

Safer Recruitment Policy



1. Introduction

The Stowe Group 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. The School is also committed to providing a supportive and flexible working environment to all its colleagues and volunteers.

The Stowe Group recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who are aware of and share this commitment.

This policy and procedure aims to ensure a transparent, effective and consistent approach to recruitment and selection, complying with current employment and equality legislation, and providing clear guidance to departments.

The Stowe Group is an Equal Opportunities employer, and its aims are underpinned by the School's Strategic Equality Plan and the Equality, Diversity and Inclusion Policy, June 2022.

This Policy covers all recruitment activities and applies to all employees and prospective employees of The Stowe Group including full and part-time employees and those on fixed term contracts of employment, regardless of length of service. It aims to:

- ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- ensure that all job applicants are considered equally and consistently;
- 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 or civil partner status, disability or age;
- ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (**DofE**), *Safeguarding children and safer recruitment in education (Guidance)*, Keeping Children Safe in Education (**KCSIE** – September 2022) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
- ensure that the Schools meet their commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

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Safer Recruitment and selection procedure

1. Pre-recruitment

2.1 Review

The Departmental Head/Line Manager should, in conjunction with the People Department, evaluate the position identifying any necessary or desirable changes, i.e. duties, responsibility levels, candidate skills etc that may be required. The Job Description, Person Specification and existing Terms and Conditions should also be reviewed and updated as necessary.

2.2 Authorisation

All managers are required to complete an Authority to Recruit form and discuss their requirements with their line manager, payroll and the People Department. The Recruiter workflow requires the following approvals:

- Finance/Payroll
- Manager/Head of Department
- Group Director of People/People Department
- Headteacher (subject to role)

For all newly created posts (which are not considered a like for like replacement) an Authority to Recruit form should be completed and you will be required to attend a resource authorisation forum to discuss the role with the Head, Director of Finance and the Group Director of People.

In both cases the vacancy will be considered by the appropriate persons required in the approval process outlined above. The vacancy can be approved or rejected.

2.3 Timescales and appointment of Interview Panel

The Departmental Head/Line Manager will consult with the People Department to determine timescales for advertising, closing dates, potential interview dates and appropriate interview panel, which should consist of a minimum of two people.

2.4 Job Description/Person Specification

Job Descriptions should be on the correct templates and clearly state:

- the main duties and responsibilities of the post
- the hours and salary for the role and whether this is term time or a 52 week position
- the individual's responsibility for promoting and safeguarding the welfare of children and young persons she/he is responsible for, or comes into contact with

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Person Specifications should include:

- the qualifications, skills, experience, and any other requirements necessary to perform the role
- the competences and qualities that the successful candidate should be able to demonstrate
- highlighting what of the above are essential to the role and what are desirable

2.4 Advertising the Vacancy

- It is best practice that all vacancies are advertised, both internally and externally. However, where it is considered that existing colleagues have the prerequisite skills, consideration may be given to advertising posts internally only via an all staff email highlighting the role and details of how to apply
- The recommended advertising time is 2 weeks, the minimum time to advertise is 7 days
- The People Department will liaise with the Departmental Head/Line Manager to draw up the content of the advertisement ensuring that the wording is appropriate and non-discriminatory in line with the legislative requirements of the Equality Act 2010
- All advertisements will include details of the position, together with contact details and closing date
- The vacancy will be advertised in the most appropriate media i.e. local/national press, social media, specialist journals, agencies, job centres and the School's website or anywhere else deemed appropriate in line with the recruitment campaign

2.6 Applications

All applicants for employment will be required to complete either an online application or a paper application form containing questions about their academic and employment history and their suitability for the role. We also ask applicants to complete an equal opportunities monitoring information form.

Curriculum Vitae (CV) will not normally be accepted in place of the completed application form. In cases where a CV is accepted i.e as part of a recruitment campaign, the applicant will still be required to complete a full application form before the interview stage.

- On receipt of the application form and equal opportunities monitoring form, the equal opportunities monitoring form will be kept separate, it does not form part of the selection process
- Monitoring information is anonymised and only used for the purpose of statistics and data held in the People Department
- After the closing date, all application forms will be emailed to the hiring manager in consideration for shortlisting. In some cases jobs may close early if we have suitable applicants

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- All original documentation is held by the People Department and to comply with The Employment Practices Data Protection Code, the interview panel must ensure that all applications are kept in a secure location and remain confidential

3. Rehabilitation of Offenders

Applicants are asked to disclose whether they have been convicted by a court of a criminal offence for which they are subject to a period of rehabilitation under the terms 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".

