



LOCHINVER HOUSE

Recruitment Policy

Lochinver House School is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is also committed to providing a supportive environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre who share this commitment.

The aims of the School's recruitment policy are:

- 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 applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, gender reassignment, marital status, disability or age
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - September 2018 (KCSIE), Disqualification Under the Childcare Act 2006 (DUCA), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS) and
- to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy. At least one member of staff on every recruitment panel will have undertaken Safer Recruitment training.

Recruitment and Selection Procedure

Applicants applying for an open position will receive a job description (including person specification) for the role. 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. Curriculum Vitae will not be accepted in place of a completed application form.

Depending on the selection criteria, the applicant may be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail.

Pre-employment checks

In accordance with Part 3 : Safer Recruitment of the DfE statutory guidance Keeping Children Safe in Education – September 2018, the School carries out a number of pre-employment checks in respect of all prospective employees.



References

Where possible, references will be taken up on shortlisted candidates prior to interview. All offers of employment will be subject to the receipt of a minimum of two references, which the School considers satisfactory, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the job description for the role which the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm:

- the applicant's dates of employment, salary, job title/duties, reason for leaving, performance and disciplinary record
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired)
- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people.

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 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.

Verification of identity and address

All applicants who are invited to an interview will be required to bring original documentation confirming their identity, right to work in the UK, home address and qualifications referred to in their application form.

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

Interview

At least one member of staff on every recruitment panel will have undertaken Safer Recruitment training. The interview will include questions exploring the candidates' suitability to work with children and will be relevant to the role applied for.

Offer of Employment

If it is decided to make an offer of employment following the formal interview, any such offer will be conditional on:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard Terms and Conditions of Employment
- the receipt of two references as explained above
- the receipt of a disclosure from the Disclosure & Barring Service with which the School is satisfied
- sight of the applicants original qualifications if required to undertake the role
- satisfactory medical assessment.

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

Single Central Register

Lochinver House School maintains an electronic Single Central Register (SCR) of pre-appointment checks for all staff, governors, supply staff, volunteers and visiting speakers who work at our School. The SCR contains:

- Whether the member of staff is in regulated or non-regulated activity
- Start date
- Date completed application received
- Date identity check completed
- Date relevant qualifications checked
- Date right to work in the United Kingdom checked
- Date barred list check completed
- Date enhanced DBS certificate received/seen
- Date prohibition from teaching orders made (if applicable)
- Date prohibition from Management directions made (if applicable)
- Overseas checks (if applicable)
- Date references were received and verified
- Date satisfactory medical assessment completed.

Criminal records check

Due to the nature of the work, the School applies for criminal record certificates from the Disclosure and Barring Service (DBS) in respect of all prospective staff members, governors and volunteers within 3 months of their prospective start date. An Enhanced Disclosure will be requested.

An Enhanced Disclosure will contain details of any convictions, cautions, reprimands and warnings the applicant has received, that do not qualify for filtering. An Enhanced Disclosure check will also involve an additional check with the police, who check if any other information is held on file that may be relevant (for instance, information that has not led to a criminal conviction but may indicate a danger to vulnerable groups) and provide confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an Independent School.

Non-teaching staff in management roles and individuals applying to be on the Board of Governors will also require confirmation that the applicant is not subject to a direction under section 128 of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an Independent School.

Applicants with periods of overseas residence and those with little or no previous UK residence will be asked to apply for the equivalent of a disclosure, if one is available in the relevant jurisdiction(s).

The School expects supply/temporary worker agencies/contractors that are used by the School to register with the DBS on their own account and to follow their policy or their own comparable policy. Proof of registration will be required before the School will commission services from any such organisation.

Appendix 1 provides a useful flow chart of Disclosure and Barring Service criminal record checks and barred list checks that the School is required to carry out prior to an applicant's appointment, as specified in KCSIE.

Policy on recruitment of ex-offenders

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

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

Under the relevant legislation, it is unlawful for the School to employ anyone who is included on the lists maintained by the DfE and the Department of Health of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the School to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the School 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.

It will report the matter to the Police, DBS and/or the DfE Children's Safeguarding Operations Unit (formerly the Teacher's Misconduct Team).

Assessment criteria

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

- whether the conviction or other matter revealed is relevant to the position in question
- 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
- 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:

- against adults: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence
- against children or adults: serious class A drug related offences, robbery, burglary, theft, deception or fraud.

Assessment procedure

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, the School will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Bursar or the Headmaster before a position is offered.

If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Retention and security of disclosure information

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

- store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to the HR and Compliance Manager, and senior member of the School's SLT
- not retain disclosure information or any associated correspondence for longer than is necessary. In most cases, the School will not retain such information for longer than 6 months although the School will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS and the recruitment decision taken
- ensure that any disclosure information is destroyed by suitably secure means such as shredding
- prohibit the photocopying or scanning of any disclosure information
- remind all staff that if their circumstances change they must inform the school
- gain a declaration from each member of staff that they must declare to the School if their circumstances change.

Remind all staff about the expectation to inform the school where their relationships and associations, both within and outside of the workplace (including online), may have implications for the safeguarding of children in the school. Remind all staff that if their circumstances change they must inform the school. (Decide where to put this in writing: Staff Code of Conduct and/or in staff contracts.)

