



## SAFER RECRUITMENT POLICY

THIS POLICY IS REVIEWED ON AN ANNUAL BASIS

**Policy reviewed by:** Laura De Oliveira – Nursery Head, Swinbrook House Nursery School - Marylebone

**Policy approved by:** Robert Berry – Director of Operations

**Review date:** 01/09/2019

**Submission:** 01/09/2019

**Version:** v2.0

**Policy actioned from:** October 2019

**Next review date:** September 2020

**Reviewer's Signature:**



**Approver's Signature:**



Please note: 'School' refers to Marylebone Village Nursery School ; 'parents' refers to parents, guardians and carers. This policy covers the Early Years Foundation Stage.



Marylebone Village Nursery and Chatsworth Schools are committed to promoting and safeguarding the welfare of children and young people and expects all staff and volunteers to share this commitment. Chatsworth Schools recognises that the effectiveness and safety of its recruitment policy and procedures make a major contribution to child protection by helping to deter, reject or identify people who might be unsuitable for working with children.

With regard to the provisions we make for safeguarding and safer recruitment, Marylebone Village School and Chatsworth Schools takes into account the nature and age range of it's EYFS pupils.

The Recruitment Policy and Procedures are based on and conform to statutory and non-statutory guidance contained in 'Keeping Children Safe in Education 2018', 'Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings March 2009' and the ISI Regulatory Handbook February 2016. This policy also has due regard for Prevent Duty Guidance: for England and Wales (March 2015 supplemented by the non- statutory advice and a briefing note The Prevent duty: Departmental Advice for Schools and Childminders and The Use of Social Media for On-line Radicalisation (July 2015)).

Throughout the selection and recruitment procedure, the School will have regard to the guidance as set out in the aforementioned documents as well as the current ISI and Ofsted regulations. The nursery school is committed to ensuring that no one will be appointed unless they have a clear understanding of the specific issues regarding safeguarding that apply generally as well as specifically to EYFS children.

This will involve:

- Including the School's Child Protection policy statement in any job advertisements
- Requesting applicants to complete an application form, requesting identifying details, National Insurance number, a full, chronological career history since leaving secondary education, any relevant or required qualifications, a declaration of existing contacts in the School, details of referees and a declaration of criminal convictions that are not "protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended 2013)
- Providing a Job Description and Person Specification, which contains the School's Child Protection policy statement
- Ensuring all recruitment documents also clearly state "applicants must be willing to undergo child protection screening appropriate to the post, including checks with past employers and the Disclosure and Barring Service"
- Asking candidates appropriate questions at interview relating both to their skills and their reasons for wanting to work with children

## Staff

The School follows ISI and Ofsted's definition of "staff", which is set out as follows:

"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".

(ISI Integrated Handbook – Regulatory Requirements October 2016, Part 4 para 211)

## Application

All applicants for employment will be required to complete an Application Form asking for the following:



- Full, identifying details of the applicant, including current and former names, current address and National Insurance Number
- A full, chronological career history since leaving secondary education. The applicant will be asked to clarify any gaps
- Any academic and/or vocational qualifications that are relevant to the position for which he/she is applying
- A declaration of any existing contacts in the School
- Details of two referees; (references will be taken up before interview for shortlisted candidates)
- A declaration of any convictions, cautions, reprimands or final warnings, except for those to which the DBS filtering rules apply. Please see: <https://www.gov.uk/government/publications/dbs-filtering-guidance> for further information. The filtering guidance is published to candidates in the document entitled 'The Application and Recruitment Process'
- Overseas checks, where appropriate
- Right to work in the UK
- A check on Prohibition from Teaching Orders
- A check on Prohibition from Management of Independent Schools Directions
- Disqualification under the Childcare Act 2006 Self-Declaration
- Health and mental and physical capacity for the job. This may include many disabled people who are medically fit to teach, though the school realises its obligations, under the Equality Act 2010, that it may have to make reasonable adjustments to enable disabled people to carry out their duties effectively
- Checks in line with any regulatory requirements (e.g. transfer of employees under TUPE). Under TUPE information will be passed to the new employer and a note made on the register that details have been accepted under TUPE

Candidates will be asked to complete any incomplete forms. A Curriculum Vitae will not be accepted in place of the completed application form.

Along with the Application Form, applicants will receive the following:

- A Job Description, containing a Person Specification, a statement of the terms and conditions relating to the post, the School's Child Protection Policy statement and an introduction to the School

### Interview

Long-listed applicants for may be invited to a brief, informal, initial interview to enable a more accurate short-listing process.

Short-listed applicants will be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. Further assessment is introduced, such as skills tests, or an observed lesson.

