

# SELECTION, RECRUITMENT AND DISCLOSURE POLICY

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# Policy Statement

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Eaton House Schools is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. All applicants must be willing to undergo child protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service. All applicants agree to comply with and implement the schools Safeguarding and Child Protection Policy.

Eaton House Schools aims to recruit staff that share and understand the schools commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010. Eaton House Schools will recruit the most suitable person for each vacancy, regardless of marital status, sex, colour, race, nationality, national or ethnic origins, religion or beliefs, age or perceived age, sexual orientation, gender re-assignment or disability. Wherever possible, existing employees will be invited to apply for promotion opportunities when a suitable vacancy arises.

Eaton House Schools Recruitment and Selection Procedures offer a systematic, effective and fair process. Selection is based on published, objective and job-related criteria and assesses all candidates on their skills, qualifications, experience and ability to do the job. The selection process will be carried out appropriately with written evidence relating to the recruitment and selections process held on file. All school staff involved in the recruiting process have up to date Safer Recruitment in Education certification.

A decision to shortlist, interview or offer employment will take no account of an applicant's trade union membership or non-membership.

In accordance with the school's equal opportunities policy, reasonable adjustments will be made to accommodate the particular needs of any person who has notified the school that he or she has a disability within the meaning of the Equality Act 2010 at all stages of the recruitment process.

Unless otherwise justified, a decision to shortlist, interview, employ or engage the services of any person will be taken without regard to the applicant's gender, marital status, race, colour, nationality, national or ethnic origins, religion or belief, sexual

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orientation, age or (unless justified) disability or because his or her name appears on a prohibited list (i.e. a list of known trade union activists).

The school's policy which includes EYFS does not allow any person whose suitability has not been checked, including an Enhanced DBS Check, to have unsupervised contact with children being cared for. Where a new member of staff starts work before the disclosure is available, the school will complete a risk assessment and ensure that the person is supervised at all times and that all other checks (including barred list) have been completed satisfactorily and both references have been received.

At every stage of the recruiting process the school ensures that they comply fully with the organisation's equal opportunities policy and Safer Recruitment guidance. Any applicant (internal or external) who feels that they have not been treated fairly in the recruitment and selection process should follow the schools complaint procedures policy.

The school keeps a Single Central Register of Appointments (SCR). This is password protected and only accessible to the Principal, Bursar, Head Teachers, Human Resources and Head of Compliance. The Single Central Register contains an entry for all current members of staff at the school, the proprietors and all individuals who work in regular contact with children, including supply staff, peripatetic staff, LSAs, volunteers and those employed as third parties. The Single Central Register of Appointment (SCR) records all the recruitment checks, initialled and dated by the person completing the check, and includes Identity, Enhanced disclosure and Barred list/List 99 (with the date of the DBS check unless a separate earlier barred list check was undertaken), Prohibition from teaching check, Qualifications, overseas checks where applicable, Right to work in the UK. All checks will be made in advance of appointment or as soon as practicable after appointment.

The school is owned by Dukes Education.

# Scope of the Policy

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The Recruitment, Selection and Disclosure Policy 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.*

## Supply and Contract Staff

In the case of agency/supply or contract staff, the school shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. These checks include, an enhanced disclosure of less than three months old, a right to work in the UK, barred list/List 99, disqualification from providing childcare, qualifications and overseas checks. No agency staff will be employed unless the agency has also taken up references, obtained medical history and checked previous employment history. The agencies checks and date of checks are noted on the school's SCR along with an identity check made by the school.

The school conducts identity checks on agency/supply and contract staff on arrival in School. The school must also be provided with a copy of the DBS check for such staff.

In respect to contractors who have not been checked, will under no circumstances be allowed to work unsupervised in School. The School will determine the appropriate level of supervision depending on the circumstances.

Any staff who transfer under TUPE into the School's staff register 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 is 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.

# Application Pack

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Eaton House Schools will only accept applications from candidates completing the schools relevant application forms in full. CV's will not be accepted in substitution for completed school application forms.

All candidates are made aware that all posts in the School involve some degree of responsibility for safeguarding children and all applicants must agree to comply with and implement the school's Safeguarding and Child Protection Policy. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

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.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the school with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the school shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However, amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service (DBS) for the position. In addition, 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 as someone who has unspent cautions or convictions for a relevant offence (please see a list of the relevant offences set out here:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

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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 Head and HR department 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 Head and HR Department for more details.

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.

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 which may include 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.

# Invitation to Interview

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Eaton House Schools will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short listed applicants will be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least two people chaired by the Head or Senior Management and at least one member of staff taking the interview has up to date Safer Recruitment Certification. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgment will be made by senior management as to whether or not an interviewer 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.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc.). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

The School requests that all candidates invited to interview also bring with them:

1. A current driving licence including a photograph or a passport or a full UK birth certificate;
2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where the candidate is not a citizen of the UK proof of entitlement to work and reside in the UK must be provided.

**Please note that originals of the above are necessary. Photocopies are not sufficient.**

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.

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In the event a candidate is identified early in the search process the school reserves the right to make an appointment before the application deadline.

All applicants who have not been successful either at initial application stage or post interviews, are informed by e-mail. Any original documentation which may be held is returned to the applicant and all other paperwork is deleted securely.

# Conditional Offer of Appointment Pre-Appointment Checks

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Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received) Open references are not considered. If a reference is taken over the telephone, detailed notes are taken, dated and signed;
2. Verification of identity and qualifications including, where appropriate, evidence of the right of work in the UK.
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 as a teacher, a check that the candidate is not subject to a prohibition order issued by the Secretary of State 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, 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 a relevant police check to be provided from the relevant country.
8. Satisfactory medical fitness. A medical form to be completed.
9. Receipt of a signed Staff Self Declaration form showing that you are not disqualified from providing childcare under the Disqualification under the Childcare Act 2006 (June 2016);

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10. 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 Senior Management Team and teaching heads of department as applicable; and
11. For a candidate that has lived or worked outside the UK a police check must be complete from the country the candidate has lived and worked in.

