



## SAFER RECRUITMENT POLICY

This Policy includes the Junior School and Senior School

### Links to other policies:

Safeguarding & Child Protection Policy; Equal Opportunities Policy

### 1. Introduction

Moorland School is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. Moorland is also committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of Moorland School's recruitment policy are as follows:-

- 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 equitably 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 status, disability or age;
- To ensure compliance with all relevant recommendations and guidance including 'Working Together to Safeguard Children, March 2015, and 'Keeping Children Safe in Education (KCSiE), September 2016;
- To ensure that Moorland 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.

### 2. Recruitment & Selection Procedure

Applicants will receive a Job Description and Person Specification for the role applied for.

All applicants for employment will be required to complete an **Application Form** containing questions about their academic and employment history and their suitability for the role. Applicants must give a full

employment history, declaring the reason for any periods when not in employment. Incomplete Application Forms will be returned to the applicant where the deadline for completed Application Forms has not passed. A Curriculum Vitae will not be accepted in place of the completed Application Form.

Applicants will also be required to complete a **Medical Fitness – Self Declaration Form**. This will be requested after appointment.

The applicant may then be invited to attend a **Formal Interview** at which his/her relevant skills and experience will be discussed in more detail. The candidate's employment history will also be discussed, and any gaps in employment investigated.

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 Moorland School's standard terms and conditions of employment;
- the receipt of two satisfactory references (one of which must be from the applicant's most recent employer)
- the receipt of an Enhanced Disclosure from the Disclosure and Barring Service.

### **3. Pre-employment checks**

In accordance with the recommendations 'Working Together to Safeguard Children, July 2018, and 'Keeping Children Safe in Education (KCSiE), September 2018, Moorland School carries out a number of pre-employment checks in respect of all prospective employees.

#### **3.1 Verification of Identity and Address**

All applicants who are invited to an Interview will be required to bring the following evidence of identity, address and qualifications:-

- current driving licence (including photograph) or passport or full birth certificate; and
- two utility bills or statements (from different sources) showing their name and home address; and
- documentation confirming their National Insurance number (P45, P60 or National Insurance card); and
- documents confirming any educational and professional qualifications referred to in their Application Form.

Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

#### **3.2 References**

All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which 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 referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

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. All referees will be sent a copy of the Job Description and Person Specification for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:-

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, sickness and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired);
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people.

Moorland 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.

The School will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed. References will be verified by telephone contact with the referee.

### **3.3 Disclosure and Barring Service Check**

Due to the nature of the work, Moorland School applies for criminal record certificates from the Disclosure and Barring Service ("DBS") in respect of all prospective staff members and volunteers.

There are three types of check that may be requested from the DBS; all positions at Moorland School are subject to a satisfactory Enhanced Disclosure with barred list check.

- **Standard Disclosure** - For positions that involve regular contact with those aged under 18 years or people of all ages who may be vulnerable for other reasons and for occupations that involve positions of trust.
- **Enhanced Disclosure** - The enhanced check is available for specific duties, positions and licences included in both the Rehabilitation of Offenders Act 1974 (Exceptions Order 1975) and the Police Act 1997 (Criminal Records) regulations, for example, regularly caring for, training, supervising or being solely in charge of children, specified activities with adults in receipt of health care or social care services and applicants for gaming and lottery licences.
- **Enhanced with a barred list check** - The enhanced check with barred list check(s) is only available for those individuals who are carrying out regulated activity and a small number of positions listed in Police Act 1997 (Criminal Records) regulations, for example, prospective adoptive parents and taxi and Private Hire Vehicle (PHV) licences. An enhanced level certificate with barred list check(s) contains the same PNC information and check of information held by police forces as an enhanced level check but in addition will check against the children's and/or adult's barred lists.

A Standard Disclosure will contain details of all convictions on record including current and spent convictions (including those which are defined as "spent" under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. If the individual is applying for a position working with children or young adults, the Standard Disclosure will also reveal whether he/she is barred from working with children or vulnerable adults by virtue his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the Department for Education and Skills and the Department of Health.

An Enhanced Disclosure will contain the same details as a Standard Disclosure. It may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

Where an applicant is registered with the DBS Update Service, a status check will be carried out to confirm that no new information has been added to the certificate since its issue. The school will:

- a. obtain consent from the applicant to do so;
- b. confirm the certificate matches the individual's identity; and
- c. examine the original certificate to ensure that it is for the appropriate workforce and level of check, e.g. enhanced certificate/enhanced including barred list information.
- d. carry out a DBS Update Service online check to identify whether there has been any change to the information recorded, since the initial certificate was issued.

