



# Recruitment, Selection and Disclosures Policy and Procedures

**Review cycle:** Annual

**Last Review Date:** May 2022

**Next Review Date:** May 2023

**Staff responsible:** Davina Maroothynaden, Bursar

**Governor responsible:** Meredith Brickwood

**(This policy applies to the whole School including EYFS)**



## **RECRUITMENT, SELECTION AND DISCLOSURES POLICY AND PROCEDURES**

### **1. General**

Willington Prep School (“the School”) is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The School aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

All queries on the School’s Application Form and recruitment process must be directed to the Bursar.

An entry will be made on the Single Central Register for all current members of staff at the School, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

### **Governors**

- Meredith Brickwood
- Jeremy Lingard
- Tim Squires
- Annabel Pavin
- Luci-Marie Henderson
- Duncan Murphy
- James Edgar
- Edward Mills

### **Head**

- Keith Brown

### **Bursar**

- Davina Maroothynaden

All checks will be made in advance of appointment or as soon as practicable after appointment with risk assessments in place and with the express permission of the Head for that member of staff to start employment prior to all checks being in place.

### **2. Scope of this Policy**

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

*Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer.*

In the case of agency or contract workers, the School should set out their safeguarding requirements with the organisation and the School and must obtain written confirmation from the agency or company that it has carried out the appropriate checks. The School conducts identity checks on agency and contract workers



on arrival in School and, in the case of agency workers which includes supply staff, the School must be provided with a copy of the appropriate level of DBS check for such staff.

The School will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every 3 years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus, those checks set out in KCSIE as ‘pre-employment’ checks. The Single Central Register shows these checks have been made and the School carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the governors, and who carries overall responsibility for the day-to-day management and control of the charity. At Willington Prep School this would be the Head.
- A person who is accountable only to the Head or the governors, and who is responsible for the overall management and control of the charity’s finances. At Willington Prep School this would be the Bursar, Deputy Heads and Directors.

Being disqualified means that a person can’t take on, or stay in, a senior manager position – even on an interim basis, unless the Charity Commission has removed (or ‘waived’) the disqualification.

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School when children are on site. The School will determine the appropriate level of supervision depending on the circumstances.

Any staff who TUPE transfer into the School's staff will be required to undertake the statutory requirements with regard to safer recruitment checks.

If staff are transferred under TUPE (gap of three months or less and information complete) information will be passed to the new employer and a note made on the Single Central Register that details have been accepted under TUPE.

### **3. Application Form**

The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.

The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service (“DBS”) for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional on obtaining such satisfactory checks. Additionally, successful



applicants should be aware that they are required to notify the school immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

The statutory guidance “Disqualification under the Childcare Act 2006” applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the school immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Bursar for more details.

The School has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have ‘due regard to the need to prevent people from being drawn into terrorism’. This is known as the Prevent duty. Schools are required to assess the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Accordingly, as part of the recruitment process, when an offer is made the offer will be subject to a Prevent duty risk assessment [more guidance for schools from the DfE on this can be found at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)].

If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate’s suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.

#### **4. Invitation to Interview**

The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.



Shortlisted candidates will be asked to complete a self-declaration form in relation to 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. Applicants will be asked to complete an online declaration form confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at the point of interview.

The School will endeavour to obtain references prior to interview. This allows any concerns raised to be explored further with the referee and can be taken up with the shortlisted candidate at interview. However, if concerns are raised post interview, this must be raised with the candidate either by telephone or inviting the candidate for a follow-up interview.

All formal interviews will have a panel of at least two to three people chaired by the Head or Bursar or another designated senior member of the SLT. It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person, where possible, and the areas which it will explore will include suitability to work with children.

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

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

1. A current driving licence including a photograph or a passport or a full birth certificate;
2. A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
3. Where appropriate any documentation evidencing a change of name;
4. Where applicable, proof of entitlement to work and reside in the UK.[1]

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

Temporary changes to right to work checks were implemented during the height of the coronavirus pandemic to assist with safer recruitment where face to face contact was not possible in the usual way. Candidates should notify the School immediately if they are experiencing any issues with providing right to work information as a result of covid-19. The School may be able to initiate right to work checks on the basis of scanned images and live video links. Further guidance is available at <https://www.gov.uk/guidance/coronavirus-covid-19-right-to-work-checks>

Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.



