



# Wakefield Grammar School Foundation

## RECRUITMENT, SELECTION & DISCLOSURE POLICY AND PROCEDURE

### 1. Introduction

Wakefield Grammar School Foundation is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The Foundation is also committed to providing a supportive and flexible working environment to all its members of staff. The Foundation 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 this commitment.

The aims of the Foundation's recruitment policy 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 that no job applicant is treated unfairly or discriminated against on the basis of their gender, sexual orientation, marital or civil partner status, gender reassignment, race, religion or belief, colour, nationality, ethnic or national origin, disability or age, pregnancy or maternity or trade union membership.
- to ensure compliance with all relevant statutory guidance including Keeping Children Safe in Education (KCSIE), the Childcare Act 2006 including related obligations under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018
- the Code of Practice published by the Disclosure and Barring Service (DBS);
- to ensure that the Foundation meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

### 2. Recruitment & 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 will receive a job description and person specification for the role applied for. Shortlisted applicants will be invited to attend a **formal interview** where their relevant skills and experience will be discussed in more detail. For teaching posts this

will normally include teaching a lesson which will be observed and dependent on the level of the post may include other selection exercises. For support staff posts (e.g. secretarial/admin) the interview may also include a relevant skills test.

Shortlisted candidates will be asked to complete a self-declaration of 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.

Where the application contains only an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview.

Volunteers will be required to complete a Volunteer Application Form, attend an informal interview, if requested, and references will also be obtained, (if the application is successful).

### **3. Pre-employment Checks**

In accordance with the relevant statutory guidance the Foundation carries out a number of pre-employment checks in respect of all prospective employees, as detailed below.

Where applicable, relevant checks are also undertaken for other groups in accordance with *Keeping Children Safe in Education (KCSIE)* i.e for Governors, volunteers, self-employed Coaches/Instructors, agency, third party or contractor staff.

If following a formal interview an **offer of employment** is made this will be conditional upon the following for the post:

- an Identity Check;
- a Barred List check for working with children where the role is 'regulated activity';
- a Prohibition from Teaching check (or other sanctions or restrictions) where applicable;
- a Prohibition from Management check ("section 128 directions"), where applicable;
- a Disqualification check where applicable to the role being undertaken;
- the receipt of an enhanced disclosure from the Disclosure and Barring Service (DBS) which the Foundation considers satisfactory;
- evidence of qualifications and professional status relevant to the post;
- the receipt of two references which the Foundation considers satisfactory. One reference must be from the applicant's current or most recent employer. Where an applicant is currently working with children or has done so in the past, one reference should be obtained from this employer;
- evidence of eligibility to work in the UK including EU nationals before employment commences;
- a satisfactory medical screening process relevant to the post;
- any other relevant checks where appropriate e.g for individuals who have lived or worked outside the UK: overseas check or a letter from a professional regulating authority for teaching roles, All of the above necessary recruitment checks must be completed before a start date is given. In certain circumstances it may be possible

to commence employment pending receipt of the DBS subject to working under supervision and a risk assessment.

A summary of the relevant checks and who has responsibility for carrying out the checks can be found at Appendix A (Recruitment Process and Checks).

If the offer is accepted and the above conditions are satisfied, the applicant will be issued with a **contract of employment**, incorporating the Foundation's standard terms and conditions of employment. A signed copy will be kept on the personnel file and the other retained by the applicant.

### **3.1 Verification of Identity and Address**

All applicants who are invited to interview will normally be required to bring original documents (not photocopies) as evidence of their identity as follows:

- photographic ID e.g. a passport or photocard driving licence or
- a full birth certificate and;
- a recent document showing their address such as a utility bill or financial statement
- where appropriate any documentation evidencing a change of name

Identity will also be checked as part of any pre-employment checks and copies of the documents retained where appropriate on the personnel file of the successful candidate.

### **3.2 Verification of Relevant Qualifications**

All applicants who are invited to interview will normally be required to bring original documents (not photocopies) which confirm any educational and professional qualifications relevant to the post. If an original document(s) is not available a letter of confirmation from the awarding body will suffice.

The documents will also be requested as part of any pre-employment checks and copies retained on the personnel file of the successful candidate.

### **3.3 References**

References will be taken up on short listed candidates using the Foundation Reference template and we reserve the right to approach previous employers for information to verify particular experience or qualifications before interview.

All referees will be sent a copy of the job description for the role which the applicant has applied for and will be asked about the candidate's suitability for the post.

