



# ST FRANCIS SCHOOL

## **Recruitment, Selection and Disclosures Policy and Procedure (G13)**

### **1. Introduction**

St Francis School ("the School") is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries to the School's Application Form and recruitment process must be initially directed to the HR Manager

An entry will be made on the Single Central Register (SCR) for all current members of staff at the School, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

David Lee, the Headmaster, is registered with the DfE and is responsible for the management of the School.

All checks will be made in advance of appointment or as soon as practicable after appointment.

### **2. Scope of this Policy**

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.

In the case of agency or contract workers, the School should set out their safeguarding requirements in the contract between the organisations and the School and must obtain written confirmation from the agency or company that it has carried out the appropriate checks. The School conducts identity checks on agency and contract workers on arrival in School and, in the case of agency workers which includes supply staff, the School must be provided with a copy of the appropriate level of DBS check for such staff.

The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus (in line with KCSIE) two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and the School carries out its own identity check and has seen the disclosure certificate.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. The School will determine the appropriate level of supervision depending on the circumstances.

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category or a senior management position is judged using the following criteria:

- A person who is accountable only to the governors, and who carries overall responsibility for the day-to-day management and control of the charity. At St Francis School this would be the Headmaster.
- A person who is only accountable to the Headmaster or the governors, and who is responsible for the overall management and control of the charity's finances. At St Francis School this would be the Bursar.

Being disqualified means that a person cannot take on, or stay in, a senior manager position - even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

Any staff who TUPE transfer into the School's staff will be required to undertake the statutory requirements with regard to safer recruitment checks.

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

### **3 Recruitment and Selection Planning**

In advance of advertising, St Francis School scopes out a timeline that allows for all relevant checks to be made during the process e.g. time is built in to enable references to be followed up before interviews or where there is more than one interview, between long list and short list interviews. St Francis School also identifies who should be involved, assigning responsibilities at each step of the process. For each advertised role, a job description and person specification are reviewed (in case of staff replacement) or created (in case of new role).

#### **Staff Appointment Form**

The staff appointment forms (finance) requests bank account details and also requests the provision of the applicant's DfE reference number, if applicable.

#### **Job Description**

The Job Description available to all candidates clearly states:

- The main duties and responsibilities of the post
- The individual's responsibility for promoting and safeguarding the welfare of children they are responsible for or those they come into contact with.

#### **Person Specification**

The Person Specification includes:

- Qualifications and experience, and any other requirements needed to perform the role in relation to working with the children.
- A description of the competences and qualities that the successful candidate should be able to demonstrate

#### **Candidate Information Pack**

The candidate information pack contains the following information:

- The application form
- The job description and person specification
- Information about the School

### **Applications (on receipt)**

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Applications Forms but may be submitted alongside the Application Form.

The School will make candidates aware that all posts in the School involve some degree of responsibility for the safeguarding of children, although the extent of that responsibility will vary according to the nature of the post. The following explicit statement about the School's commitment to safeguarding and promoting the welfare of children will accompany all vacancies advertised:

'St Francis 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.'

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. Additionally, successful applicants should be aware that they are required to notify the School immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

The statutory guidance "Disqualification under the Childcare Act 2006" applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare. As any employee of St Francis School may be required to provide care as in the previous sentence, all employees at St Francis School will be required to complete a relevant declaration.

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the School immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Headmaster or Bursar for more details.

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. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made the offer will be subject to a Prevent duty risk assessment [more guidance for schools from the DfE on this can be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)].

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.

Following the above guidelines a shortlist is prepared.

#### **4. Invitation Arrangements**

##### **Invitation to interview**

The School will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. At least two people will carry out the shortlisting exercise, consider any inconsistencies, look for gaps in employment and reasons given for them, and explore all potential concerns.

As part of the shortlisting process, the School will consider carrying out an online search on shortlisted candidates as part of its due diligence. This may help to identify any incidents or issues that have happened, and are publicly available online, which the School may want to explore with an applicant at interview. This forms part of the School's wider safeguarding due diligence which aims to prevent and/or deter individuals who may be unsuitable to work with children from working in a school environment.

Shortlisted applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

Shortlisted candidates should be asked to complete a self-declaration form in relation to their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

Candidates are also asked to bring documents confirming any educational and professional qualifications that are necessary or relevant to the post. A copy of the documents used to verify the successful candidate's identity and qualifications are kept for the personnel file.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.

