

# Safer Recruitment Policy and Procedures



## 1 Introduction

Wycombe Abbey ("the School") 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. It is also committed to providing a supportive and flexible working environment to all its staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share these commitments.

This Recruitment Policy and Procedures refer and apply 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.”

The aims of this policy and procedures are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equitably and consistently;
- to ensure equal treatment of all job applicants regardless of an individual's race, ethnicity, religion or belief, sexual orientation, disability, gender reassignment, pregnancy or maternity, learning difficulty, age, social background, marital or civic partner status, within the Equality Act 2010;
- to ensure compliance with relevant recommendations and guidance including the recommendations of the Department for Education (DfE) in Keeping Children Safe in Education (KCSIE) Sept 2021 and any guidance or code of practice published by the Disclosure and Barring Service (DBS);
- to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks and by conducting the recruitment process in a way which prevents as far as possible the recruitment of individuals who are unsuitable to work with children.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy and must read KCSIE Parts One and Three. At least one member of any interview panel will have received “Safer Recruitment” training within the last 5 years and any further interim training as required.

All queries on the School's Application Form and recruitment process must be directed to the Human Resources (HR) Department

A Single Central Register record will be kept for all current members of staff, Council Members, all individuals who work in regular contact with children, volunteers, supply staff and those employed by third parties.

Separate policies exist for the checks to be carried out on Council Members. Please refer to **Appointment, Induction and Retirement of Council Members Procedure**.

**Wycombe Abbey is the operating name of the Girls' Education Company Limited and is a limited company and charity. The Directors of the Company constitute the Governing Council of Wycombe Abbey and are trustees of the Charity.**

## 2 Approval Process and Advertisement of Posts

The Headmistress and Bursar must approve all vacancies, both new and replacement posts. In all cases the Bursar is consulted for financial approval for any changes to salary. Following approval, the Line Manager must create or update the job description (including person specification) with assistance from the HR Department.

All posts are usually advertised both internally and externally. All advertisements must contain the School's safeguarding statement, equal opportunities statement and registered charity number:

"Wycombe Abbey is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. The successful applicant will be subject to an enhanced DBS check and other statutory checks. We are an equal opportunities employer. Registered Charity No. 310638"

## 3 Recruitment and Selection Procedure

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role. Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. A Curriculum Vitae (CV) will not be accepted in place of the completed application form. Applicants may include a CV and a brief letter of application attached to a completed application form. The full employment history must be disclosed and applicants will be made aware that any previous employer may be approached by the School. An explanation for any gaps in employment will be sought and a written record retained by the School to say that they have been sought and are satisfactory.

Applicants will receive a job description including a person specification for the role applied for. A copy of the School's Safeguarding and Child Protection Policy and Privacy Notice is available to download on the School's website or in hard copy format to applicants, on request.

Applicants will also be asked to provide information regarding any periods of overseas residence so that a decision can be made as to whether an overseas police check or additional references are required.

Following the closing date, applications for a post will be shortlisted, ideally by a panel of at least 3 people, against a list of criteria derived from the person specification. Shortlisted applicants will then be invited to attend a formal interview at which their relevant skills and relevant experience will be discussed in more detail.

Applicants will be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate will be asked to physically sign a hard copy of the application at point of interview.

Candidates will be asked questions relating to safeguarding at interview to ascertain the level of their knowledge and suitability of their answers. It is recognised that not all interviewees will have safeguarding or child protection experience within schools. In such cases, questions will be adapted to test applicants' responses to hypothetical safeguarding scenarios. A record of the outcome of the interview will be retained.

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on satisfactory pre-employment checks.

## 4 Pre-employment Checks

In accordance with the recommendations in “Keeping Children Safe in Education – September 2021” and the requirements of the Education (Independent School Standards) (England) Regulations 2014 the School carries out a number of pre-employment checks in respect of all prospective employees. The member of staff responsible for assessing pre-employment checks will have received the relevant training.

In addition to the checks set out below, the School reserves the right to obtain such formal or informal background information about an applicant as is reasonable in the circumstances to determine whether they are suitable to work at the School. This may include internet and social media searches.

