



Merchant Taylors' School

Ambition | Character | Excellence

Safer Recruitment Policy

Title: Safer Recruitment Policy
Author: HR Advisor
Last Amended: September 2021
Review: September 2022

1 INTRODUCTION

The safer recruitment of staff is the first step to safeguarding and promoting the welfare of our children. Merchant Taylors' School Crosby is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. This is to be achieved through effective recruitment and retention of competent, motivated staff members who are suited to, and competent in, their roles. Merchant Taylors' School recognises the value of, and seeks to achieve a diverse workforce comprising different backgrounds, skills and abilities. As such it is committed to a recruitment and selection process that is systematic, efficient, effective and equal. In doing so, it upholds its obligations under law to not discriminate against applicants on grounds of any protected characteristics.

2 PURPOSE

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims to:

- attract the best possible applicants to vacant posts;
- deter prospective applicants and identify and reject applicants who are unsuitable for work with children or young people;
- ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - September 2021 (KCSIE), 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);
- 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.

3 ROLES AND RESPONSIBILITIES

3.1 The Board of Governors will:

- Ensure the school has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with the Department for Education Guidance and legal requirements and monitor the school's compliance with them;
- Ensure that the appropriate staff have completed safer recruitment training and be responsible for the appointment of Head Teachers and the Director of Finance and Operations (DFO).

3.2 The Head Teachers will:

- Ensure that the school operates safe and fair recruitment and selection procedures which are regularly reviewed and updated to reflect any changes in statutory guidance;

- Ensure that all the appropriate checks have been carried out on staff and volunteers in the school;
- Monitor any contractors' and agencies' compliance with this document;
- Promote the safety and well-being of children and young people throughout this process.

The Board of Governors has delegated responsibility to the Head Teachers (teaching staff) and Director of Finance and Operations (professional services staff) to lead in all appointments.

4 IDENTIFICATION OF RECRUITERS

- 4.1 The School will have at least one person on the interview panel who has successfully received accredited training in safer recruitment procedures.
- 4.2 If a 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.
- 4.3 The School aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at Merchant Taylors' Schools Crosby.

5 INVITING APPLICATIONS

- 5.1 Vacancies will be advertised either internally or both internally and externally simultaneously, unless there is good business reason why this should not be the case that is capable of justification.

- 5.2 Job adverts will contain the following statement:

“Merchant Taylors’ School is committed to safeguarding and promoting the welfare of children and applicants must be willing to undergo child protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service (DBS).”

- 5.3 Prospective applicants will be supplied, as a minimum, with the following:

- Job description and person specification;
- School’s Application Form;
- Application Form Guidance Notes;
- Equal Opportunities Monitoring Form;
- The School’s Safeguarding Policy; and
- The School’s Safer Recruitment Policy.

- 5.4 All prospective applicants must complete an application form.

- 5.5 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.

- 5.6 All documentation relating to candidates will be treated strictly confidentially in line with the General Data Protection Regulations 2018 and the School's Privacy Notice.

6 SHORTLISTING AND REFERENCES

- 6.1 Shortlisting of candidates will be against the person specification and job description for the post. KCSIIE recommends that at least two people carry out the shortlisting exercise and that those who shortlist carry out the interview for a consistent approach.
- 6.2 The sections of the application form pertaining to access requirements, criminal records, and sanctions, restrictions and prohibitions will not be shared with the shortlisting panel. Once shortlisting has taken place, for those candidates invited for interview, the sections related to access requirements, criminal records, and sanctions, restrictions and prohibitions will be shared with the interviewing panel.
- 6.3 For teaching staff, 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 at this stage. In these cases, references will be taken up directly after interview stage. For professional services staff, references for the successful candidate will be sent following the interview with the candidate's permission.
- 6.4 Two references will be sought; one of these must be from the current/most recent employer. References must come from the individual's current or most recent line manager or from the HR department. Where the previous employer was a school the reference should be provided by the Head Teacher.
- 6.5 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 where applicable.
- 6.6 The HR department will apply judgement in verifying references if necessary. References or testimonials provided by the candidate will not be accepted.
- 6.7 Where necessary, previous employers who have not been identified as referees may be contacted in order to clarify any anomalies or discrepancies. Prior consent will be obtained from the candidate before approaching an additional referee.
- 6.8 Referees will always be asked specific questions on a pro-forma reference template about:
- The candidate's suitability for working with children and young people;
 - Any disciplinary warnings, including time-expired warnings that relate to the safeguarding of children;
 - The candidate's suitability for this post.

