


Safer Recruitment Policy & Procedure



ST ANDREW'S COLLEGE POLICY DOCUMENT	
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RECRUITMENT, SELECTION AND DISCLOSURES POLICY AND PROCEDURE

1. General

St Andrews College is committed to ensuring the best possible environment for the young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The College 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 College's Application Form and recruitment process must be directed to the Bursar.

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

St Andrews College is part of the family of Dukes Education Group schools and colleges. Aatif Hassan is Chair of Dukes Education Group and is Chair of Governors of St Andrews. Tim Fish is Managing Director of the colleges and acts as the nominated Safeguarding Governor of the college.

The Governors monitor the effectiveness of the college recruitment policy and procedures by termly auditing systems, termly governors' meetings and annual review of policy.

All checks will be made in advance of appointment or as soon as practicable after appointment.

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 College. 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 College shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. The College conduct's identity checks on agency and contract workers on arrival in College and, in the case of agency workers which includes supply staff, the College must be provided with a copy of the DBS* check for such staff.

The College will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – right to work in the UK, barred list, prohibition, qualifications, overseas checks plus in line with KCSIE two references, declaration of medical fitness, check of

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previous employment history). The Single Central Record shows these checks have been made and the College carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

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

3. Application Form

The College 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 College will make candidates aware that all posts in the College 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 college 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 College 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 St Andrews College's Designated Safeguarding Lead immediately. This will include notification of any convictions, cautions, court orders, reprimands, or warnings he/she may receive.

The College has a legal duty under section 26 of the Counterterrorism 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].

If the candidate is currently working with children, on either a paid or voluntary basis, the College 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.

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If the candidate is not currently working with children but has done so in the past, the College will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the College will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the College 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 College if they have been appointed, and a possible referral to the police and/or DBS.

4. Invitation to Interview

The College 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.

All formal interviews will have a panel of at least two people chaired by the Principal or another designated senior member of staff. It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The Chair of Governors or a nominated Governor will chair the panel for the Principal 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 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 College 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. Evidence of identity and address as set out below and in the list of valid identity documents:

Applicants must bring:

One document from Group 1 and two further documents from either of Group 1, Group 2i or Group 2ii, one of which must verify the applicant's current address; and original documents confirming any educational and professional qualifications referred to in their application form.

List of valid identity documents

Group 1: primary trusted identity credentials

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- current valid passport
- biometric residence permit (UK)
- current driving license (full or provisional) (UK / Isle of Man / Channel Islands; photo card with the associated counterpart license; except Jersey)
- birth certificate (UK & Channel Islands) - issued at the time of birth (within 42 days of date of birth); Full or short form acceptable including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces

Group 2i: trusted government / state issued documents

- current UK driving license (old style paper version)
- current non-UK driving license (valid for up to 12 months from the date the applicant entered the UK)
- birth certificate (UK and Channel Islands) – issued at any time after the date of birth by the General Registrar Office / relevant authority i.e., Registrars)
- marriage / civil partnership certificate (UK and Channel Islands)
- adoption certificate (UK and Channel Islands)
- HM Forces ID card (UK) firearms license (UK and Channel Islands)

Group 2ii: Financial / social history documents

- mortgage statement (UK or EEA) **
- bank / building society statement (UK and Channel Islands or EEA) *
- bank / building society account opening confirmation letter (UK)
- credit card statement (UK or EEA) *
- financial statement ** - e.g., pension, endowment, ISA (UK)
- P45 / P60 statement ** (UK and Channel Islands)
- council tax statement (UK and Channel Islands) **
- work permit / visa (UK) (UK Residence Permit) **
- letter of sponsorship from future employment provider (non-UK / non-EEA only valid for applicants residing outside the UK at the time of application)
- utility bill (UK)* – not mobile telephone
- benefit statement* - e.g., child benefit, pension
- a document from central / local government/ government agency / local authority giving entitlement (UK and Channel Islands) *- e.g., from the Department for Work and Pensions, the Employment Service HM Revenue & Customs (HMRC), Job Centre, Job Centre Plus, Social Security
- EU national ID card
- cards carrying the PASS accreditation logo (UK)

* Less than three months old

** Less than 12 months old

Applicants who have changed his / her name by deed poll or any other means (e.g., marriage, adoption, statutory declaration) he / she will be required to provide documentary evidence of the change. The College asks for the date of birth of all applicants (and proof of this) in accordance with KCSIE. Proof of date of birth is necessary so that the College may verify the identity of and check for any unexplained discrepancies in the employment and education history of all applicants. The College does not discriminate on the grounds of age.

3. Where appropriate any documentation evidencing a change of name.
4. Where applicable, proof of entitlement to work and reside in the UK.

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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 College immediately if they are experiencing any issues with providing right to work information as a result of covid-19. The College 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 College 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).
2. Verification of identity and 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 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:** Such checks and confirmations as the College may consider appropriate so that any relevant events that occurred outside the UK can be considered. **For an EEA teaching candidate:** This shall include the candidate providing the College 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
8. Evidence of satisfactory medical fitness.
9. 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 Heads of Department.

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It is the College practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the College 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 college.

The College 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 College 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 College to take up references in advance of the interview, they should notify the College at the time of applying.

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

The College 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 College will endeavour to verify **all** references. Where references are received electronically, the College will ensure they originate from a legitimate source.

The College 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.

At least one of the references will be followed up by phone by a member of the Senior Management team to check on the information received and the validity of that information.

7. Criminal Records Policy

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

The College 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 legally limited circumstances where the college will accept a check from another educational institution. In practice, normally all new staff appointed at St Andrews are subject to a DBS.

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the College to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

If disclosure is delayed

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

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- Without confirming the appointment and all other recruitment checks have been completed, including taking up of satisfactory references.
- 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.
- A risk assessment is completed showing that appropriate safeguards have been taken (for example, loose supervision).
- Safeguards reviewed at least every week by the Principal and member of staff.
- The person in question is informed what these safeguards are; and
- That a note is added to the single central record and evidence kept of the measures put in place.

8. Retention, Security of Records and Data Protection Obligations

The College 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 College will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.

Appendix

Policy on the Recruitment of Ex-Offenders

The College will not unfairly discriminate against any candidate for employment on the basis of conviction or other details revealed. The College 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 College. 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 College 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 College 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 College 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

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for a position within the College. The College will report the matter to the Police and/or the DBS if:

- the College receives an application from a disqualified person.
- is provided with false information in, or in support of, an applicant's application; or
- the College 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 College 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 College'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 College'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 College's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

Post-Appointment Induction

Every new member of staff is provided with induction training to ensure they are familiar with College policies and procedures. These will include but not limited to Child Protection and Prevent training, and issue of the Safeguarding Policy, Code of Conduct, Part One and Annex A of KCSIE September 2021.

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Last Review: March 2022

Next review: July 2022.