The School considers all positions in the School to be “regulated activity”, unless specifically documented and agreed by the Headmistress, and therefore the following checks are made on all staff:

- the receipt of an enhanced disclosure from the Disclosure and Barring Service (including confirmation that the applicant is not named on the Children’s Barred List) with which the School is satisfied;
- documents confirming any appropriate educational and professional qualifications referred to in their application form and considered necessary by the School;
- verification of the individual’s medical fitness for the post;
- verification of the individual’s entitlement to work and reside in the UK;
- the receipt of at least two references from separate organisations (one of which must be from the applicant’s most recent employer) which the School considers satisfactory; previous employers involving work with vulnerable people may also be approached, particularly where staff work in boarding, to check reasons for termination of employment and suitability to work with children;
- overseas checks where an individual has lived and worked overseas for 3 months or more.
- for positions which involve “teaching work”:
  - i) information about whether the applicant is, or has ever been, the subject of a sanction, restriction or prohibition issued by the Teacher Regulation Agency (TRA), or by a regulator of the teaching profession in any other country which renders them unsuitable to work at the School.;
  - ii) for an EEA teaching candidate, confirmation of professional teaching standings provided in writing by the professional regulating authority in the country in which they have worked, as proof of past conduct as a teacher.
- for management positions (eg Senior Management, Housemistress or Heads of Department): information about whether the applicant is, or has ever been, the subject of a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school, or which otherwise, in the School’s opinion, renders them unsuitable to work at the School;
- for a candidate to be employed into the senior management position of Headmistress, Bursar or Financial Director, 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.

If the offer is accepted and the above conditions are satisfied, the applicant will be issued with a contract of employment.

### 4.1 Verification of identity and address

All applicants who are invited to an interview will be required to bring the following evidence of identity, address and qualifications (original documents only):

- a valid passport (where this is not possible, a photo card driving licence);
- two further forms of identity, one showing the current address e.g. photocard driving licence, utility bill, bank statements;
- a copy of their birth certificate.

Where an applicant claims to have changed their name by deed poll or any other mechanism (eg marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

The School asks for the date of birth of all applicants (and proof of this). Proof of date of birth is necessary so that the School may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The School does not discriminate on the grounds of age.

## 4.2 References

For leadership, teaching and boarding posts, the School (or Recruitment Agency on behalf of the School) will take up written references before interviews take place. For all other posts, the School usually takes up references following acceptance of offer of employment. The School has the right to take up references from the Head, Bursar or Chair of Governors, of any previous school that the applicant may have worked at.

All offers of employment will be subject to the receipt of a minimum of two satisfactory references, one of which 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 referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be from the same employer, a relative or someone known to the applicant solely as a friend.

Where the referee is from a School or College the reference must be countersigned by the Headteacher/principal as an accurate record in respect of disciplinary investigations.

All referees will be asked whether they believe the applicant is 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 for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm in writing the following:

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance, and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired);
- whether any allegations or concerns have been raised about the applicant that have been found to have substance and that relate to the safety and welfare of children or young people or behaviour towards children or young people;
- any known reason why the person should not be employed to work with children;
- to confirm that (to the best of their knowledge) the applicant has not been radicalised so that they do not support terrorism or any form of "extremism" or active opposition to fundamental British Values.

The letter to referees will state that there should be no material mis-statement or omission relevant to the suitability of the applicant.

The School will only accept written 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 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 the appointment is confirmed.

The School employs the good practice of contacting directly by telephone the referees of any person applying for a position within the School. A record of such phone verification is recorded in the Single Central Register of appointments.

It is a criminal offence to falsify references. Any applicant or referees who are found to have submitted false references to the School will be referred to the Local Area Designated Officer (LADO).

#### 4.3 Disclosure and Barring Checks

Due to the nature of the work, the School applies for enhanced disclosure from the Disclosure and Barring Service (DBS) with Barred List check.

Where an applicant has an up to date subscription to the Update Service for an enhanced DBS, child workforce (not volunteer) check, the School will use this route to check the DBS status, and a check on the Children's Barred List will also be completed.

