



Saint GREGORY'S
Bath

Recruitment and Selection (Safer Recruitment) Policy

Key Information:

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| Prepared by | Mellissa Jackson (HR Manager) and Adam Sheldon (School Business Manager) | |
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In Christ we Flourish

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1. Introduction

- 1.1. The Governing Body is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to demonstrate this commitment in every aspect of their work.
- 1.2. The appointment of all employees will be made on merit and in accordance with the provisions of Employment Law, Keeping Children Safe in Education and the school's Equalities Statement and Disability Equality Scheme, (except insofar as it is a requirement of the role holder that they be a practising Catholic – e.g. in the case of the Headteacher).
- 1.3. We will ensure that people are treated solely on the basis of their abilities and potential, regardless of race, colour, nationality, ethnic origin, religious or political belief or affiliation, (except insofar as Catholicity is a requirement of their role) trade union membership, age, gender, gender reassignment, marital status, sexual orientation, disability, socio-economic background or any other protected characteristic.
- 1.4. We will comply with the requirements of Keeping Children Safe in Education with regard to DBS and other pre-employment checks.
- 1.5. We will ensure compliance with the Data Protection legislation including the General Data Protection Regulations (GDPR) and the Data Protection Act 2018. Our Privacy Statement for Applicants provides specific details in accordance with the GDPR principles and can be found on our website www.st-gregorys.org.uk. Our Data Protection Policy can be found on our website www.st-gregorys.org.uk.

2. Delegation of Appointments and Constitution of Appointments Panels

- 2.1. The power to offer employment for all posts below the level of Deputy Head is delegated to the Headteacher. The Headteacher may not delegate the offer of employment to any other senior manager or governor.
- 2.2. The Headteacher will notify Governors of interviews for teaching staff so that they might attend, where appropriate and possible.
- 2.3. Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has a current, valid Safer Recruitment Training certificate.
- 2.4. In line with the CES Guidance on recruitment of staff for Governing Boards, the school will notify the Diocese at an early stage of any recruitment processes relating to any senior post to which there is a requirement to be a practicing Catholic. The Diocese will be invited to be involved in such processes as appropriate.

3. Advertising

- 3.1. All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or staff are at risk of redundancy, vacancies may be advertised only internally and external advertisement may only be considered if no internal appointment is made. In these circumstances, the selection panel may decide that certain parts of the recruitment process may be omitted but all candidates will be subject to a formal interview, the satisfactory reference requirements and any other necessary checks.
- 3.2. All advertisements should include appropriate commitment to safeguarding wording and if there is a requirement for the post holder to be a practising Catholic, this should also be made clear in the advertisement.

4. Information for Applicants

All applicants for all vacant posts will be provided with:

- 4.1. A job description outlining the duties of the post and an indication of where the post fits into the organisational structure of the school. A person specification may also be provided.
- 4.2. An application form. CVs will not be accepted.
- 4.3. An Information pack containing:
 - A description of the school relevant to the vacant post.
 - Reference to the school's statement on Equality and Diversity.
 - Reference to the Child Protection/Safeguarding Policy.
 - DBS and other pre-employment checks required.
 - A statement that canvassing any member of staff, or member of the Governing Body, directly or indirectly, is prohibited and will be considered a disqualification.
 - The closing date for the receipt of applications.
 - An outline of the terms of employment including salary.
 - Reference to this Policy.

5. Short Listing and Reference Requests

- 5.1. The selection panel will use an agreed short-listing form. At least two people will conduct the shortlisting. The criteria for selection will be consistently applied to all applicants based on the essential and desirable criteria for the post. The selection panel will agree the candidates to be called for interview. Consideration should be given to the safeguarding requirements, including to what extent the role will involve contact with children and whether the appointed staff member will be engaging in regulated activity.
- 5.2. The selection panel will take up at least two references on each short listed candidate. If a candidate for a post working with children is not currently working with children, a reference will be sought from the most recent employment working with children to confirm details of their employment and their reasons for leaving. The interview panel will scrutinise all received references to ensure candidate suitability for the role advertised.
- 5.3. Reference requests will ask the referee to confirm:
 - The referee's relationship with the candidate.
 - Details of the applicant's current post and salary.
 - Performance history and conduct.
 - All disciplinary action which may include those where the penalty is "time expired" and relate to the safety and welfare of children.
 - Details of any substantiated allegations or concerns relating to the safety and welfare of children.
 - When a candidate is applying for a teaching role (including the role of headteacher), information about the details of any capability procedures in the previous two years that they may have been subject to, and the reasons for these, will be requested from their current or former employer.
 - Whether the referee has any reservations as to the candidate's suitability to work with children. If so, the school will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children.
- 5.4. References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials or 'bearer references', i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate unless all alternatives have been exhausted. Where this is the case the exception will be risk assessed and signed off by the School Business Manager or Headteacher. References will be verified and any discrepancies will be discussed with the candidate at interview. Concerns raised following a candidate's references will be explored further with the referee where appropriate and discussed with the candidate at interview. The recruitment panel will ensure that any past