## **Interview Panel**

At St Francis School the interview process is very much a two way process. The candidate will be offered a tour of the school, an interview with at least two people, an informal meeting with a group of children (in the case of teaching staff) and an observed lesson (in the case of teaching staff). This interaction with the children helps ensure the suitability of the candidate to work with children. It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training.

The School will where possible, obtain references prior to the final interview. This allows any concerns raised to be explored further with the referee and can be taken up with the shortlisted candidate at interview.

All formal interviews will have a panel of at least two people chaired by the Headmaster, Bursar or another designated senior member of staff. It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, an alternative member of the Governing Body shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children, including where appropriate, any discussion of information shared by a candidate in their self-declaration form.

All candidates invited to interview must bring documents confirming

- Any educational and professional qualifications that are necessary or relevant for the post the original or certified copy of certificates, diplomas etc
- A current driving licence including a photograph or a passport or a full birth certificate;
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
- Where appropriate any documentation evidencing a change of name;
- Where applicable, proof of entitlement to work and reside in the UK.

Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient other than for education or professional certificates.

Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

## **5. Conditional Offer of Appointment and Pre Employment Check**

An offer of employment is made conditional on satisfactory completion of all pre-appointment checks and satisfactory completion of the following:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK (if not already received);
3. A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;

4. For a candidate to be employed within the School who may be required to teach children in the classroom or Nursery, a check that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012 Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
  - Planning and preparing lessons and courses for pupils
  - Delivering and preparing lessons to pupils
  - Assessing the development, progress and attainment of pupils
  - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, including Qualified Teacher Status where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999);
7. Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the candidate providing the School with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked and
8. Evidence of satisfactory medical fitness.
9. Receipt of a signed declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006";
10. For a candidate to be employed into a senior management position as set out above under "Scope of this Policy", receipt of a signed "senior charity manager positions: automatic disqualification declaration" confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities;
11. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching Heads of Department.

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and processed in accordance with the Recruitment Privacy Notice and Data Protection Policy. 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 workload, extra-curricular activities, layout of the School.

The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

## **6. References**

The School will seek the references referred to above for shortlisted candidates (including internal applicants) and will approach previous employers for information to verify particular experience or qualifications, before interview where possible. One of the references must be from the applicant's current or most recent employer. References must be received by a senior person with appropriate authority. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

The School will ask all referees if the candidate is suitable to work with children and to provide facts of any substantiated safeguarding concerns/allegations that meet the harm threshold set out in Part 4 of the statutory guidance 'Keeping Children Safe in Education'.

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. The School will verify all references. Where references are received electronically, the School will ensure they originate from a legitimate source.

The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate.

References are always sought directly from the referee. St Francis never relies on references or testimonials.

## **7. Criminal Records Policy**

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:

<https://www.gov.uk/government/publications/dbs-code-of-practice>.

There are limited circumstances where the school may accept a check from another educational institution which are as follows:

This is where the new member of staff ("M") has worked in: –

- (a) A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

during a period which ended not more than three months before M's appointment.

In these circumstances the school will also apply for a new disclosure even though it is not required to do so. A new, separate barred list check will be obtained.

### **DBS Update Service**

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

If disclosure is delayed

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, the Head may allow the member of staff to commence work:

- Without confirming the appointment;

- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but not a requirement, that a note is added to the single central register and evidence kept of the measures put in place.

## **8. Retention, Security of Records and Data Protection Obligations**

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.

## **9. Staff Guide to Visitors to the School Site**

### **Introduction**

There are a number of different situations where people need or want to work in the school or visit the school. To ensure the welfare of all staff and children, procedures must be followed. There are different procedures for different situations and this guide is aimed at helping you to understand what the supervising member of staff/recruiting member of staff must do. There will always be instances where someone does not quite fit into the areas detailed below, so if there is any uncertainty, contact should always be made with the Bursar or the HR Manager.

In general there are two categories of people who may need / want to be in the school – those who will work unaccompanied with children and those who will be accompanied by a member of staff at all times.

- 1) Unaccompanied (e.g. pay rolled staff, peripatetic staff, club leaders [e.g. judo and tennis]);
- 2) Accompanied (e.g. visitors (including parents), clubs (e.g. pottery);
- 3) Exceptions (e.g. workmen, work experience students).

### **Unaccompanied**

The Policy on Safer Recruitment (G13) should be followed for the recruitment of all people working unaccompanied with children.

