



RECRUITMENT, SELECTION AND DISCLOSURES POLICY AND PROCEDURE

Introduction

The Royal Grammar School (the school) is committed to providing the best possible care and education to its students and to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

The school 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.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy.

Aims of the Policy

The aims of the school's Recruitment, Selection & Disclosures policy are as follows:

- i. to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- ii. to ensure that all job applicants are considered equitably and consistently; to ensure that no job applicant is treated unfairly on any grounds including, sex, pregnancy, trans-gender status, sexual orientation, religion or belief, marital status, civil partnership status, age, race, nationality, national or ethnic origins or disability;
- iii. to ensure compliance with all relevant legislation, recommendations and guidance including statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), Disqualification Under the Childcare Act 2006 (DUCA) and the code of practice published by the Disclosure and Barring Service (DBS); and
- iv. 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.

The Scope of the Policy

The Recruitment and Selection Policy herewith refers and applies to staff directly recruited and employed by the school.

All roles at the school are considered to include 'regulated activity' unless specifically identified as 'non-regulated activity' in the job description. 'Regulated activity', as defined by the DfE Independent School Standards 2019 is:

Any activity in a school which is carried out by a person frequently or on four or more days in a 30-day period and which consists of work for or in connection with any of the purposes of the school and gives that person the opportunity to have contact with children.

Contract staff, agency staff, volunteers and visiting speakers are considered in point 6 of this policy.

The Policy

The recruitment of all staff is carried out in accordance with the DfE KCSIE. Any vacancy promotion will make clear the school's commitment to the welfare of pupils and outline the steps taken in relation to safeguarding, the purpose of which is to deter and prevent applications from those unsuitable to work with children.

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.

1. APPLICATION

- 1.1. All applicants will be required to complete an application form which will state that it is an offence for anyone barred from engaging in regulated activity with children to apply for a role. The application form will provide a link to the school's safeguarding policy.
- 1.2. Applicants will be required to provide certain key information on their application, in line with KCSIE recommendations.
- 1.3. Incomplete application forms will be returned to the applicant where the deadline for applications has not yet passed; should there be any gaps in academic or employment history, a satisfactory explanation must be provided.
- 1.4. A curriculum vitae will not be accepted in place of the completed application form.
- 1.5. A signature on a hard copy of the candidate's application form will be requested at interview.
- 1.6. An equality and diversity questionnaire will be appended to the application form and the answers used to inform the recruitment efforts which contribute to equality and diversity across the staff body. All answers will be treated in the strictest confidence.

2. SHORTLISTING

- 2.1. Application forms with identifying and confidential information redacted as much as practicably possible will be passed to the shortlisting panel which will comprise a minimum of two people.
- 2.2. Experience, qualifications, training and covering letter will be considered when shortlisting candidates.
- 2.3. A record of the shortlisting decision and the reason for that decision will be made.
- 2.4. Shortlisted candidates will undergo an online check to identify any safeguarding concerns or risks to the School's reputation. The date the check is completed will be logged on the applicant tracking system and any relevant information passed to the interviewer responsible for safeguarding to investigate further at interview. Any data recorded will be held and processed in line with our data policy.

3. REFERENCES

- 3.1. References will be requested prior to interview, in line with guidance from KCSIE, so that concerns raised may be explored further with the referee and taken up with the candidate at interview. The candidate has the right to request that their referees are not contacted at this stage and this request will be respected.
- 3.2. All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the school.
- 3.3. One of the references must be from the applicant's current or most recent employer unless the applicant has not been working in which case a suitable alternative will be sought.
- 3.4. 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.
- 3.5. Neither referee should be a relative or someone known to the applicant solely as a friend. The referee should be a senior person with appropriate authority.
- 3.6. In extreme cases where only one reference can be given, a note of the steps taken to obtain a second reference must be recorded on the Single Central Register.
- 3.7. All referees will be sent a copy of the job description and person specification of the role for which the applicant has applied. They 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.
- 3.8. If the referee is a current or previous employer, they will be asked to confirm the following:
 - the applicant's dates of employment, job title / duties, reason for leaving and performance; and
 - whether the applicant has ever been subject to disciplinary procedures for any reason and specifically involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, or malicious;
 - that they are completely satisfied that the candidate is not involved in "extremism". The school has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty.
 - 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, except where the allegation or concerns were found to be false, unsubstantiated, or malicious.
- 3.9. 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.
- 3.10. 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 and the relevant referee before any appointment is confirmed.
- 3.11. The school may, at its discretion, make telephone contact with any referee to clarify or verify the details of the written reference provided.

4. INTERVIEW

- 4.1. The applicant may be invited to attend a formal interview with a panel of two or more where their relevant skills and experience will be discussed in more detail.
- 4.2. A range of selection techniques including, but not limited to interview, written task, psychometric testing and interaction with pupils will be considered and agreed with the hiring manager.
- 4.3. Those invited to interview will receive a job description for the role applied for and invited to complete a Voluntary Disclosure Form if appropriate (see 7.5 below).
- 4.4. At least one person on the interview panel will have undertaken safer recruitment training and will explore the suitability of the candidate to work with children including checking their previous employment history. All interviews will be conducted in person (with occasional use of Teams or other online platform).
- 4.5. A record of the hiring decision and the reason for that decision will be made.

