



St Dominic's
Sixth Form College

Safer Recruitment Policy

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Author	Director of Finance & Human Resources
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Context

The Mission of the College is to promote 'academic excellence' within the context of strong pastoral and spiritual support. To achieve this we must ensure that we recruit the best quality staff who will support all our learners achieve both their academic and personal goals. This policy sets out the process by which we ensure that, to the best of our ability, all our students are kept safe from harm and thereby allowing each of them to grow and flourish academically, personally and spiritually as a young adult whilst at St. Dominic's.

Aims of the Policy

The St Dominic's Safer Recruitment Policy is approved by Governing Body biennially. The safe recruitment of staff is the first step towards protecting and supporting learners within the College and promoting the welfare of all our students in education.

The College is committed to safeguarding and promoting the welfare of all students within our care and requires all staff and volunteers to share and demonstrate this commitment.

The College seeks to deter, identify and reject candidates who may cause harm to learners within the College, or those who are otherwise unsuited to working in an environment with young adults. To achieve this the College will implement robust initial recruitment procedures, whilst also seeking to retain staff that are highly skilled and fulfilled in their respective roles.

Key Aims of the Recruitment Process

When undertaking recruitment processes the Senior Leadership Team (SLT) and HR lead within the College will:-

- Comply with all relevant legislation, recommendations and guidance, including statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSiE) – updated annually, the Prevent Duty Guidance for England and Wales 2015 and any guidance or code of practice published by the Disclosure and Barring Service (DBS);
- Ensure that the College meets its commitment to safeguarding and promoting the welfare of our students by carrying out all necessary pre-employment checks;
- For the position of Principal and Vice Principal the candidates must be practising Catholics as set out in the Instrument and Articles of Governance of the College and the direction of the Catholic Church
- Promote equal and consistent treatment for all candidates, unless there is a justifiable reason for taking alternative positive action steps.

In addition to the core points outlined above, the College also expects senior HR staff and SLT within College to ensure that:-

- Any staff involved in the recruitment process are familiar with and comply with the provisions of this policy;
- Recruitment and selection activities are undertaken in a professional, timely and responsive manner, in compliance with current employment legislation and the safeguarding legislation and statutory guidance outlined above;
- At least one member of the recruitment and selection decision-making panel will have undertaken safer recruitment training in the last five years;
- Due consideration is given to creating a diverse recruitment and selection decision-making panel wherever possible;
- Staff involved in the recruitment process declare any close personal relationship with a candidate as soon as they are aware of an application, thereby allowing the College Principal to undertake a risk assessment and agree whether they are authorised to continue with the recruitment and selection decision-making process.

Safer Recruitment Checks

When appointing new staff, HR staff/SLT will record verified information on the relevant College databases for publication on the Single Central Record (SCR) for the College. Additionally, copies of pre-employment checks will be stored on staff files, as deemed appropriate. The College expects HR staff and SLT within the College to follow legislative and statutory requirements and best practice in retaining copies of these checks, as set out below.

Although the Finance and HR Director is responsible for co-ordinating and processing candidate pre-employment checks, as the HR lead and SLT lead within the College are ultimately accountable they should undertake both regular and random audit checks to ensure absolute adherence to these standards:-

- Verify the identity of all candidates, using checking guidelines on the gov.uk website and confirm their right to work in the UK;
- Obtain an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity as defined in the KCSIE guidance (see appendix 1);
- Obtain a separate barred list check if a candidate commences work in regulated activity before the return of the DBS certificate;
 - N.B. – If a hiring manager requests such a start date this MUST be authorised by the Finance and HR Director and the Principal
- Verify any professional qualifications, including the award of qualified teacher status and the completion of teacher induction;
- Confirm their mental and physical fitness to carry out their work responsibilities and work alongside young people;
- Ensure they are not subject to a teaching prohibition order, including any sanction or restriction imposed that remains current. Whilst this check is primarily intended for those that will be undertaking teaching, the College expects this check to be undertaken for all new appointments that will be undertaking regulated activity;
- Carry out further checks as appropriate, for any candidates who have lived or worked outside of the UK, including where relevant any teacher sanctions or restrictions imposed by another Country and criminal record checks or their equivalent.