If there is a delay in receiving the DBS Disclosure, the Headmistress, has discretion to allow an individual to begin work pending the receipt of the Disclosure and subject to an appropriate risk assessment (NB pastoral work in Houses or residency on site is excluded from this discretion). This will only be allowed if all other checks including a check of the Children's Barred List have been completed and once appropriate supervision has been put in place. A record of the Risk Assessment will be kept by the HR Department.

##### **Periods of overseas residence**

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. Applicants with recent periods of overseas residence and those with little or no previous UK residence will be asked to apply for the equivalent of a disclosure, if one is available, in the relevant jurisdiction(s). The School refers to Home Office guidance on what checks are available from different countries. The HR department will assess each applicant individually, although the School will undertake an overseas criminal records check where the candidate has resided overseas for a period of 3 months or longer in the five years prior to applying for a position at the School.

#### 4.4 Medical Fitness

The School has a statutory responsibility to verify the medical fitness 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 Health Questionnaire and sign to confirm that they know of no reason, on grounds of mental or physical health, why they should not be able to discharge with due care and skill the responsibilities required by the post in question. The School may arrange for the information contained in the Health Questionnaire to be reviewed by the School's Doctor or an Occupational Health provider. 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 timetable, extra-curricular activities, layout of the School etc. If the School Doctor or Occupational Health practitioner 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.

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

## 5 Supply Staff

Supply Staff are staff supplied by an “employment business” (agency) to work under the control of the School. Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. The School requires confirmation in writing that these checks have been completed before an individual can commence work at the School. Where an “employment business” provides supply staff (to work under the control of the School) then the DBS certificate must be seen by the School (whether or not it discloses any information) and the DBS certificate must be within twelve months of the person starting work at the School.

The School will independently verify the identity of staff supplied by an agency on arrival.

## 6 Third Party Staff (e.g. Catering Staff)

We obtain written notification through a letter of reassurance from any agency, or third-party organisation, that the organisation has carried out the checks on an individual who will be working at the School, that we as a School would otherwise perform. This must include, as necessary, an enhanced DBS with barred list check, prior to appointing that individual. We check that the person presenting themselves for work is the same person on whom the checks have been made.

If the organisation is not able to confirm we carry out our own checks as if the person was an employee in regulated activity and may charge the organisation for any costs incurred.

## 7 Visiting Professionals

Keeping Children Safe in Education advises that individuals working at the School, but employed by a third party (e.g. medical professionals, music examiners, psychologists), should have been checked by their employing organisation. We require written confirmation through a letter of reassurance that all appropriate checks have been carried out, including enhanced DBS with barred list check. We check that the professional person presenting themselves is the same person on whom the checks have been made.

## 8 Volunteers

Under no circumstances will a volunteer, in respect of whom no safeguarding checks have been undertaken, be left unsupervised with pupils or allowed to engage in regulated activity.

Prior to engaging a volunteer to carry out any activities for or on behalf of the School, the Head of Department with responsibility for the volunteer will discuss the proposed activities to be undertaken by the volunteer with the HR Manager. The minimum checks are references, informal interview and checking with the School community for any concerns, unless involved in overnight stays when an enhanced DBS check with Barred List Check will be obtained.

The informal interview will enable both parties to understand whether the prospective volunteer has any previous experience and to establish the expectations and requirements of each party are met.

The following checks are carried out where relevant:

- an enhanced DBS check
- if the volunteer will be undertaking regulated activity, a barred list check
- depending on the nature of the role, the volunteer may also be asked to sign a confidentiality statement
- written references are required.

Volunteers will be provided with training on the following matters:

- Safeguarding and Child Protection policy
- Staff Code of Conduct
- Confidentiality Obligations and Data Protection
- Health and Safety

- Levels of Supervision

Please refer to the separate *Trips Planning and Organising Procedures (Appendix D)* for further information where volunteers are parents or staff family members.

## 9 Policy on recruitment of ex-offenders

### 9.1 Background

The School will not unfairly discriminate against any applicant 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 applicant has a criminal record this will not automatically debar them from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 9.2 below.