5. OFFER / PRE-EMPLOYMENT CHECKS

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on the agreement of a mutually acceptable start date and the signing of a contract incorporating the school's standard terms and conditions of employment.

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of The Education (Independent School Standards) Regulations the school carries out a number of pre-employment checks in respect of all prospective employees which it records on a Single Central Register with the date that the check was completed, or certificates obtained:

- 5.1. Identity – including photo ID and proof of address as required by the Disclosure & Barring Service. Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.
- 5.2. Date of birth - Proof of date of birth is necessary so that the school may verify the identity of, and check for any unexplained discrepancies in employment and education history of all applicants. The school does not discriminate on the grounds of age.
- 5.3. Verification of the applicant's right to work in the UK.
- 5.4. DBS check including Children's Barred List where relevant (see 7.1 below)
- 5.5. Stand alone Children's Barred List check where relevant (see 7.1.4 below)
- 5.6. The receipt of two references (see 3. above)
- 5.7. A prohibition check for all teaching staff
- 5.8. A section 128 check where required (see 7.3 below)
- 5.9. Relevant disclosure from overseas authority (see 7.4 below)
- 5.10. Verification of professional qualifications which the school deems a requirement for the post, or which the applicant otherwise cites in support of their application.
- 5.11. Verification of the applicant's medical fitness for the role. This is managed externally and the school receives a report as to the suitability of the candidate to carry out their role. The school does not receive any medical information about the candidate. 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 timetable, extra-curricular activities, layout of the school etc. If the School's medical advisor has any doubts about an applicant's

fitness, the school will consider reasonable adjustments in consultation with the applicant. The school may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment. For any temporary positions, a medical declaration can be used. The school is aware of its duties under the Equality Act 2010.

6. CONTRACTORS, AGENCY STAFF, VOLUNTEERS AND VISITING SPEAKERS

The school will obtain written confirmation from the agency or contractor that the relevant checks have been completed and this will be recorded on the school's Single Central Register.

- 6.1. **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 requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School. Contracted employees should report to HR on their first day of work with their original DBS certificate and photo ID to confirm their identity.
- 6.2. **Agencies** who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School. Supply staff should report to HR on their first day of work with their original DBS certificate and photo ID to confirm their identity.
- 6.3. **Volunteers** are not subject to a set formula for vetting. The checks carried out will depend on the precise role and be determined on an individual basis taking into account whether the activity is regulated and what level of supervision is in place. The appropriate checks will be determined with reference to all the regulatory guidance used for employees.
- 6.4. **Visiting** speakers must provide identification, but further vetting is unlikely to be required if they are fully supervised. This does need to be reviewed on a case by case basis. However they must be deemed to be 'suitable' to be visiting the school according to the Prevent statutory guidance.

7. DISCLOSURES

The disclosures below will be sought where appropriate. A person who discloses information which appears to disqualify them from working in a relevant role may apply to Ofsted for a waiver of the disqualification. The school may withdraw an offer of employment at its absolute discretion and is under no obligation to await the outcome of an Ofsted waiver application. If a waiver application is rejected the school will withdraw the offer of employment. 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.

The School will securely destroy any information which is provided by an applicant which is not relevant to disqualification requirements as soon as it is established that it is not relevant. Where a person appointed to a role at the School is found to be disqualified, the School will retain any relevant information only for the period it takes for a waiver

application to be heard and the decision communicated to the School, after which it will be securely destroyed.

After making this declaration staff in a relevant role are under an on-going duty to inform the School if their circumstances change in a way which would mean they subsequently meet any of the criteria for disqualification. Any failure to disclose relevant information now, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.

7.1. Disclosure & Barring Service Check

- 7.1.1. All new starters will undergo an Enhanced DBS check to include the Children's Barred List unless the role to which they have been appointed is deemed to be "non-regulated activity" as stated on the job description. In this case, an Enhanced DBS check only will be requested.
- 7.1.2. Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the standard criteria, they are carried out on an unsupervised basis.
- 7.1.3. Applicants must present the original paper DBS certificate to a member of the HR department before starting work.
- 7.1.4. If there is a delay in receiving a DBS disclosure the Head has the discretion to allow an individual to begin work pending receipt of the disclosure certificate. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place. A risk assessment is carried out, signed by all parties involved including sign off by the Head (or the COO or the Bursar in the Head's absence) and then reviewed and re-signed every two weeks until the DBS arrives.
- 7.1.5. DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

7.2. Prohibition order

- 7.2.1. All new teaching staff will undergo a Prohibition order check via the Teaching Regulation Agency (TRA).

7.3. Section 128 check

- 7.3.1. Where the new staff member is taking up a management position (Head teacher, member of the senior leadership team or head of department) they will be subject to a Section 128 check.