References

All offers of employment are provisional as they are subject to the receipt of two satisfactory references, one of which must be from the candidate's current or most recent employer. If a candidate has experienced a period of unemployment, they should confirm the reasons for this break in their employment history, including leaving reasons, and provide contact details for their last employment period. The referee should not be a relative and should ideally be the last two employers, unless the most recent employment did not involve work with children. In some circumstances, it may be appropriate to obtain more than two references and to contact a previous employer not listed as a referee by the candidate. In the unlikely event that a candidate had not previously been employed or undertaken any voluntary unpaid work, a character referee could be listed for consideration, i.e. college/university tutor, parent association chair etc.

The purpose of references is to verify the information listed on the application form and to obtain objective and factual information to support the selection decision. The College has a standard reference template and asks referees to confirm the following information:-

- Job title and dates of employment;
- Salary information;
- Referee's relationship to candidate and duration of professional working relationship;
- Suitability for the post in relation to the respective job description;
- Any current disciplinary sanctions;
- Any reason why the candidate may not be employed in a post which gives significant access to children and young people;
- Any disciplinary procedures related to the safety and welfare of children and young people, including any in which the sanction has expired;
- Reason for leaving.

When the candidate has given their express permission, HR will endeavour to obtain references in advance of the selection process. When this has not been possible, any offer of employment will remain provisional until the receipt of satisfactory references. All references will be viewed and authorised by the Principal/Vice Principal and will then be stored on the candidate file. Any discrepancies or concerns will require further investigation and a plan should be agreed with the respective Principal and Finance and HR Director.

The approach taken when obtaining references is to write to the referees listed by the candidate and only make telephone contact if any additional clarity is required or there is no response. If there are three unsuccessful attempts to obtain the reference (including telephone contact with an appropriate representative at the establishment) and the candidate is unable to gain support from the referee to engage with the process, it may be appropriate to consider contacting an alternative referee.

The Finance Director and HR lead should then advise on the next steps, consider how many other references have already been received and agree whether all options have been exhausted in this scenario. In circumstances where no or only one referee has responded, any decision to commence employment must only be authorised by the Principal and recorded on the candidate file.

In addition to undertaking the legislative and statutory pre-employment checks and recording these on the College SCR, there are a number of other safer recruitment steps within the initial recruitment and selection process.

Advertising

The College advertises all permanent vacancies and fixed term secondment opportunities to ensure equality of opportunity and to encourage a diverse candidate pool. The Finance and HR Director will discuss and risk assess any SLT request to directly appoint to a temporary opportunity or advertise on a restricted basis. The Finance and HR Director/HR Lead is responsible for agreeing a recruitment strategy with SLT, as it may be unnecessary to place an external advertisement if the internal candidate pool is likely to yield sufficiently qualified internal candidates.

The Finance and HR Director will also be aware of any staff at risk of redundancy across the College so before any external advertising takes place it may be appropriate to share the respective opportunity with these staff.

All advertisements will include the following statement:-

- The College is committed to safeguarding and promoting the welfare of all students within our care and requires all staff and volunteers to share and demonstrate this commitment.
- Any future offer of employment remains subject to satisfactory pre-employment checks, including enhanced DBS clearance, a health check and references.

Application Forms

Candidates are required to complete the College application form for all teaching and support roles, as CVs alone are not acceptable. The application form requests written information on full employment history, qualifications and general suitability for the respective post as outlined within the job description. Candidates are required to account for any gaps or discrepancies in their employment history.