### **Accompanied**

It is up to the member of staff bringing the visitor(s) in to sign them in at the School Office and to ensure they are aware they must not work unaccompanied with children. They should also make them aware of H&S procedures etc.

During school hours, visitors should always sign in to school at the School Office and should be accompanied at all times. Individuals should sign out on departure. Examples of situations are as follows:



- a) A parent has an appointment with a teacher;
- b) A parent / friend helps with class lessons / activities e.g. lantern making;
- c) An external visitor to talk to any member of staff.

NB Visitors should never be left unaccompanied with children or left to walk around the school buildings unaccompanied.

For practical reasons the following exclusions apply:

- a) Drop off from 8.30am until 9.00am.
- b) Pick up of Nursery children. Entry for pick up of Nursery children should be via the Nursery intercom system. Nursery staff, on recognising the parent, can allow access.

## **Exceptions**

### **1. Work Experience Students**

Work experience students should not work unaccompanied with children but can move around the school more freely than a visitor or parent. They must provide photo identification and proof of address as well as complete a staff appointment form. The school office should be provided with details of the student's timetable of attendance, if regular, or the student should sign in daily if hours are more ad hoc.

Every student must see the Bursar School Secretary and / or the HR Manager to sign a declaration and Risk Assessment that they will not work unaccompanied at any time. This must be countersigned by the supervising member of staff and the Deputy Head and be dated for the relevant timeframe.

Every student must have a short induction with the Designated Safeguarding Lead and (30 minutes maximum) with the HR Manager.

### **2. Contractors and Workmen/women**

The majority of workmen/women on site will operate outside of school hours. In this case there is no need for formal sign in and out but they should be made aware to report to the Bursar or the Estate Manager in the first instance and on a daily basis. This is for fire regulations and for general awareness.

If work is being completed during school hours: the procedure for Work Experience Students should be followed, as above.

- The School secretary (or in their absence, the Bursar and/or HR Manager/Estates Manager) must be informed of expected contractors by the individual who has arranged for the visit.
- When the contractor arrives, the School Secretary, their stand-in or the Estates Manager must ask to see their photographic ID and check that the ID is a true reflection of the individual in front of them;
- The School Secretary, their stand-in or the Estates Manager should check whenever possible, with the Bursar or the HR Manager (preferably in advance of the contractors visit) to find out their status:
  - Fully cleared and able to work unaccompanied
  - Not cleared and requiring supervision
- If the HR Manager or Bursar is absent, and the contractor's status has not been checked, the contractor must be treated as if they are not cleared to work in School alone and must be supervised.
- Depending on the contractor's status, the individual who has arranged for the contractor to visit must arrange for them to gain access to the work they are here to carry out and where they are not cleared to work alone, supervision must be arranged by the person who has arranged the visit. Uncleared contractors must not be left to work alone without supervision.
- Where necessary, contractors may need to provide to the Estates Manager or Bursar, a method statement for the work to be carried out or request a Hot Work Permit from the Estates Manager or Bursar.
- If there is any doubt about a contractor's status, the HR Manager or Bursar must be consulted.

## **10. Leadership and Management**

St Francis School will nominate a Governor who will carry out termly checks of the SCR which will include checking personnel files against the details recorded on the SCR.

The following post holders should renew their Safer Recruitment training at least once every three years:

- The Safeguarding Governor and any other governor nominated to carry out checks against the SCR;
- The Headmaster
- The Deputy Head (Pastoral)
- The Deputy Head (Academic)
- The Head of Pre-Prep
- The Nursery Manage
- The Bursar
- The HR Manager

Compiled by: LM	Approved by:	Responsibility: Bursar
Reviewed by: 1. LM (Summer 2019) 2. JT/DL/RB - Feb 2022 3. <b>JT/JS (Summer 2022)</b>	1. DWTS 2. Governing Board (March 2022) 3.	Next revision due: 1. Summer 2021 2. Summer 2022 3. Summer 2023

## Appendix

### Policy on the Recruitment of Ex-Offenders

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

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006".

Under the relevant legislation, It is unlawful for the School to employ anyone who is included on the list maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006".

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the Police and/or the DBS if:

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

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;
- whether the conviction or caution is 'protected' as defined by the Rehabilitation of offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020 (if yes, it will not be taken into account);
- 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;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and

- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is 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.

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.

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.