## **5. Conditional Offer of Appointment: Pre-Appointment Checks**

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received); The HR officer or Bursar will verify the email addresses of the references received.
2. Verification of identity, address and qualifications including, where appropriate, evidence of the right to work in the UK (if not already received);
3. A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed as a teacher, a check that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
  - Planning and preparing lessons and courses for pupils;
  - Delivering and preparing lessons to pupils;
  - Assessing the development, progress and attainment of pupils; and
  - Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, including Qualified Teacher Status, where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
7. *Where the successful candidate has worked or been resident overseas (including EEA teaching candidates):* Such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the candidate providing the School with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked;[2]
8. Evidence of satisfactory medical fitness;
9. Confirmation that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 " or Receipt of a signed Staff Suitability Declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance "Disqualification under the Childcare Act 2006 ";
10. For a candidate to be employed into a senior management position as set out above under "Scope of this Policy", 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.
11. Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department; and

It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence and



processed in accordance with the Recruitment Privacy Notice and Data Protection Policy. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, and/or layout of the School.

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

## **6. References**

The School will seek the references referred to in section 5 above for shortlisted candidates (including internal applicants) and may approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant's current or most recent employer. References must be received by a senior person with appropriate authority. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying. The references will be email and telephone verified by either the Bursar or Headmaster, or both.

The School will ask all referees if the candidate is suitable to work with children.

The School will only accept 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 verify all references as mentioned above particularly for references received electronically, the School will ensure they originate from a legitimate source.

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

## **7. Criminal Records Policy**

The School will refer to the Department for Education ("DfE") document, 'Keeping Children Safe in Education' and any amended version in carrying out the necessary DBS checks.

The School complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:

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

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

This is where the new member of staff ("M") has worked in: –

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



- (c) An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

during a period which ended not more than three months before M's appointment.

In these circumstances the school may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

### **DBS Update Service**

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate.

### **If disclosure is delayed**

A short period of work is allowed under controlled conditions, at the Head's discretion. However, if an 'enhanced disclosure' is delayed, a Head may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head/Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but is not a requirement, that a note is added to the single central register and evidence kept of the measures put in place.

### **8. Retention, Security of Records and Data Protection Obligations**

The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than 6 months.

The School will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Privacy Notice and the [Data Protection Policy](#).



## **RECRUITMENT OF GOVERNORS AND OTHER VOLUNTEERS**

### **1. GENERAL**

Willington School ("the School") is committed to ensuring the best possible environment for the children in its care. Safeguarding and promoting the welfare of children is our highest priority. The School aims to recruit volunteers and governors that share and understand our commitment to the aims of the School. Queries on the School's recruitment process should be directed to the Bursar.

### **2. RECRUITMENT OF GOVERNORS AND TRUSTEES**

As Trustees of a registered charity, the Governors of Willington School are responsible for the selection and appointment of new Governors. This is a legal responsibility that cannot be delegated, although we encourage the Headmaster, Bursar, and other staff or those who are close to the School, such as parents, to suggest the names of potential candidates. The Governors are aware of the importance of identifying the appropriate mixture of skills and experience that we and our successors need to manage the multi-faceted affairs of a modern school which is also a Limited Company, a medium sized business and an important local employer, with some 50 employees.

All Governors complete a selection process, which requires the submission of a CV, an interview with Governors from the Nominations Committee and a meeting with the Headmaster. Every Governor will undertake an enhanced DBS check, barred list check and prohibition from management check. Each appointment is ratified by the full Board. The School arranges for all new Governors to receive a thorough induction in child protection and in the compliance and fiduciary duties of governance. New Governors will visit the School to meet the key personnel, to gain an insight into the curriculum and to meet groups of pupils.

#### **2.1. GOVERNOR'S SELECTION PROCESS**

The Initial Stage. When a potential Governor has been identified, who has expressed an interest; he or she will be invited to visit the School, to meet the Headmaster informally and to have a tour of the School. If the Chair of Governors is not present at that stage, s/he will arrange a separate informal meeting, perhaps in the company of another Governor. At that meeting, we will describe our strategic vision for the next 3-5 years and the direction in which the Governors see the School moving. Our aim at the informal meeting is to ensure that the prospective Governor has a clear understanding of the commitment expected of him or her, in terms of time and attendance and is given sufficient material about the School that is in the public domain to allow a well-informed judgement to be made before committing themselves to the appointment process. At the informal meeting, we also brief potential candidates about the range of statutory checks that are required as part of the appointment process.