disciplinary action or allegations disclosed as part of a reference are considered carefully when assessing the candidate's suitability for the role. If this involves safeguarding or potential safeguarding concerns, the DSL will be consulted to help assess the candidate's suitability.

5.5. If the field of applicants is felt to be weak the post may be re-advertised.

6. Interviews

- 6.1. The format, style and duration of the interviews are matters for the Headteacher to decide in consultation with any governors involved in the process, but the following will be adhered to:
- 6.2. The Briefing: All candidates will be given relevant information about the school at a briefing to enable the candidate to make further enquiries about the suitability of the advertised job. Candidate consent to initiate a social media profile search will be requested at the invite to interview stage.
- 6.3. The formal interview: Before the interviews the selection panel will agree on the interview format. The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the job description and the person specification and each candidate will be assessed against all of the criteria for the post. The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act 2010 will be asked. The selection process for every post will include exploration of the candidate's understanding of child safeguarding issues. The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment. Any gaps in employment (not already accounted for in the application form) will be explored at interview as will time spent abroad. All candidates will be asked how they would support the Catholic Ethos of the school, should they be appointed.
- 6.4. During the recruitment process, and especially during the initial stages, the recruitment panel and the Headteacher will be watchful of candidates displaying the following characteristics:
 - No understanding or appreciation of children's needs
 - Expressing that they want the role to meet their needs at the expense of children
 - Using inappropriate language in relation to children
 - Expressing extreme views or views that do not support safeguarding practices
 - Displaying unclear boundaries with children
 - Providing vague answers when asked about their experience and being unable to explain gaps in their employment.
- 6.5. Feedback will be offered to all unsuccessful candidates.
- 6.6. The recruitment documentation will be retained for six months from the date of interview. Applicants have the right to request access to notes written about them during the recruitment process. After six months all information about unsuccessful candidates will be securely destroyed.

7. Offer of Employment by the Selection Panel

- 7.1. All appointments will be conditional on satisfactory completion of the necessary pre-appointment checks. These checks seek to identify whether there is anything that would make the candidate an unsuitable appointment for working with children or as a teacher.
- 7.2. The offer of employment by the selection panel and acceptance by the candidate is binding on both parties subject to the completion of the pre-employment checks.
 - Verify the candidate's identity, e.g. checking the name and birth date on a birth certificate and verifying any name changes.
 - Obtain an enhanced DBS check via the candidate and, for candidates engaging in regulated activity, barred list information.
 - Obtain a separate children's barred list check if the individual will start work in regulated activity with children before the DBS certificate is available.
 - Verify a candidate's mental and physical fitness to carry out their role.

- Verify the person’s right to work in the UK.
 - Make further checks as appropriate on any individual who has lived or worked outside the UK including a certificate of good conduct and certificate of professional standing.
 - Verify professional qualifications, as appropriate, including TRN checks for teaching staff. Checks for all prohibitions, directions, sanctions and restrictions will be carried out by using the secure access portal on the Teacher Services’ web page.
 - Social media profile checks
 - For those in Governor roles, conduct a section 128 check.
- 7.3. All support staff will be subject to a six month probationary period during which time the employee is required to demonstrate their suitability for the position in which they are employed. To this end progress is assessed on a regular basis. The probation period may be extended at the Governors’ discretion for a maximum of six months and is without prejudice to the Governors’ right to terminate the employment before the expiry of the probation period. During the probation period the notice period is one week and the Governors’ disciplinary procedure applies to the employee.