The application form will also include the candidate declaration regarding convictions and working with children and will make it clear that this post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. It is unlawful for the College to employ anyone that is barred from working with children and it is a criminal offence for any individual who is barred from working with children to apply for a position. Candidates are informed within the application process that providing false information is an offence and that this could result in the rejection of their application or summary dismissal if the candidate had already commenced employment. In these circumstances, it may also be appropriate to notify the DBS and the police.

The College takes the control and processing of employee data very seriously and is committed to acting in line with the General Data Protection Regulations when processing candidate and employee data. An applicant privacy notice accompanies the job advertisement to ensure that candidates understand how their data is processed.

Job Descriptions

This is a fundamental component of any recruitment process and the SLT lead should review it before placing an advertisement. It outlines the duties, responsibilities and expectations of the respective role and the skills, previous experience and behaviours required to deliver effective performance. All job descriptions should include a specific reference to safeguarding responsibilities.

Shortlisting

The respective SLT lead will co-ordinate a selection panel of at least two individuals to shortlist candidate applications. The panel will review all candidates against the skills and experience outlined within the person specification and will complete a shortlisting matrix to justify their decision making and ensure consistent treatment of all candidates. HR will endeavour to notify all candidates in writing within five working days, with successful candidates often telephoned to ascertain their availability for interview.

Online Searches

In the selection process, online searches should be considered as part of the due diligence. This may help identify incidents which have taken place and are publicly available online, which the recruitment panel may wish to explore with the applicant at interview.

Selection Process

The selection process will be dependent on the requirements and seniority of the respective role. It will always include a structured interview based on the requirements outlined in the job description and person specification, with a particular emphasis on safeguarding for those roles that will be undertaking regulated activity. Additionally, the selection process may include role specific exercises.

Candidates will receive specific information in writing before the selection event. As already outlined, selection panels should include at least one safer recruitment trained individual and should include a diverse range of individuals wherever practicable.

The Finance and HR Director hold a record of staff that have attended safer recruitment training and the recruitment records for each campaign should highlight the lead individual on each panel. At some selection events, particularly for teaching appointments, candidates will ordinarily receive a verbal outcome at the end of the event. When this is not possible, the aim is to share the outcome within two working days or advise candidates if there is going to be a further delay. Feedback will always be available to any candidate on request.

Employment Offer

The offer of employment by the selection panel and acceptance by the candidate is binding on both parties, subject to the satisfactory pre-employment checks already outlined. Whilst the successful candidate will ordinarily receive a verbal offer in the first instance, a formal offer letter will follow via email within two working days.

Disclosure of Convictions

In the event that candidates disclose any convictions on the employment declaration form or any are returned on the DBS certificate, consideration will be given to the Rehabilitation of Offenders Act 1974 and the following criteria:-

- Date of the offence;
- Details of the offence, seriousness and relevance;
- Isolated incident of history of offences;
- Change in circumstances.

A formal meeting will take place between the candidate and the HR Business Partner to establish further facts, including any relevant mitigation, for discussion with the Principal. After full consideration of all information and a risk assessment surrounding the role for which the candidate is applying, the Principal will make their decision and document this on the candidate file. If a candidate wishes to dispute any information outlined in the disclosure certificate they must contact the DBS directly. If a candidate challenges a decision to withdraw an offer of employment a paper review will take place by the Finance and HR Director within three working days and the candidate will receive confirmation in writing. There will be no further right of appeal.

Managing other Workforce Groups

The information below should be read in conjunction with the KCSiE flowchart and guidance shared in appendix 2.

Casual Staff

Any individuals employed under zero-hour casual contracts remain subject to all of the outlined pre-employment checks before they are authorised to undertake any work within the College.

Agency Staff

When any College employs staff via a third-party agency it must obtain written confirmation that all of the necessary safer recruitment checks that the College would ordinarily complete have taken place. Additional Identity verification will take place when the individual attends work for the first time to ensure that the individual presenting themselves for work is the same individual on whom the checks were made.