All candidates are asked to bring the following with them to interview:

- Documentary evidence of their ID (original, not a photocopy) that will satisfy DBS and Safer Recruitment requirements
- Original documents (not photocopies) confirming any educational and professional qualifications that are necessary for the post



It is at this point that a Safer Recruitment interview will take place, to determine the candidate's reasons for working with children.

Written records of all interviews, observations and skills tests will be kept on the successful applicant's personnel file.

If, for whatever reason, references are not obtained prior to the interview, the candidate should also be asked at interview if there is anything he/she wishes to declare or discuss in light of the questions that have been (or will be) put to their referees. It is vital that references are obtained and scrutinised before a person's appointment is confirmed and before he/she starts work.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional upon the satisfactory completion of the checks listed under the following section, 'Appointment Procedures for Staff'.

### Appointment Procedure for Staff

The School follows the recommendations set out in ISSR 18-21 with regard to the recruitment of staff by undertaking the following checks prior to the first day at work:

#### Career History

Candidates are asked for a full, chronological career history since leaving secondary school. They will be asked to provide reasons for any gaps in the Career History section of the Application Form. This employment history / CV is required as part of having regard to KCSIE.

#### References

- The School will request two references for each candidate, which must be a combination of the candidate's current or most recent employer and their most recent instance of working with children. Ideally, these should cover roughly five years in a person's career history. References should be taken up before interview and all references must be followed up with a telephone call
- Referees will be asked to state the following in the School's Reference Form:
  - Any disciplinary or child protection issues
  - Any reasons why the candidate should not be employed for work with children
  - The candidate's reasons for leaving
- Referees will also be asked to write a general reference as part of the reference form, in order to provide a better picture of the candidate
- If a reference is taken over the telephone, detailed notes will be taken, dated and signed
- The School will not accept references from relatives or referees writing solely in the capacity of friends

#### ID Check

This is carried out in line with DBS requirements. Candidates will be asked to provide the following:

- Passport
- Driving Licence (photocard)
- Utility bill or bank statement which is less than three months' old



- Any evidence of a change of name

If the candidate cannot provide any of the above, guidance issued from the DBS will be followed. Copies will be taken and kept on the candidate's file.

### Right to Work in the UK

This will usually be the candidate's EU/UK passport. However, the School will follow Government-issued guidance in cases where a candidate is unable to provide an EU/ UK passport. For candidates from countries in the European Economic Area (EEA) checks must be carried out to confirm that they are not subject to a sanction or restriction imposed by another EEA professional regulating authority for teachers (para 114).

A copy of the evidence will be taken and kept on the candidate's file. Following government regulations for employing migrant workers (February 2008) the school will carry out all checks to ensure that any worker is legally entitled to be working in the UK.

### DBS Check

It is anticipated that all regular positions (whether voluntary or paid) will fall within the definition of 'Regulated Activity' and will therefore require an Enhanced DBS check. A check against the barred list will be undertaken on all staff, either within the enhanced DBS disclosure or separately. Until the School has had sight of the original Disclosure Certificate, the candidate will be treated as unchecked.

The Disclosure may be obtained either by asking the individual to apply for a new DBS Certificate, or by them producing a DBS Certificate which has been registered on the DBS Update Service (only applicable to DBS Certificates which have been issued since 17 June 2013). Candidates who have registered with the DBS Update Service must produce the original of their DBS Certificate, along with the required proofs of ID. In accordance with DBS guidance, the School will ask the candidate to sign a statement to say that they give Chatsworth Schools permission to access their record on the DBS Update Service.

If the DBS is delayed, the Manager may allow the member of staff to start work, on the following conditions:

- The appointment is not confirmed
- The member of staff cannot work alone unsupervised with children
- The DBS application has been made in advance
- A Risk Assessment is written and kept on file
- A separate Barred List check is made and kept with the Risk Assessment
- The Risk Assessment is reviewed every two weeks until the Disclosure Certificate arrives
- The member of staff is informed as to what these safeguards are

### Prohibited Teacher Check

The School will undertake a Prohibited Teacher Check using the DfE's Employer Online service on any person to be employed to carry out teaching work since April 2012 before they begin work at the school. If they do not have QTS, the school will search by name.



### Prohibition from Management of Independent Schools Check ("section 128 direction")

The School will check whether staff appointed to management positions are subject to a section 128 direction. The posts, which would fall under this definition are:

- Principal
- Senior Leadership Team staff (including non-teaching staff)
- Teaching positions with departmental headship

### Disqualification from Childcare

The School will ask relevant members of staff to complete a Disqualification from Childcare Self-Declaration Form, both prior to the start of employment and annually. This will apply to those members of staff who work in or manage the School's EYFS provision (Kindergarten) and those who care for pupils up to the age of eight either in before- or after-school provision.