Retention of records

If an applicant is appointed, the School 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 immediately unless the applicant has agreed the School can keep their details on file.

Visiting Speakers

As part of our Curriculum Enrichment Programme we often invite speakers from our wider community to our School. The 'Prevent' Statutory Guidance (The Prevent Duty: Departmental advice for schools and childcare providers, DfE, June 2015) requires schools to have clear protocols for ensuring that any visiting speakers whether invited by staff or pupils, are suitable and appropriately supervised. When inviting speakers, the School follows the statutory guidance Keeping Children Safe in Education DfE (KCSIE 2018) with regards to duties of safeguarding and promoting the welfare of the pupils within the School. Visiting speaker information is retained on the SCR.

Queries

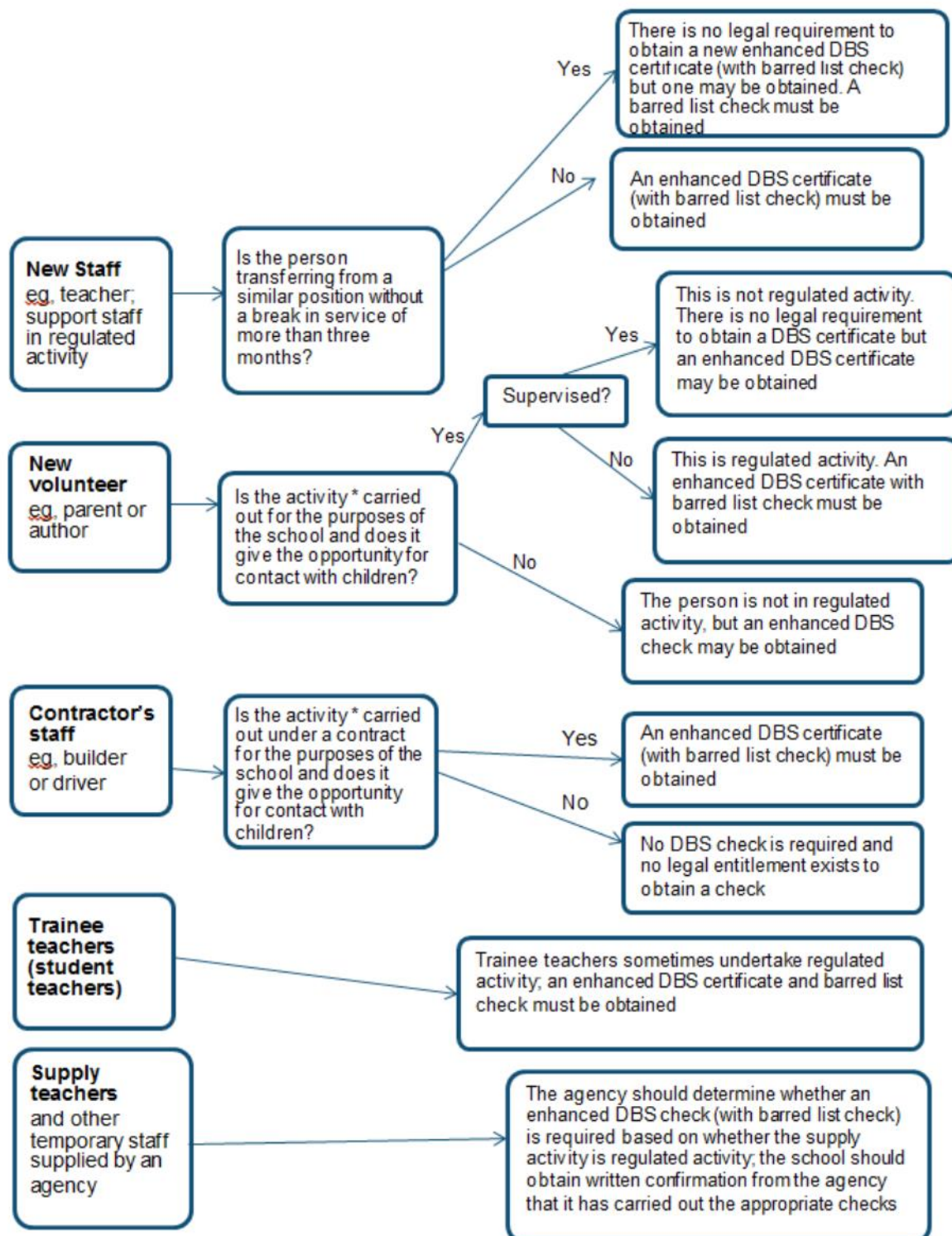
If an applicant has any queries they should contact the HR and Compliance Manager.

Policy Reviewed: 03.09.2018
Policy Review Date: 02.09.2021
Policy linked to: Data Protection Policy, DfE Keeping Children Safe in Education (September 2018), Equal Opportunities Policy – Staff, Privacy Notice, Safeguarding and Staff Behaviour and Code of Conduct Policy and Procedures, Visitor and Visiting Speaker Policy and Procedure.

Any data held in relation to the content of this policy will be managed in accordance with our Data Protection Policy and Privacy Notice.

Appendix 1

Flowchart of Disclosure and Barring Service criminal record checks and barred list checks (Source: KCSIE, DfE September 2018)



* Activities listed under the guidance's definition of regulated activity and which are carried out 'frequently'