Trainee Teachers

If individuals are part of the College workforce and paid via the payroll, then the pre-employment checks should be undertaken in the normal manner. When the School Centred Initial Teacher Training (SCITT) route has instead been utilised and the individual does not form part of the College payroll, written confirmation from the third party provider is required to confirm that all of the necessary safer recruitment checks that the College would ordinarily complete have taken place. Additional identity verification will take place when the individual attends work for the first time.

Contractors

The College will ensure that any on site contractors are subject to the appropriate level of DBS check and must obtain written confirmation that all of the necessary safer recruitment checks that the College would ordinarily complete have taken place. If the guidance does not deem a DBS check necessary the contractor will remain supervised at all times if they have access to students.

If a self-employed contractor works within the College and undertakes regulated activity, i.e. sports coach, music peripatetic, counsellor, as they are unable to make an application directly to the DBS the College will make this on their behalf and transfer this charge to the individual at their discretion. A prohibition order check will also take place and two satisfactory references will be required before they can have contact with young people. As with agency staff, additional identity verification will also take place when the individual attends the workplace for the first time.

Volunteers

As above, the College will ensure that any volunteers are subject to the appropriate level of DBS check. In summary, it is acceptable to treat an individual performing ad-hoc voluntary work in the same way as a regular visitor, providing they are constantly supervised and do not undertake any regulated activity with children or young people. Any regular volunteers should however be subject to an enhanced DBS check, a prohibition order check and be required to provide two references. To enable an appropriate risk assessment, requests for voluntary support are subject to agreement with the respective member of SLT and the Finance and HR Director before an individual attends the workplace.

Visitors

Reception staff at the College are responsible for registering visitors, ensuring appropriate identity checks take place and issuing temporary visitor lanyards. The SLT are responsible for ensuring that all staff understand the importance of registering visitors and appropriate supervision at all times.

College Governors

In 2016, the Government issued new legislation making it compulsory for all individuals involved in educational governance to have enhanced DBS checks. Individuals would only need to have a barred list check if they would also engage in regulated activity in addition to their governance duties.

Additionally, it should also be confirmed that relevant individuals are not subject to a section 128 direction made by the Secretary of State, as this would prohibit or restrict an individual from taking part in the management of an independent school, including academies and free schools.

Existing Staff

If any concerns arise in respect to an existing employee's suitability to work with students, relevant checks will be undertaken as if the individual was a new member of staff. These checks will also take place if an individual moves into a role involving regulated activity. The employee will also be required to disclose in writing any offence for which they receive a conviction or caution during their employment with the College. A risk assessment will then take place by the Principal and Finance and HR Director to determine whether there are any issues in terms of ongoing employment and undertaking regulated activity with students. It may be necessary to invite the employee to a formal meeting to discuss the disclosure and any points that require clarification. A formal record will be made of all correspondence involved in the decision making process and this will be confidentially stored within HR files.

The Local Authority Designated Officer (LADO) and potentially the police will need to be informed where there is an allegation of abuse against an adult working with children or young people at the College.

A referral will be required when an individual is subject to an investigation for:-

- Behaving in a way that has harmed a child/young adult, or may have harmed a child/young adult;
- Possibly committing a criminal offence against or related to a child/young adult;

- Behaving towards a child/young adult in a way that indicates that he or she would pose a risk of harm if they work regularly or closely with children/young adults.

At the conclusion of any internal safeguarding investigation, any proven case requires referral to the DBS and Teaching Regulation Agency for further consideration.

Monitoring and Evaluation

The Finance and HR Director is responsible for reviewing this policy along with the HR Committee of the Governing Body. It is reviewed biennially. The policy, from the academic year 2021/22 will be a standing item on the HR Committee of the Governing Body to ensure Governors are appropriately reassured of compliance within College and robust safer recruitment practices are in place.

Appendix 1

Regulated Activity

A full definition of regulated activity can be found at the following link

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/739154/Regulated_Activity_with_Children_in_England.pdf