If an applicant is currently working with children, on either a paid or voluntary basis, the current employer will be asked about disciplinary offences related to children or young persons (whether the disciplinary sanction is current or time expired), and whether the employer has or is aware of any specific concerns regarding the candidate's suitability to work with children.

If an applicant is not working with children, the current employer will still be asked about the applicant's suitability to work with children, although they may answer "not applicable" if the duties of the applicant have not brought him/her into contact with children or young persons.

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 a relative or someone known to the applicant solely as a friend.

The Foundation will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant.

The Foundation 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 before any appointment is confirmed.

The Foundation may check the validity and verify references by telephoning each referee. Any references received electronically will be checked to ensure they come from a legitimate source.

### **3.4 Disclosure & Barring Service (DBS) Check**

Due to the nature of the work which allows the potential for substantial and unsupervised access to children, an enhanced disclosure certificate from the Disclosure and Barring Service (DBS) is required in respect of all prospective members of staff and for other positions as applicable.

A Barred List check will ~~also~~ be undertaken to ensure an individual is not barred from working with children where the role is 'regulated activity'.

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).

A copy of the enhanced disclosure certificate is sent directly to the person to whom the disclosure applies. Therefore, an individual is required to provide sight of the original certificate to HR at Governors' Office within 7 days of receipt in order for HR to verify the check is satisfactory and log the unique reference number on the Central Register of Appointments.

If a person wishes to challenge any of the information disclosed as part of the DBS certificate this must be taken up with the DBS.

The Foundation requires Agencies who provide supply or temporary workers or contractors to the Foundation to register with the DBS on their own account and to follow their own policy. Proof of a relevant disclosure and ID will be required before the Foundation use the services of an individual or services from such an organisation.

The Foundation is able to accept DBS certificates registered on the DBS Update Service and requires sight of the original certificate in order to undertake a check. The Foundation also encourages applicants to join the DBS Update Service as this enables future status checks to be carried out to confirm that no new information has been added to the check since it's issue.

### **3.5 Prohibition from Teaching Check including EEA Professional Sanctions**

A Prohibition from Teaching Check will apply to new employees including self-employed Coaches/Instructors, commencing teaching positions or that of an equivalent nature with the Foundation.

Where a new employee has worked in a teaching position outside of the UK, the Foundation will obtain where practicable (via the applicant) a letter from the relevant professional regulating authority to ensure that no sanction or restriction applies or of any reason as to why they may be unsuitable to teach.

### **3.6 Prohibition from Management Check**

A Prohibition from Management Check ("section 128 directions") will apply to new employees appointed to management positions and from September 2018 to any internal promotions. The following are considered to be in management positions – a Head, Director of Finance & Operations, all staff on the leadership team (including support staff) and teaching positions with a department headship. This check will also apply to Governors.

### **3.7 Disqualification Check**

The Childcare Act 2006 and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018, sets out that schools may not allow people to work in certain settings or to be directly concerned in their management, if they are "disqualified". New employees, including self-employed Coaches/Instructors or volunteers working in a relevant setting or directly concerned in their management will be required to complete a Declaration of Disqualification. Such an individual is also under an obligation to inform the Foundation immediately if their circumstances changes at any point in the future along with completing an annual self-declaration.

### **3.8 Evidence of Eligibility to Work in the UK**

In accordance with the requirement of the Immigration, Asylum and Nationality Act 2006, a successful candidate will be required to produce evidence of their eligibility to work in the UK before they commence employment

### **3.9 A Satisfactory Medical Screening Process Relevant to the Post**

In accordance with the Education (Independent Schools Standards) (England) Regulations 2003, all teachers are required to satisfy their employer of their medical fitness on entry to the teaching profession and also during their subsequent employment. This is done by the individual completing a health questionnaire for

consideration by Occupational Health. Support staff will be required to complete a health questionnaire or a health declaration.

The Foundation will fully comply with its duties under the Equality Act 2010.

### **3.10 Overseas Checks**

Where an individual has lived overseas for a period of time during the last five year period, further relevant checks will be carried out as the Foundation considers appropriate. This will normally involve the new employee providing the equivalent of a Foreign Police Check, where available.

## 4. Policy on Recruitment of Ex-Offenders

### 4.1 Background

All positions within the Foundation will amount to "regulated activity" due to the potential for substantial and unsupervised access to children. Appointment decisions are made on the basis of merit and ability and suitability for the role for which they have applied.