7.4. Relevant disclosure from overseas authority

- 7.4.1. Where the new staff member has lived or worked abroad for more than three months in the last five years, they will need to provide a letter from the professional regulating authority of the country(ies) in question confirming that they have not imposed sanctions or restrictions.

7.5. Voluntary Disclosure Form

- 7.5.1. Applicants who have any criminal records information to disclose about themselves, must also provide the following information:
- details of the order, restriction, conviction or caution and the date that this was made
 - the relevant court or body and the sentence, if any, which was imposed; and
 - a copy of the relevant order or conviction.
- 7.5.2. Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.

7.6. **Childcare disqualification**

The school complies with the guidance set out in The Childcare Act 2006 (the Act) and the Childcare (Disqualifications) Regulations 2018 (the Regulations) which state that it is an offence for the School to employ anyone in connection with our early years provision (EYP) or later years provision (LYP) who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP.

Specifically, this includes:

- Teachers and teaching assistants employed directly, or on a self-employed basis, in EYP
- Anyone in a supervisory role during the school day in EYP
- Anyone in a supervisory role outside of the school day in EYP and LYP
- The Head, leadership team or supervisor of day-to-day management of EYP and LYP

Staff solely responsible for co-curricular activities within LYP are excluded from this guidance. DUCA also contains an express statement that staff involved in any form of health care provision for a child are not covered by the Regulations. This includes school nurses, speech and language therapists and education psychologists.

EYP includes usual school activities and any other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place on the school premises during or outside of the normal school day.

LYP includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.

Under the legislation a person is disqualified if they are found to have committed an offence which is included in the 2018 regulations (a 'relevant offence') this includes:

- being convicted of a relevant offence
- on or after 6 April 2007, being given a caution for a relevant offence
- on or after 8 April 2013, being given a youth caution for a relevant offence

A copy of the Childcare (Disqualifications) Regulations 2018 is available on request from the HR department.

8. RECRUITMENT OF EX-OFFENDERS

- 8.1. The School will not unfairly discriminate against any applicant for employment on the basis of conviction or other details disclosed. The School makes appointment decisions based on merit and ability. If an applicant has a criminal record this will not automatically bar them from employment with the School. Each case will be decided on its merits as per the criteria stated below.
- 8.2. All positions within the School are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered “spent” except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules. A failure to disclose a previous conviction (which should be declared) 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.
- 8.3. 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. The School will make a report to the Police and/or the DBS if:
 - The school receives an application from a barred person.
 - It is provided with false information in, or in support of an applicant's application.
 - It has serious concerns about an applicant's suitability to work with children

9. DISCLOSURE ASSESSMENT CRITERIA

- 9.1.1. 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.
- 9.1.2. The seriousness of any offence or other matter revealed.
- 9.1.3. The length of time since the offence or other matter occurred.
- 9.1.4. Whether the applicant has a pattern of offending behaviour or other relevant matters.
- 9.1.5. Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and
- 9.1.6. The circumstances surrounding the offence and the explanation(s) offered by the applicant.
- 9.2. 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 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.
- 9.3. 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.

- 9.4. 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 within the last ten years.

10. DISCLOSURE ASSESSMENT PROCEDURE

- 10.1. If 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 carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Head of the School before a position is offered.
- 10.2. If an applicant wishes to dispute any information contained in a disclosure, he/she can 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.

11. RETENTION OF DISCLOSURE AND OTHER PERSONAL INFORMATION

The school is legally required to undertake pre-employment checks.

- 11.1. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months.
- 11.2. 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.
- 11.3. 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.
- 11.4. The School will store disclosure information and other confidential documents in an individual's personnel file either electronically or in locked, non-portable storage containers, access to which will be restricted to the Head, the Bursar, the Head of HR and the Head's PA.
- 11.5. Personnel files will be retained by the school for the duration of the successful applicant's employment with the school. They will be retained in accordance with the School's Retention of Records Policy after employment terminates.
- 11.6. The School will retain the following information on an electronic Single Central Register with the date on which it was verified, in accordance with KCSIE guidance:
- proof of ID
 - Enhanced DBS
 - children's barred list check
 - prohibition check
 - overseas check
 - right to work
 - professional qualifications
 - section 128 check.
- 11.7. The Single Central Register will hold information for all staff including agency and third-party staff plus all members of the proprietor body. Where information is held for

agency and third-party staff, this will include the date on which written confirmation was received that the employment business carried out the relevant checks.

11.8. Individual's details will be removed from the Single Central Register once they leave the school's employment.

12. REFERRALS TO THE DBS AND TEACHER REGULATION AGENCY

12.1.1. Whilst these are pre-employment checks the School also 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 posed a risk of harm to a child.

12.1.2. If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the TRA.

Queries

If an applicant has any queries on how to complete the application form or any other matter, they should contact the HR Department

Reviewed by: Recruitment Manger
Date of last review: 25th July 2023
Date of next review: Trinity 2024