It is the school's practice that a successful candidate must complete a pre-employment medical questionnaire. The information contained in the questionnaire will then be held by the school in strictest confidence and processed in accordance with the General Data Protection Privacy Notice and Data 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.

Once the appointment and starting date are confirmed the Head Teacher is informed in order for the induction programme to be arranged. The induction programme will be tailored to the particular needs of the individual and will be planned prior to the appointee starting work. All new staff are required to take part in the school's in person induction training which includes safeguarding, health and safety and school procedures. In addition to the induction training, the relevant school policies must be read, safeguarding and health and safety e-learning completed.

All appointments will be made subject to a satisfactory probation period. The new employee's progress is monitored closely by a designated member of the senior management team during this period. Interviews are held at regular intervals during the probationary period. A recommendation is discussed and agreed at the end of the probation as to whether employment should be confirmed, the probationary period extended or terminated.

For contracts of one year or more, the probationary period is twelve months for teaching staff. Employment may be terminated by the school giving the staff member one month's notice at any time during or at the end of the probationary period. The staff member must provide one month's notice if they wish to terminate their

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employment with Eaton House Schools. Newly Qualified Teachers are subject to a probationary period of 12 months. Support staff which includes admin, maintenance and housekeeping will have a probationary period and notice period specific to their role and this is included in the staff contract.

## References

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Eaton House School will seek the references for shortlisted candidates and may approach previous employers for information to verify particular experience or qualifications, before interview. 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.

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

# Criminal Records Policy

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The School will refer to the Department for Education document, Keeping Children Safe in Education in carrying out the necessary required DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which can be accessed here;

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

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

This is where the new member of staff has worked in: –

- (a) A school or a maintained school in England in a position which brought the new staff member regularly into contact with children or young persons;
- (b) A maintained school in England in a position to which the new staff member was appointed on or after May 2006 and which did not bring them 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 the new staff member regularly into contact with children or young persons,

during a period which ended not more than three months before the new staff member was appointment. However Eaton House Schools will still apply for an Enhanced disclosure. A 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, a 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;
- Risk assessment is completed to include appropriate safeguards. Staff member must be supervised at all times.
- Safeguards reviewed at least every two weeks by the Head
- The person in question is informed what these safeguards are and understands that they must be supervised at all times.
- A note is added to the single central register and evidence kept of the measures put in place.

# Retention, Security of Records and Data Protection Obligations

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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.

# Policy on the Recruitment of Ex-Offenders

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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 them 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 Disqualification under the Childcare Act 2006 (June 2016), or otherwise.

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;

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- 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.

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This chart explains which checks are needed dependent on the date the staff member was appointed.

Date of appointment	Pre-1.9.03	1.9.03 to 30.4.07	1.5.07 to 31.8.10	1.9.10 to present	In advance of appointment?
Recruitment checks on staff					
Barred list/List 99 check	Y	Y	Y	Y	Yes, if disclosure not received
Enhanced disclosure		Y	Y	Y	Applied for
Identity		Y	Y	Y	Y
Prohibited List				Y	Y
Medical fitness		Y	Y	Y	Y
Previous employment history/CV		Y	Y	Y	Y
Character references		Y	Y	Y	Y
Professional references, where appropriate		Y	Y	Y	Y
Qualifications, where appropriate		Y	Y	Y	Y
Overseas checks, where appropriate			Y	Y	Y
Right to work in the UK			Y	Y	Y

\*Should there be a delay in processing any of these checks, employment is not confirmed.

# Proprietors

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The school keeps on the SCR the appropriate checks required for the Proprietors of Eaton House Schools.

The table below lists the checks needed for Proprietors dependent on the date they became involved with the school.

Date of appointment	Pre-1.9.03	1.9.03 to 30.4.07	1.5.07 to 31.8.10	1.9.10 to 9.9.12	10.9.12 to present	Checks to be undertaken by DfE?
Recruitment checks on proprietors						
Barred list/List 99 check	N	Y	Y	Y	N (Note 1)	N
Enhanced disclosure	N	Y (Note 2)	Y	Y	Y	Y
Identity	N	X	Y	Y	Y	Y
Overseas checks, where appropriate	N	X	Y	Y	Y	Y
Right to work in the UK	N	X	Y	Y	Y	Y

*Note 1 - From 10 September 2012, it is no longer possible to undertake these checks for new appointments.*

*Note 2 – At the standard level unless the individual also had responsibility for regularly caring for, training, supervising or being in sole charge of children.*

# Volunteers

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The arrangement for volunteers varies from individual to individual. If the volunteer is helping on an informal, casual basis a volunteer risk assessment form must be completed and he/she is supervised at all times by a member of the school staff. If the volunteer is working in a regulated activity on a regular arrangement the school's policy is to treat the volunteer as a member of the school staff and carry out similar checks appropriate to the role. These will include an enhanced DBS check, Disqualification Self-Declaration form completed if working in the relevant childcare, references, an informal interview and no concerns raised by others in the school community. The Head will familiarise the volunteer with the school safeguarding policy. This practice includes volunteers helping with the EYFS children. Volunteers will also attend Induction Training and complete the reading of relevant school policies, and safeguarding and health and safety e-learning.

# Linked Policies

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Safeguarding and Child Protection Policy

EYFS Code of Conduct Policy

Staff Code of Conduct Policy

Recruitment and Selection Flowchart – Admin

Recruitment and Selection Flowchart – Staff