### Overseas Candidates

If a candidate has lived overseas for more than three months at any point in the past five years, an overseas Police Check/Certificate of Good Conduct will be requested from the relevant country.

Where the candidate has worked in a school in the UK since moving from overseas, the School is entitled to decide to carry out only the standard checks (ISI Regulatory Requirements Part 4 Para 18 (4)).

### Medical Fitness Check

Once an appointment has been offered, the School will ask the candidate to complete a pre-employment Health Questionnaire.

Candidates will also be asked to declare the following on a Medical Declaration Form:

They know of no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the post in question.

(ISI Integrated Handbook September 2015 – Part 4, para 226)

### Qualifications Check

All candidates will be asked to provide original proof of any professional qualifications they hold which are either required for, or relevant to, the position. Copies will be taken and kept on file.

If no original is to be found, the School will ask the candidate to order replacement certificates or will request confirmation of the qualification in writing from the organisation or institution concerned. The confirmation will be kept on file.

As a rule of principle, all checks will be made in advance of appointment or as soon as practicable after appointment.



## Outcomes of the Application and Recruitment Process

Where the following apply, the School will report the facts to the Police and/or the Disclosure and Barring Service:

- The candidate is found to be on the Barred List, or the DBS Disclosure shows s/he has been disqualified from working with children by a Court or
- The candidate is found to have been prohibited from the teaching profession
- A candidate has provided false information in, or in support of, his or her application or
- There are serious concerns about a candidate's suitability to work with children

## Appointment and Safeguarding Procedures for Others

### Supply Staff

The School may engage professional supply-teaching agencies and checks with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every three years, right to work in the UK, barred list/ List 99, prohibition, qualifications, overseas checks, plus in line with two KCSIE references, declaration of medical fitness and checks on previous employment history. This must be in writing from the supply agency, and the school will carry out an ID check on the supply staff on the first working day and keep a copy of the disclosure. These checks are reflected in the SCR (if the person is working for any length of time, e.g. beyond three days).

### Visiting Professionals

Individuals such as psychologists and other public-sector staff will have been checked by their employing organisation (LA, Primary Care Trust or Strategic Health Authority). The School will, therefore, simply ask for confirmation of employment from their employing organisation and request that the individual brings the following proof of ID upon arrival:

- Passport
- Driving Licence
- Utility Bill/Bank statement which is no less than three months' old
- Any evidence of a change of name

However, if the individual is self-employed, the same checks will apply as those for staff.

### Visiting Speakers

In line with Prevent statutory guidance, the School will ensure that any visiting speakers who might fall within the scope of the Prevent duty, whether invited by staff or pupils, are appropriately supervised. The School will, in line with regulation, also take action to ensure that each speaker is suitable.

### Volunteers

New regular volunteers will be subject to the following checks, in line with current ISI guidance:

- ID



- Enhanced DBS Certificate (including barred list check where appropriate)
- Overseas checks (where appropriate)
- Satisfactory receipt of at least two references
- Informal Interview/Meeting
- Confirmation that no concerns have been raised by others in the School community

If a volunteer does not fall into the definition of 'regular', the School will complete a risk assessment based on the circumstances and decide which additional, discretionary checks are required.

The definition of "regular" is as follows:

- Once a week, or more often
- On 4 or more days in a 30-day period

No vetting checks will be carried out for those who are one-off volunteers for School events or trips.

### School Governors

The School will carry out the following checks on all new Governors, in accordance with ISI requirements:

- Enhanced DBS Certificate
- ID Checks (in line with ISI and DBS requirements)
- Overseas Checks (where appropriate)
- Right to work in the UK
- Prohibition from management check ("section 128 direction")

A barred list check will not be requested as part of the Enhanced DBS check, in line with current ISI guidance, unless the governor is in regulated activity at the school.

### Staff from Other Organisations

The School will ensure that their contract with any company, which provides staff who will have access to areas where unsupervised contact with children is possible, provides for the required checks on staff to be completed by the company itself. Please see "Safeguarding Checks for Agency or Contract Staff".

The Safeguarding and Child Protection Policy (September 2015) states that where services or activities are provided separately by another body, supervising the School's pupils either on or off school site, the school will seek assurance that the body concerned has appropriate policies and procedures in place for safeguarding children and child protection and there are arrangements to liaise with the school on these matters where appropriate.

### Vetting Check Exemptions

In line with the ISI Regulatory Requirements, the School will not conduct vetting checks on the following:

- Visitors to the Head/other staff
- Those who have only brief contact with children in the presence of a teacher



- Pupils aged under 16 on work experience or similar
- Those on the school site when pupils are not present
- Visitors carrying out repairs or servicing equipment
- Secondary school pupils on work experience or similar

The School does not re-check staff returning from maternity leave or similar because they are still on the school staff roll. If they have left school employment, they will be rechecked after three months.