7. INTERVIEWS

7.1 Candidates invited to interview will receive:

- An email confirming the date, time and venue of the interview;
- Details of any original documents to be presented on the day;
- Details of any tasks that need to be undertaken as part of the selection process;
- A contact name and number is given to the candidates to ensure they have the opportunity to discuss the process prior to interview date.

7.2 Candidates will be asked to provide photo ID, evidence of right to work in the UK and proof of qualifications (where applicable). All evidence must be original and not photocopies. Documents taken during the process from candidates who are unsuccessful in their application will be kept for a period of twelve months and then destroyed confidentially.

7.3 Where the application contains only an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview.

8 THE SELECTION PROCESS

8.1 Appropriate selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of shortlisted candidates.

8.2 Interviews will usually be face-to-face, although may be held virtually where necessary, and may include additional interview exercises, such as a lesson observation, a written exercise or a presentation. Notes will be taken of all interviews and retained for a twelve month period.

8.3 Candidates will always be required to:

- explain satisfactorily any gaps in employment;
- explain satisfactorily any anomalies or discrepancies in the information available to recruiters;
- declare any information that is likely to appear on a DBS disclosure;
- demonstrate their capacity to safeguard and protect the welfare of children and young people and their willingness and ability to promote fundamental British values.

9 PRE-EMPLOYMENT CHECKS

9.1 The following checks will be undertaken for staff who are deemed to be in regulated activity. An offer of employment will always be conditional upon the following satisfactory checks:

- proof of identity (including birth certificate where available) and right to work in the UK;
- an enhanced DBS disclosure, which will include a Children's Barred List check;
- original certificates of qualifications deemed necessary for the job role;

- an overseas police check for any individual who within the last ten years has lived or worked outside of the United Kingdom for a period of three months or more;
- a health questionnaire to verify medical fitness for the role;
- an application form;
- two satisfactory references (one of which must be the current or most recent employer).

9.2 For positions that require "teaching work" the following apply;

- the School being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the National College for Teaching and Leadership, or any predecessor or successor body, or by a regulator of the teaching profession in any other country which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School; and the School being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason which prevents the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School. In this regard, the School will seek a letter of professional standing from the applicant;
- confirmation that the applicant is not subject to a direction under section 142 of the Education Act 2002;
- where necessary to the role, confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school;
- where necessary to the role, completion of an Early Years Foundation Stage (EYFS) Declaration.

Any information that is inaccurate or shows a discrepancy will be followed up, and the School reserves the right to retract any conditional offer based on unsatisfactory checks being received.

10 CASUAL WORKERS

10.1 Casual workers may be engaged by the School to undertake work on an as and when basis. All of the checks listed at 9.1 and 9.2 must be completed. Due to the ad hoc nature of the assignments, casual staff are deemed to be workers rather than employees and have no fixed hours. Casual workers will be asked to sign a Casual Worker Agreement.

11 AGENCY SUPPLY STAFF

11.1 Merchant Taylors' School will only use those agencies which operate a safer recruitment process and provide written confirmation that all relevant checks have been satisfactorily completed. The School will ask to see proof of identity, right to work, enhanced DBS certificate (including check of Children's Barred List) and qualifications on the first day of work. All documents must be originals.

12 PERIPATETIC STAFF

- 12.1 Merchant Taylors' School will require that all necessary pre-employment checks as listed at 9.1 and 9.2 are completed for all peripatetic staff.

13 GOVERNORS

- 13.1 The Governors of Merchant Taylors' School require the following checks prior to their appointment: completion of an application form, enhanced DBS and Children's Barred List check, two character references, proof of identity and right to work, and confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school.

14 ONSITE CONTRACTORS

- 14.1 Onsite contractors 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 seek assurances that these checks have been completed by the contractor. The School will carry out an ID check on new contractors upon their arrival and will also request sight of the enhanced DBS certificate.
- 14.2 Visiting Professionals such as Educational Psychologists will be expected to show original evidence of photo ID, their enhanced DBS certificate and name badge of their employer.