A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose 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.

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 attempt to apply for a position at the School. The School will make a report to the Police and/or the DBS if:

- it receives an application from a barred person;
- it is provided with false information in, or in support of an applicant's application; or
- it has serious concerns about an applicant's suitability to work with children.

Disclosures under rehabilitation of offenders will not be given to Recruiting Managers and should not form part of a recruitment decision unless the Group Director of People decides it is directly relevant to the work being undertaken.

4. Shortlisting

All candidates should be assessed equally against the criteria contained in the person specification without exception or variation. It is best practice to have two shortlisters as part of this process. The shortlisters should record and retain their notes on individual applications as part of the selection process.

Any member of staff involved in the selection process who has a personal or familial relationship with an applicant is required to bring this to the attention of the People Department. The People Department documents this information and outlines any action taken e.g. the member of staff may be required to withdraw from the process – see: <https://www.aber.ac.uk/en/hr/policy-and-procedure/managingofconflict/>

When the shortlisters have completed their individual review, they should agree on a shortlist of candidates, which will be notified to the People Department who will then make the appropriate interview arrangements.

For Teaching positions, references will be obtained for shortlisted candidates prior to interview.

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All applicants will receive written notification of the outcome of their application from the People Department as soon as possible and a maximum of 3 weeks after the closing date i.e. an invitation to interview or notification their application has not been successful.

5. Interview Panel

At least one member of the interview panel will be appropriately trained and experienced in the selection process and at least one member will have completed the safer recruitment selection training and safeguarding requirements on the Educare Portal.

Recruiting managers, shortlisting and interview panel members are required to complete the training sessions on 'Unconscious Bias' training on the Educare portal

All panel members should be able to attend all interviews for the duration of the recruitment process, to maintain consistency and fair treatment of all candidates

The composition of the Appointment Panel will be decided by the head of department.

5.1 Invitation to Interview

The People Department will invite candidates to attend the interview, which will be confirmed by email, outlining date, time and place, membership of the interview panel, format of the interview and also providing directions to the School and any other information as necessary.

The invitation to interview will also state that the identity of the candidate will be checked at the interview and consequently all candidates will be required to bring with them documentary evidence of their identity and right to work. Candidates will also be required to bring proof (originals) of relevant qualifications (if applicable).

5.2 Interview Process

The appointing panel will convene prior to the first interview so that the interview Chair can clarify the following points:

- The interview process;
- The structure of the interview and assessment criteria;
- The questions to be asked and by whom;
- Declarations of interest.

Interview questions must be the same for all candidates, to maintain consistency and fair treatment of all candidates.

Best practice recommends that competence-based questions should be used to relate how the candidate has responded to or dealt with actual situations, or questions that test the candidate's attitude and understanding of issues.

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5.3 Areas to be covered during the Interview

In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel should also explore:

- the candidate's attitude toward children and young people and suitability for working in a School environment
- his/her ability to support the School's commitment for safeguarding and promoting the welfare of children and young people
- gaps or any issues relating to the candidate's employment history
- concerns or discrepancies arising from the information provided by the candidate and/or a referee
- if the candidate wishes to declare any issues in light of the requirement for an Enhanced DBS check or any issues relating to references
- confirm the candidate's mental and physical fitness to carry out their work responsibilities (KCSE – 2022).

All members of the interview panel should complete an Interview Record Form for each candidate, using documents prescribed by the School. At the conclusion of the interviews, the manager will collate the individual interview scores and facilitate a discussion as required.

Decisions should be fair, ensuring they are withing equality and diversity and legislative frameworks.

An exception to the interview process will take place in the event of a single application from a candidate under prior consideration.

All interview documents (interview notes) must be returned to the People Department within 48 hours.

6. Pre-employment checks

In accordance with the recommendations set out in the Guidance, KCSIE – 2022 and the requirements of the Education (Independent School Standards) (England) Regulations 2014 and the Boarding Schools: National Minimum Standards (2015), the School carries out a number of pre-employment checks in respect of all prospective employees.