8. Right to work checks

- 8.1. The school will obtain evidence that all candidates for a position have the right to work in the UK by either conducting a manual document-based check or by using the government’s online portal. This will be done before a candidate is offered a position.
- 8.2. When conducting a manual, document-based check, the school will ensure that the documents received from candidates are acceptable in line with government guidance and from the appropriate list: List A for candidates with a permanent right to work in the UK or List B for candidates with a temporary right to work in the UK. Checks on documents will be conducted in line with section 19 of this policy.
- 8.3. The school will obtain proof of candidates’ immigration status in the UK.
- 8.4. The school will contact the Home Office in the event that a statutory excuse must be established in the following circumstances:
- The candidate provides a document confirming receipt of an application to EUSS on or before 30 June 2021
 - The candidate provides a non-digital certificate of application confirming receipt of an application to the EUSS on or after 1 July 2021
 - The school has checked a digital certificate of application and has been directed to the Home Office’s Employer Checking Service
 - The candidate provides an Application Registration Card stating the holder is permitted to undertake the work in question
 - The school is satisfied it has not been provided with any acceptable documents because the candidate has an outstanding application with the Home Office made before their previous permission expired, or has an appeal or review pending against the Home Office’s decision and cannot provide evidence of their right to work as a result
 - The school considers that it has not been provided with any acceptable documents, but the person presents other information indicating they are a long-term resident of the UK, i.e. having arrived before 1988.
- 8.5. The school will not make assumptions about a person’s right to work in the UK, or their immigration status, on the basis of their race, ethnicity, nationality, length of residence in the UK or background. All candidates, including British citizens, will have their right to work in the UK checked.
- 8.6. Where a candidate’s right to work is time-limited, the school will conduct a follow-up check in advance of its expiry.
- 8.7. The school may use a certified digital identity service provider (IDSP) to conduct right to work checks on candidates.

9. Identification checking process

- 9.1. When checking the validity of identifying documents, the school will ensure that this is done in the presence of the holder, e.g. in person or via a live video link. In both cases, the school will be in physical possession of the original documents. The school will only accept valid, current and original documentation in its physical form. The school will not accept photocopies or documentation printed from the internet, e.g. internet bank statements.
- 9.2. The school will request documents with photographic identity, such as a passport, and compare this against the candidate's likeness. The school will not accept documents that are not in the candidate's current name as recorded on the application form.
- 9.3. The school will ensure that the candidate declares all previous name changes and provides documentary evidence to support the name change. If the candidate is unable to provide evidence to support the name change, the school will hold a discussion with the candidate about the reasons why. The school will always aim to check the name on the candidate's birth certificate in order to validate their identity.
- 9.4. The school will compare the candidate's address history with any other information the candidate has provided, such as their CV.
- 9.5. The school will ensure that all letters and statements provided by the candidate are recent e.g. within a three-month period.
- 9.6. The school will keep a dated record of every document that has been checked for the duration of the candidate's employment and for a further two years after they have left the school. This will be either as a hard copy or in a scanned format which cannot be manually altered, e.g. JPEG or PDF document, and will be made available to the appropriate authorities if and when requested.
- 9.7. In line with the UK GDPR and Data Protection Act 2018, the school will only retain copies of DBS certificates where there is a valid reason for doing so, and only for as long as is needed to consider the information provided – this will not be for longer than six months.
- 9.8. When information is destroyed, the school may keep a record of the fact that vetting was carried out, the result of this vetting, and the recruitment decision taken.
- 9.9. The school may use a certified digital IDSP to secure DBS checks on candidates.

10. Identification checking process

- 10.1. Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with the school including:
 - Application form – signed by the applicant
 - Interview notes – including explanation of any gaps in the employment history
 - References – minimum of two
 - Proof of identity
 - Proof of right to work in the UK
 - Proof of relevant academic qualifications
 - Certificate of Good Conduct (where applicable)
 - Evidence of medical clearance from the Occupational Health service
 - Evidence of DBS clearance, barred list and teacher prohibition checks
 - Social media checks
 - Certificate of professional standing (teaching staff where appropriate)
 - Offer of employment letter and signed contract of employment
 - Any other relevant documents
 - The school will maintain a Single Central Record of employment checks in accordance with Keeping Children Safe in Education.
 - Applicants must return the Recruitment Monitoring Form and Rehabilitation of Offenders Act 1974 – Disclosure Form. These completed forms will be kept confidential and will be seen only by the relevant persons in the course of their specific duties relevant to recruitment and vetting purposes. All data will be held in line with GDPR.

11. Start of Employment and Induction

- 11.1. The pre-employment checks listed in paragraph 8.1 above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the barred list and teacher prohibition checks.
- 11.2. All new employees will be provided with an induction programme which will cover all relevant matters of school policy but in particular safeguarding and promoting the welfare of children.