### **3.4 Disqualification by Association**

In line with the statutory guidance "Disqualification under the Childcare Act 2006, February 2015", candidates will be asked at interview to make a declaration regarding Disqualification by Association.

The guidance states that "Schools must ensure that they are not knowingly employing a person who is disqualified under the 2009 Regulations in connection with relevant childcare provision. In gathering information to make these decisions schools must ensure that they act proportionately and minimise wherever possible the intrusion into the private lives of their staff and members of their household. Accordingly, schools must ensure that they handle data fairly and lawfully and take care not to breach the Data Protection Act 1998 (DPA), the Rehabilitation of Offenders Act 1974 (ROA) and the Human Rights Act 1998. 19. Schools are responsible for ensuring that anyone who falls within the relevant categories of staff described above at paragraph 6 is made aware of the legislation, including that they may be disqualified 'by association' under regulation 9 of the 2009 Regulations where they live in the same household as a disqualified person or in a household in which a disqualified person is employed."

### **3.5 Prohibition from Teaching**

All applicants who are applying for teaching positions at Moorland School a check will be made against the list of people who are prohibited from teaching. This check will be made via the Teaching Regulation Authority Secure Access online system.

### **3.6 Overseas Checks**

Where an applicant has worked or lived overseas for a period exceeding three months then, in addition to the Disclose and Barring Service check, a check will be made, wherever possible, in line with the recommendations of the Centre for Protection of National Infrastructure. Checks will also be made using the Teaching Regulation Authority Secure Access online system for teachers sanctioned in other EEA member states.

### **3.7 Prohibition from Management**

Where applicable, and in line with The Education (Independent School Standards) Regulations 2014, checks will be made the existence of directions made by the Secretary of State under s.128 of the Education and Skills Act 2008 barring individuals from taking part in the management of an independent school. This check will be made via the Teaching Regulation Authority Secure Access online system.

## **4. Policy on recruitment of ex-offenders**

### **4.1 Background**

Moorland School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. Moorland School makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar him/her from employment by the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 4.2 below.

In view of the fact that all positions within Moorland School will amount to "regulated positions" within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), all applicants for employment must declare all previous convictions (including those which would normally be considered "spent" under the Rehabilitation of Offenders Act 1974). A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for Moorland School to employ anyone who is included on the lists maintained by the Department for Education and Skills and the Department of Health of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for Moorland School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within Moorland School. 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 has serious concerns about an applicant's suitability to work with children, it will report the matter to the Police, DBS and/or the DfES Children's Safeguarding Operations Unit (formerly the Teacher's Misconduct Team).

### **4.2 Assessment Criteria**

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, Moorland School will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;

- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is Moorland School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences:-

- against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence;
- against children or adults: serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is Moorland 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 Moorland School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last 10 years.

#### **4.3 Assessment Procedure**

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, Moorland School will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Headteacher before a position is offered.

If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, Moorland School will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure information.

#### **4.4 Retention and Security of Disclosure Information**

Moorland School's policy is to observe the guidance issued or supported by the DBS on the use of Disclosure information.

In particular, the school will:-

- store Disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of Moorland School's senior management team.
- not retain Disclosure information or any associated correspondence for longer than is necessary. In most cases, Moorland School will not retain such information for longer than 6 months although the School will keep a record of the date of a Disclosure, the name of the subject, the type of Disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken.

- ensure that any Disclosure information is destroyed by suitably secure means such as shredding;
- prohibit the photocopying or scanning of any Disclosure information.

Moorland School complies with the provisions of the DBS Code of Practice, a copy of which is available on request.

## **5. Retention of Records**

If an applicant is appointed, Moorland School will retain any relevant information provided on their application form (together with any attachments) on their personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after 6 months unless the applicant specifically requests Moorland School to keep their details on file.

### **Proprietor Agrees Checks Fully Comply With Safer Recruitment Regulations:**

**Mr Jonathan Harrison    Date: 1 October 2015**

*Reviewed by Jonathan Harrison, Headteacher, September 2016*

*Reviewed by Jonathan Harrison, Headteacher, September 2017*

*Reviewed by Deborah Frost, Assistant Principal, September 2018*

*Next Review Date: September 2019*