Following the agreement of the appointing panel, a conditional verbal offer will be made to the selected candidate as soon as possible by the manager in line with the below:

The conditions of an offer of employment are as follows:

- Receipt of evidence of right to work in the UK;
- Receipt of satisfactory references (one of which should be the current employer);
- Receipt of qualification certificates (if required for the position);
- Receipt of a satisfactory Disclosure and Barring Service check;

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- Medical clearance (where appropriate);
- Evidence of memberships of professional bodies.

The unsuccessful candidates should be contacted and advised of the outcome of their application by the manager/People Department. The notes recorded during each interview may be used to provide constructive feedback, if requested.

Details of candidates and of selection decisions will normally be stored for a maximum of six months.

6.1 Documentation included in the offer:

- Contract of Employment
- Job Description/Person Specification
- New Employee Starter Form
- Personnel Record next of kin
- Staff Handbook (Non-Teaching staff)
- Medical Declaration Form
- Appropriate Medical Questionnaire
- Rehabilitation of Offenders Act 1974
- Children's Barred List (formerly List 99) Form
- Safeguarding and Child Protection statement (aide memoire)
- Keeping Children Safe in Education (KCSIE) document
- Staff Code of Conduct
- Other relevant policies

7. Regulated Activity

The School must consider whether a position amounts to "regulated activity". It is however likely that in nearly all cases an Enhanced DBS check, which includes a Children's Barred List check, will be carried out because employment within a School environment provides the opportunity for contact with children.

A check of the Children's Barred List is not permitted if an individual will not be undertaking "regulated activity". Based on KSCIE 2022, the definition of "regulated activity" is as follows:

'As the majority of staff will be engaging in regulated activity, an enhanced DBS certificate which includes barred list information will be required for most appointments. In summary, a person will be considered to be engaging in regulated activity if, as a result of their work, they:

- will be responsible, on a regular basis (in a school or college) for teaching, training instructing, caring for or supervising children; or*
- will carry out paid, or unsupervised unpaid work regularly in a school or college where that work provides an opportunity for contact with children; or*
- engage in intimate or personal care, or overnight activity, even if this happens only once.'*

8. Criminal Records Check

All staff in 'regulated activity' are required to obtain an Enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to 'regulated activity' as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended) and in KCSIE 2022.

The purpose of carrying out an Enhanced check for 'regulated activity' is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List maintained by the DBS.

This definition will cover nearly all posts at the School. Limited exceptions could include temporary positions outside of term time.

- It is for the School to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances
- The DBS issues a DBS disclosure certificate to the subject of the check only, rather than to the School
- It is a condition of employment with the School that the **original** disclosure certificate is provided to the School before or as soon as possible after the employment start date
- If there is a delay in receiving a DBS disclosure the Senior Deputy Head/Director of Operations & Estates has discretion to allow an individual to begin work pending receipt of the disclosure. This will only be allowed if all other checks, have been completed and once appropriate supervision has been put in place
- A risk assessment will be completed and reviewed on a weekly basis until receipt of the DBS
- A Certificate of Good Standing will be requested for applicants who are coming from overseas and a UK DBS will be requested as soon as the individual has moved to the UK and has the relevant proof of address required to process the check

8.1 Referrals to the DBS and National School for Teaching and Leadership (NCTL)

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 pose a risk of harm to, a child
- If the individual referred to the DBS is a teacher, the School may also decide to make a referral to the NCTL

8.2 Risk 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, the School will carry out a risk assessment by reference to the criteria set out above. The risk assessment must be signed by the Head or Director of Operations & Estates before a position is offered or confirmed.

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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, the School will, 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.

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;
- 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.

8.3 Governors and Volunteers

An Enhanced DBS clearance will be obtained by the People Department prior to commencement of duties. All volunteers who are in 'regulated activity' will have an Enhanced DBS and all relevant checks undertaken. A Section 128 Direction check will also be undertaken for Governors and colleagues working in a management position.

8.4 Adults Living on Site

An Enhanced DBS clearance will be obtained by the People Department for all adults living on site but not employed by the School.

8.5 Retention and Security of DBS Information

The School will comply with its obligations regarding the correct handling, use, storage, retention, security and disposal of records in accordance with the DBS Code of Practice and its obligations under the Data Protection Act 1998 and any other relevant legislation.

Appendix 1 provides for further detailed information on acceptable DBS ID documents

9. Medical fitness

The School is legally required to verify the medical fitness, in relation to carrying out their role and duties, of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed.

It is the School's practice that all applicants to whom an offer of employment is made must complete a medical declaration form and medical questionnaire. The School will arrange for the medical questionnaire to be reviewed by the School's Occupational Health Advisor (OHA). If the School's OHA 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.

