RETENTION, SECURITY OF RECORDS AND DATA PROTECTION OBLIGATIONS

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.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Staff Privacy Notice and the Data Protection Policy for Staff.

This policy can be made available in large print or other accessible format if required.

Authorised by	C Kay <u>Chair of Governance & Compliance Committee</u>
Date 23 rd November 2021	
Approved by	M Pyper <u>Chair of Governors</u>
Date 23 rd November 2021	
Last Reviewed	November 2020
Next Review	November 2022

APPENDIX 1

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 also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)”.

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;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- 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;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; 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 of 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.