The appointment process. The second step is to invite the prospective Governor to submit a copy of his/her CV under a covering letter to the Chair of Governors or complete the school's volunteer application form. Following due process, selected candidates will be recommended to the full Governing Body. Care is taken to select Governors who are prepared to serve for a minimum of three, and preferably, five years and to be prepared to commit the time necessary properly to get to know the school. All new appointments are formally recorded in the minutes of the Board, and a formal letter of appointment is sent by the Chair, which specifies the term of the appointment, the total tenure for a Governor, and, if appropriate, the sub-Committee(s) to which the new Governor has been appointed.

Safer Recruitment Checks. The HR Officer or Bursar will obtain the following from the new potential governor before their appointment is confirmed:

- a. An enhanced DBS certificate;



- b. A barred list check and prohibition from management check;
- c. Evidence of their entitlement to work in the UK, where relevant;
- d. Confirmation that they are not disqualified from acting as a Charity Trustee or Company Director, for example by virtue of an undischarged bankruptcy;
- e. A declaration that they are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009;
- f. Details of 2 Referees who may be approached to confirm their suitability.

If the new Governor is also to be appointed as a Company Director, a completed Form APO1 (from [www.completeformations.co.uk](http://www.completeformations.co.uk)) will be sent to Companies House to register the appointment.

## **2.2 CHECKS REGARDING THE CHAIR OF GOVERNORS**

If the Chair of Governors is to change, the Department for Education obtains an enhanced criminal records check, and checks both the individual's identity and right to work in the UK before he or she takes up the appointment. Further overseas checks are required if the person lives or has lived outside the UK. The Chair's disclosure application has to be made by the DfE; the School cannot handle it as they would for all other Governors. So, even if a Governor, whom the School has already checked, becomes Chair, the DfE has to make yet another check.

## **3. THE RECRUITMENT OF OTHER VOLUNTEERS**

**General.** Volunteers bring with them a range of skills and experience that can enhance the learning opportunities of pupils. The Board of Governors therefore, welcomes and encourages volunteers to assist in its day to day running. The kinds of activities that volunteers may assist with are hearing pupils read, working with small groups of pupils to assist them in their learning, working alongside individual pupils, as an additional tutor, or accompanying school visits. Volunteers will be recruited and vetted via the process set out below. Volunteers who take part in a regulated activity will be subject to safer recruitment checks.

**Recruitment.** Volunteers will be subject to an informal recruitment process which will involve a meeting with a member of the SLT to discuss the requirements of the School and the skills of the volunteer. The purpose of this meeting will be to understand whether the prospective volunteer has any previous relevant experience and find out whether the expectations and requirements of each party meet and whether there is a volunteering opportunity at the School. Any volunteering placement may be offered subject to the following checks, if relevant:

- a. An enhanced DBS certificate;
- b. If the volunteer will be undertaking a regulated activity, a barred list check;
- c. Evidence of their entitlement to work in the UK, where relevant;
- d. Confirmation that the volunteer has not been disqualified from participating in the management of independent schools;
- e. A declaration that they are not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009;
- f. Depending on the role, the volunteer may also be asked to sign a confidentiality statement;
- g. References may also be required.

**Induction.** Volunteers will be provided with information on the following matters and will be asked to sign they have read and understood the below information:

- a. Safeguarding and Child Protection Policy including KCSiE 2021 and Prevent 2015
- b. Staff Behaviour Policy
- c. Health and Safety Policy



d. Data Protection Policy



## **Appendix 1**

### **Policy on the Recruitment of Ex-Offenders**

The School will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The School makes appointment decisions on the basis of merit and ability. If an individual has a criminal record this will not automatically bar him/her from employment within the School. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the School to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School. The School will report the matter to the Police and/or the DBS if:

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

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- 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;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.



If the post involves regular contact with children, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the School's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

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[1] The UK has introduced a points-based immigration system that applies to anyone who wants to come to live, study or work in the UK. Irish citizens will continue to be able to enter, work and study in the UK as they do now. Schools will need to be mindful of the changing requirements when recruiting staff from overseas.

[2] The requirement to check an overseas' teacher's teaching status for proof of past conduct as a teacher is now included in KCSIE at paragraphs 149 and 172. Schools and colleges must make any further checks they think appropriate ....which could include obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. We therefore recommend that schools request the letter of professional standing for recruitment for teachers from all overseas applicants where possible