In accordance with the Equality Act 2010 the School will not withdraw a job offer without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

10. References

- For teaching positions, references will be taken up and verified prior to interview
- For non-teaching positions references will only be taken up after an offer is made
- All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the School
- One of the references 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 reference should be from the employer with whom the applicant most recently worked with children.
- All referees will be asked whether they believe the applicant to be 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 for which the applicant has applied. 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
- 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, unfounded or malicious.
- 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 reference or testimonial.
- 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.

11. Contractors and agency staff

Contractors engaged by the School in regulated activity must complete the same checks that the School is required to complete for its staff.

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. The School will independently verify the identity of staff supplied by contractors or an agency.

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12. Retention of records

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 his/her 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.

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. This documentation may be retained by the School's Occupational Health Adviser for the duration of the successful applicant's employment with the School. After employment ends it will be retained in accordance with the School's document retention guidelines.

If the application is unsuccessful, all documentation relating to the application will be confidentially destroyed after six months.

13. Induction Process

All newly appointed staff, regardless of previous experience, will undertake the School's Induction programme. Please refer to the Induction Policy 2022.

14. Clarification and Further Information

For clarification or further information on any aspect of this policy and procedures, please contact the People Department.

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Appendix 1 List of acceptable documents for an Enhanced DBS Check

Please provide the following original documents:

1 document -from Group 1

2 further documents from either Group 1, or Group 2a or 2b

Group 1 - Primary Trusted Identity Credentials

- Current valid Passport
- Biometric Residence Permit (UK)
- Current Driving Licence (UK / Isle of Man / Channel Islands) (Full or provisional)
- Birth Certificate - issued within 12 months of birth
 - UK and Channel Islands
 - Full or short form acceptable
 - Including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces
 - Photocopies are not acceptable
- Adoption certificate (UK and Channel Islands)

Group 2a - Trusted Government/State Issued Documents

- Current Photo Driving Licence - All countries (full or provisional)
 - Issued in any country other than those in Group 1
- Current Driving licence - paper version
 - UK/Isle of Man/Channel Islands
 - Full or provisional
- Birth Certificate - issued after time of birth
 - UK, Isle of Man and Channel Islands
 - issued after the time of birth by the General Register Office/relevant authority i.e. Registrars
 - Photocopies are not acceptable
- Marriage/Civil Partnership Certificate (UK and Channel Islands)
- HM Forces ID Card (UK)

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- Fire Arms Licence (UK, Isle of Man / Channel Islands)
- Immigration document, visa or work permit
 - Issued by a country outside the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non-UK country in which the role is based

Group 2b - Financial/Social History Documents

- Mortgage Statement (UK)**
 - Bank/Building Society Statement (UK & Channel Islands)*
 - Bank/Building Society Account Opening Confirmation Letter (UK)*
 - Credit Card Statement (UK)*
 - Financial Statement ** - e.g. pension, endowment, ISA (UK).
 - P45/P60 Statement **(UK & Channel Islands)
 - Council Tax Statement (UK & Channel Islands) **
 - Utility Bill (UK)* - Gas
 - Utility Bill (UK)* - Electricity
 - Utility Bill (UK)* - Water
 - Utility Bill (UK)* - Phone (landline only)
 - Benefit Statement* - e.g. Child Allowance, Pension
 - A document from Central/ Local Government/ Government Agency/ Local Authority giving entitlement
(UK & Channel Islands)*- e.g. from the Department for Work and Pensions, the Employment Service ,
Customs & Revenue, Job Centre, Job Centre Plus, Social Security
 - EEA National ID Card
 - Cards carrying the PASS accreditation logo (UK, Isle of Man and Channel Islands)
 - Letter from Head Teacher or College Principal (16-19 year olds in full time education in the UK (only
used in exceptional circumstances when all other documents have been exhausted))
- May 2022
- Letter of sponsorship from future employment provider

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- Non-UK only
- Valid only for applicants residing outside of the UK at time of application
- Must still be valid
- Irish Passport Card
- Must be valid. Cannot be used with an Irish Passport

Please Note:

If a document in the List of Valid Identity Documents is:

- Denoted with * - it should be less than three months old
- Denoted with ** - it should be issued within the past 12 months
- Not denoted - it can be more than 12 months old

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Appendix 2 – Recruitment and Selection Flowchart