12. In the event of a positive disclosure

- 12.1. The recruitment panel will assess all cases fairly and on an individual basis. Where a decision has been made not to appoint somebody because of their convictions, it will be clearly documented to enable the school a chance to defend its decision if challenged.
- 12.2. The school will consider the following when assessing any disclosure information on a DBS certificate:
 - The seriousness and relevance to the post which they have applied to
 - How long ago the offence occurred
 - The country where the offence occurred
 - Whether it was a one-off incident or a history of incidents
 - The circumstances around and at the time of the incident
 - Whether the individual accepted responsibility for what happened
 - Whether the offence has been decriminalised
- 12.3. If the school has reason to believe that an individual is barred, it is an offence under section 9 of the Safeguarding Vulnerable Groups Act (SVGA) 2006 for the school to allow the individual to carry out any form of regulated activity.

13. Overseas Checks

- 13.1. In line with KCSIE, the school may not require candidates to undergo checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the candidate has worked in England in a post. This is because the candidate will have already undergone this process in their previous position. This may be in the following circumstances:
 - In a school which brought them into regular contact with children or young people; or
 - In a school since 12 May 2006 which did not bring the person into regular contact with children or young people; or
 - In an institution within the FE sector, or in a 16 to 19 academy, in a post which involved the provision of education which brought the person regularly into contact with children or young people.

14. Volunteers

- 14.1. For all volunteers, the school will undertake a written risk assessment and use professional judgement and experience when deciding what checks, if any, will be required.
- 14.2. All unsupervised volunteers engaging in regulated activity will be required to provide the school with an enhanced DBS check with a barred list check. Existing volunteers in regulated activity do not need to be re-checked if they have already had a DBS check (including barred list information); however, the school may decide to conduct a repeat DBS check.
- 14.3. The school will only request barred list information for volunteers in regulated activity.

15. Agency and third-party staff

- 15.1. In the case of any employee working at the school who is sourced from an agency or third-party organisation, the school will obtain written notification from the organisation confirming that they have carried out the same checks as the school would otherwise perform on any individual who will be working at the school, or who will be providing education on the school's behalf, including through online delivery. Confirmation will also be obtained that the individual who presents for work is the same person on whom all checks have been completed. A copy of photographic identification will generally be kept where appropriate
- 15.2. The school will obtain a copy of the enhanced DBS certificate from the agency or third-party organisation where it has been obtained before the person is due to commence work and has disclosed any matter or information.

16. Trainee and student teachers

- 16.1. The school will ensure that enhanced DBS certificates and barred list checks are obtained on all salaried candidates for initial teacher training who are in regulated activity.
- 16.2. Where trainee teachers are fee-funded, it is the responsibility of the initial teacher training provider to carry out the necessary checks. The school will obtain written confirmation from the agency that the checks have been carried out.

17. Contractors

- 17.1. The school will ensure that any contractor, or any employee of the contractor, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised or engage in regulated activity.
- 17.2. The school will set out its safeguarding requirements in the contract between the contractor's organisation and the school.
- 17.3. If a contractor is self-employed, the school will consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account. The school will always check the identity of contractors and their staff on arrival.

18. Other Stakeholders and Associated Parties

- 18.1. Adults who supervise children on work experience
- 18.2. If the school is organising work experience placements it will ensure that the placement provider has policies and procedures in place to protect children from harm. More information related to checks on work experience providers is outlined in the school's Work Experience Policy

19. Children staying with host families

- 19.1. The school may make arrangements for a child to have learning experiences where, for short periods, the child may be provided with care and accommodation by a host family to whom they are not related. In these circumstances, the LA will be consulted.

20. Governors

- 20.1. Governors will have an enhanced criminal records certificate from the DBS. Governance is not a regulated activity and so governors will not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity.

21. References for existing staff members

- 21.1. In the event that St Gregory's is asked to provide a reference for a member of staff and where references are provided to the school, the candidate's suitability will always be assessed with particular regard paid to their suitability to work with children. The DSL will be consulted where appropriate.
- 21.2. The DSL will recognise the school's duty to disclose safeguarding concerns overrides any other duties to an employee, and ensure the school complies with its safeguarding obligations. The DSL will ensure records are kept of all allegations against staff in line with the most up-to-date version of KCSI E.
- 21.3. For all safeguarding allegations, excluding those proven to be malicious, a clear and comprehensive summary of the allegation, details of how the allegation was followed up and resolved, and a note of any action taken, and decisions reached, will be kept on the confidential personnel file of the accused member of staff. Accurate information based on these records will be given in response to future requests for a reference, where appropriate. Safeguarding information will not be given in circumstances where the allegation was found to be false, unsubstantiated or malicious – this includes if it is a history of repeated concerns or allegations which have been found to be false, unsubstantiated or malicious. The member of staff providing the reference will make no comments about their own personal views on the veracity of allegations