### Induction

All new staff will take part in an induction programme designed to help familiarise them with the School's policies and procedures, including safeguarding, safe practice and the standards of conduct and behaviour expected of staff and pupils in the school.

The programme also includes attendance at Child Protection training appropriate to the role.

### The Single Central Register of Appointments

In accordance with current legislation, the School keeps a Single Central Register of Appointments, indicating whether or not the following checks have been completed on all current members of staff at the school, the governors, and all individuals who work in regular contact with children including volunteers, supply staff, peripatetic staff, and those employed as third parties:

- Identity checks
- Qualification checks for any qualifications legally required for the position
- Enhanced Disclosure (or DBS Status Check)
- Barred List check (date of DBS check unless a separate earlier barred list check was undertaken)
- Right to work in the UK
- Overseas checks, where applicable
- Prohibition from Teaching Check (where appropriate)
- Prohibition from management check (where appropriate)
- References
- Career History/CV Check
- Medical Declaration
- Medical Fitness

A checklist is completed with regard to the recruitment checks outlined in this policy. The completed checklist is stored in each member of staff's personnel file.

### Recruitment Process Summary

#### Planning & Advertising

- Produce Job Description



- Produce Advert, including statement re Safeguarding, references and DBS Update all standard recruitment letters:
  - Applicants & Referees spreadsheet
  - Application Form
  - SJCS Application & Recruitment Process
  - Reference Request (Form)
  - Acknowledgement Letter
  - 'No' Letters
- Agree interview panel and interview questions

### Response to Advert

- Keep details of all enquiries
- Send an application pack to each enquirer consisting of:
  - Job Description
  - Application Form
  - Chatsworth Schools Application and Recruitment Process Explanation

### Applications

Number each application in the order in which they arrive. Keep original in HR Office and give copies to the interviewer.

### References

If interviewer happy to proceed with references, request references. It is the School's policy to ask for two references and to ensure that referees are suitable by ensuring, as far as is possible, that:

- One reference is from the current or most recent employer
- One reference is from the most recent case of working with children
- A period of roughly five years (in line with the span of a DBS check) is covered

### Interviews

Depending on the position, interviews will normally consist of skills-related questions and a Safer Recruitment interview. There will be a lesson observation for teaching positions and possibly a skills test for non-teaching positions.

The interview panel should consist of more than one person. One interviewer will ask the questions while the second interviewer scribes.

Candidates should be asked if there is anything they wish to declare in light of the requirement for a DBS check. DBS checks are conducted in advance of appointment or as soon as practicable after appointment.

If references are not obtained before interview, the candidate should also be asked if there is anything he/she wishes to declare or discuss in light of the questions that have been (or will be) put to his/her referees.



## Recruitment Decision and Checks

The interviewer contacts the successful candidate directly to informally offer them the position.

This will generate a Letter of Appointment, to be produced in conjunction with the Bursar and will include

- Hours of Work
- Salary
- Who will be in charge of the candidate's induction
- Review period
- A list of the checks that need to be completed before the first day at work

Letters to unsuccessful candidates should be sent at the same time, including to those who have been on 'hold'.

## Recruitment Checks

See separate 'Appointment Procedure for Staff'

## Payroll

Ensure that the candidate has:

- Handed in their P45, or completed an HMRC New Starter Checklist
- Been advised of the Pension policy and procedure

## Chatsworth Schools Paperwork

- Ensure that the candidate has completed the following:
  - Letter of Acceptance
  - Signed Contract
  - Safeguarding Children Introduction
- Ensure that the candidate has read through the following:
  - Keeping Children Safe in Education Part 1

## Child Protection Training

Has the successful candidate recently had CP training (i.e. within the past year)? If not, they will need to be trained by the Designated Safeguarding Lead or complete an online course

In both cases, they will then need to fill in a Post-Training Document to confirm that they have read and understood Chatsworth Schools policies and Government-issued guidance.

This policy should be read in conjunction with the DBS Disclosure and Recruitment Policy

## Interpretation

In this policy, the term "senior manager" means a School Head and their designated deputies.



This policy applies to all employees in all Schools (save for Schools with their own procedure which shall prevail) and other work environments within Chatsworth Schools

This policy applies within all companies, which are wholly owned subsidiaries of Chatsworth Schools Ltd, a company registered in England, registered number 11552575.

The registered office of all companies is Crimea Office, The Great Tew Estate, Great Tew, Chipping Norton, Oxfordshire, OX7 4AH. Any enquiries regarding the application of this policy should be addressed to the Director of Operations at the above address.

This policy does not form part of any employee's contract of employment and may be amended at any time.