15 GUEST SPEAKERS

- 15.1 The Prevent Duty guidance requires the School to have clear protocols for ensuring that any guest speakers are suitable and appropriately supervised.
- 15.2 The School is not permitted to obtain a DBS disclosure or Children's Barred List information on any guest speaker who does not engage in regulated activity at the School or perform any other regular duties for or on behalf of the School.
- 15.3 All guest speakers will be required to provide photographic ID on arrival and 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 visitor's badge at all times and being escorted by a fully vetted member of staff between appointments. At the end of the visit the visitor will be asked to report back to reception to sign out.
- 15.4 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 Security Policy, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE.
- 15.5 In fulfilling its Prevent Duty obligations the School will not discriminate on grounds of any protected characteristic.

16 VOLUNTEERS

- 16.1 The School will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with pupils at or on behalf of the School (the definition of regulated activity set out above will be applied to all volunteers).
- 16.2 The School will not permit an unchecked volunteer to have unsupervised contact with pupils.
- 16.3 In addition, the School may seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include the following:
- two character references;
 - completion of a volunteer application form;
 - An interview to assess suitability for volunteering at the School;
 - proof of identity;
 - satisfactory enhanced DBS and Children's Barred List check;
 - An overseas check for any individual who within the last ten years has lived or worked outside of the United Kingdom for a period of three months or more;
 - medical fitness verification, in certain circumstances.

Volunteers will also be asked to sign a Volunteer Agreement form.

17 SINGLE CENTRAL REGISTER

- 17.1 In addition to the various staff records kept in School, a single centralised record of all recruitment checks is kept in accordance with the Education Regulations 2017 requirements (Independent School Standards). This standard was amended by the Education (Independent School Standards) (Coronavirus) (Amendment) Regulations 2020; see section 22. This is maintained by the Human Resources Department. The single central record is maintained by the HR Department and is inspected termly by the Head Teacher and Safeguarding Governors. It contains details of the following 'staff'; employees, agency supply, casual workers, peripatetic staff, governors, volunteers in regulated activity and certain self-employed contractors.

18 RETENTION OF DATA

- 18.1 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 outlined previously.
- 18.2 This documentation will be retained by the School for the duration of the successful applicant's employment with the School and after termination in line with data retention guidance. All personal information will be treated confidentially in line with the General Data Protection Regulations 2018 and the School's Privacy Notice.

19 INDUCTION

- 19.1 All staff who are new to the School will receive induction training that will include the School's safeguarding policies.
- 19.2 New staff will be subject to a probationary period (three academic terms for teaching staff, and six months for professional services staff). During the probationary period regular meetings will be held between the new employee and their line manager in order to ensure the new employee feels well supported and to monitor their performance, aptitude, suitability, attendance and conduct.

20 REFERRAL TO DBS

- 20.1 Despite the best efforts to recruit safely there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. The School has a legal duty to make a referral to the DBS in circumstances where an individual:
- has applied for a position at the School despite being barred from working with children; or
 - has been removed by the School from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, the School may also deem it necessary to make a referral to the Teaching Regulation Agency (TRA).

21. ASSOCIATED POLICIES

- 21.1 Employees should read this policy alongside the following School policy documents:
- Probationary Policy and Procedure
 - DBS Policy.

22. TEMPORARY AMENDMENTS TO THE APPLICATION OF THIS POLICY – COVID-19

- 22.1 Although vetting requirements have not changed, temporary changes were made by the DBS to ID checking guidelines and by the government to processes for checking Right to Work in order to limit the need for face to face contact. These allowed checks to be initiated on the basis of scanned images and live video links (such as Zoom or Teams calls). Where this concession was relied on, original documents were viewed when the individual first attended in person.
- 22.2 The Independent Schools Inspectorate (ISI) have confirmed that there is no requirement to repeat vetting checks on staff following periods of lockdown where there is continuity of employment even if they have not been deployed during the period of closure. Risk based decisions will be made on other categories of 'staff' such as regular self-employed people and on re-appointments when schools re-open. Examples of risk factors in relation to individuals might include; the member of staff's role, the nature of their work, the degree of their contact with children, level of supervision, the extent to which the school has been in touch with the

person during lock-down and what is known about their whereabouts and activity during this period. Where vetting checks are repeated, these will be recorded as separate entries on the single central register.

This policy and procedure is non-contractual and will be reviewed annually.