The Foundation will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed and up-front disclosure of a criminal record will not automatically debar an applicant from appointment as the Foundation.

When shortlisted for interview a Self-Declaration form must be completed and applicants must normally disclose any spent or unspent convictions, bind-overs, cautions, reprimands or final warnings. The law was changed in 2013 so that certain **spent** convictions and cautions are 'protected' and are **not** subject to disclosure to employers, and cannot be taken into account. This is known as "filtering".

Further guidance and criteria on filtering can be found at the Disclosure and Barring Service (DBS) website (search for filtering guidance) or as outlined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013).

Failure to declare any convictions and cautions which would not be filtered under current DBS filtering may disqualify an applicant for appointment or result in summary dismissal if the discrepancy comes to light subsequently, as will a failure to provide truthful information.

It is a criminal offence for a barred individual to seek or undertake either paid or unpaid work (e.g. as a volunteer) in a regulated activity and for employers to knowingly take on a barred person into such roles.

Applicants who wish to discuss the matter further may contact the HR Manager for advice (Tel: 01924 231625).

### 4.2 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 DBS check, the Foundation will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and

- the circumstances surrounding the offence and the explanation(s) offered by the person.
- has the individual accepted responsibility for their actions?

In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Foundation will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

## **5. Retention and Security of Disclosure Information**

The Foundation's policy is to observe the guidance issued by the DBS on the use of disclosure information.

In particular, the Foundation will:-

- store disclosure information and other confidential documents issued by the DBS at Governors' Office in locked, non-portable storage containers, access to which will be restricted to the relevant Head/Director of Finance & Operations and HR.
- not retain disclosure information or any associated correspondence for longer than is necessary. In most cases, the Foundation will not retain such information for longer than 6 months although the Foundation 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 on the Central Register of Appointments.
- ensure that any disclosure information is destroyed by suitably secure means such as shredding;
- prohibit the photocopying or scanning of any disclosure information.

## **6. Retention of Records**

If an applicant is appointed, the Foundation will retain any relevant information provided on their application form (together with any attachments) on their personnel file.

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

## **7. Further Information for Recruiting Managers**

Recruiting managers must familiarise themselves with the internal HR document 'Recruitment and Offer Process' which gives detailed guidance on responsibility at the relevant stages for Safeguarding and Recruitment Checks. A copy can be obtained from the HR Manager. This document supplements Appendix A in this policy.

## **8. Queries**

If an applicant has any queries on how to complete the application form or any other matter they should contact the relevant Head or the HR Manager (Tel: 01924 231625) depending upon the post being applied for.

## APPENDIX A - RECRUITMENT PROCESS AND CHECKS

	RESPONSIBILITY FOR THIS AREA	
	The Head or relevant recruiting manager	Human Resources for Pre-Employment checks
VACANCY AUTHORISATION FORM	✓	
JOB DESCRIPTION	✓	
PERSON SPECIFICATION	✓	
AGREED ADVERT	✓	
ADVERT PLACEMENT		✓
INTERVIEW INCLUDING SAFE GUARDING QUESTIONS	✓	
APPLICATION FORM - EMPLOYMENT	✓	
APPLICATION FORM - VOLUNTEER	✓	
INFORMATION FORM – TO PROVIDE A SERVICE AS A SELF-EMPLOYED COACH/INSTRUCTOR	✓	
TWO SATISFACTORY REFERENCES – AUTHORISATION AS SATISFACTORY	✓	(will obtain references)
IDENTITY CHECKS	✓ (at interview)	✓
RIGHT TO WORK IN THE UK		✓
RELEVANT QUALIFICATIONS	✓ (at interview)	✓
BARRED LIST CHECK		✓
ENHANCED DISCLOSURE AND BARRING SERVICE CHECK		✓
PROHIBITION FROM TEACHING CHECK (if applicable)		✓
EEA PROFESSIONAL SANCTIONS CHECK (if applicable)		✓
PROHIBITION FROM MANAGEMENT CHECK – SECTION 128 DIRECTIONS (if applicable)		✓
OVERSEAS CHECK (if applicable)	✓ (to identify if one is required)	✓ (will undertake if identified by recruiting manager)
DISQUALIFICATION CHECK (if applicable)		✓
MEDICAL FITNESS CHECK		✓ (and Occupational Health)

Relevant checks for Governors', agency and third party staff will be undertaken by Human Resources. Contractors will be checked by Estates.