In view of the fact that all positions within the School will amount to "regulated activity positions" within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000), all applicants for employment must declare all previous convictions (including those which would normally be considered "spent" under the Rehabilitation of Offenders Act 1974). A failure to disclose a previous conviction may lead to an application being rejected or, if the failure 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.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DFE and the Department of Health 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 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, Disclosure and Barring Service (DBS) and/or the DFE Children's Safeguarding Operations Unit (formerly the Teacher's Misconduct Team), LADO if:

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

### 9.2 Assessment Criteria

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; 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 of the following offences:

- murder, manslaughter, rape, other serious sexual offences, grievous bodily harm, 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 found to have been convicted of drink driving within the last ten years.

### 9.3 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 assessment form must be signed by the Headmistress or Bursar before a position is offered.

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, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

## 10 Retention and security of disclosure information

The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. In particular, the School will:

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to members of the School's HR Department, and Headmistress' Office;
- not retain disclosure information or any associated correspondence for longer than is necessary. In most cases, the School will not retain such information for longer than 6 months although the School will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken;
- ensure that any disclosure information is destroyed by suitably secure means such as shredding; prohibit the photocopying or scanning of any disclosure information.

The School complies with the provisions of the DBS code of practice.

## 11 Retention of Records

If an applicant is appointed, the School will retain any relevant information provided as part of the application process on their personnel file. 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 discharge its obligations as an employer eg so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace adjustment.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months unless the applicant specifically provides permission for the School to keep their details on file.



## 12 Completion of Single Central Register and Record

The HR Manager checks that all the relevant information is completed on the School's electronic Single Central Register of appointments before an employee commences employment and that any necessary updating is performed. The Headmistress meets with the HR Manager and carries out a check on the recruitment process and files. The Head of Compliance audits the single central register each term. The nominated Safeguarding Governor also carries out an annual check of the recruitment processes and single central register.

## 13 Referral to DBS and TRA

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that any offer of employment is subject to. Whilst checks are carried out pre-employment, the School also has a legal duty to refer to the DBS:

- any applicant who has applied for a position at the School despite being barred from working with children; and
- anyone who has harmed, or poses a risk of harm, to a child, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left

Failure to refer in circumstance where the above criteria are met is an offence. Where there are serious concerns about a teacher's suitability to work with children, separate consideration will be given to whether a referral to TRA should be made. This is the case irrespective of whether the DBS criteria have been met.

## 14 Induction

All staff will receive an induction at the start of their employment, which will include a briefing from the School's Designated Safeguarding Lead (DSL) and online training modules. Some pre-start material will be made available ahead of the first day:

- Safeguarding and Child Protection Policy
- Staff Code of Conduct
- Keeping Children Safe in Education Part ONE and Part FIVE and links to on-line training (All Parts for Executive Leadership positions)
- Staff Handbook
- Pupil Behaviour Policy
- Online Safety Policy
- Staff Acceptable Use of IT Agreement
- Health and Safety and links to on-line Health and Safety training
- Department Handbooks as appropriate

## 15 Probationary Period

All staff appointments are subject to a probationary period, which may be extended. Most appointments have a six month probationary period, any variation will be made clear at offer letter stage.

## 16 Anomalies

Staff changing roles within the school will not routinely have a new DBS check. However, if a new role involves closer contact with pupils, a new DBS check will be carried out.

Internal candidates for posts which are advertised externally will be asked to complete the application form and provide two referees. All other pre-employment checks will be carried forward from their existing employment, providing their employment would be continuous, with no break in service.

Staff employed on zero-hours contracts who have received annual safeguarding training, and have continuity of service between periods of work do not need to be rechecked on each occasion.

Contractors – All checks and procedures are carried out in line with the requirements of KCSiE and the ISSRs. See additional information detailed in the **Access to Site and Premises Policy** and **Checks and Supervision of Contractors, Lettings and Residents' Guests Procedure**.

Member of staff	Bursar
Reviewed	June 2021, Updated August 2021

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### Related Policies:

- Safeguarding and Child Protection Policy
- Recruitment, Induction and Retirement of Council Members
- Access to site and premises policy
- Checks and supervision of contractors, letting and residents' guests procedure
- Staff Code of Conduct