



# Recruitment Policy and Procedure

**This policy applies to:**

All Staff

**Person responsible for the policy:**

HR Department

**Review Dates:**

Last Review Sept 2020

Next Review Sept 2021

(updated January 2021)

## Purpose

Ardingly College recognises that it is of fundamental importance to attract, recruit and retain staff of the highest calibre. This recruitment process is in place to ensure that Ardingly College meets all statutory requirements and adopts best practice in recruiting all members of staff.

## Aims

The aims of the Ardingly College recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- to ensure that all job applicants are considered equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner 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 2020) (**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 College 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.

## Principles

The following key principles and guidelines apply to all recruitment at Ardingly College:

- All posts should be advertised internally and on the Ardingly College website;
- Applicants should complete an Ardingly College application form rather than a CV and ensure that all employment gaps are accounted for ;
- Short listing should be carried out independently by at least two people;
- There should be at least two interviewers on each recruitment panel, one of whom should be trained in Safer Recruitment (***a list of whom can be requested from HR***);
- There should be a written record of the interview and outcome;
- Two written references including the most recent employer should be sought on all shortlisted teaching candidates prior to interview and for all support staff at the offer stage;
- The College will verify the reference with each referee by direct contact by telephone or email from a legitimate source;
- All offers of employment will be subject to receipt of satisfactory references and recruitment checks (listed below) Staff members, particularly those working directly with pupils should not begin work until satisfactory completion of all checks;

- The College has an established system for carrying out DBS checks on agency staff, self-employed contractors, non-employees who live on site, and volunteers;
- The Single Central Register (SCR) is kept in the HR Department. This is audited on a termly basis by relevant members of senior leadership, including but not limited to the Deputy Head Staff and Operations, the Designated Safeguarding Lead (DSL) and the Governor responsible for compliance.
- An employment checklist is kept in each employee's file that is held in the HR Department;
- All employees receive an induction programme to effectively integrate them into the College and to cover relevant College policies

## **Recruitment Procedure**

The recruitment procedure is designed to be simple and effective, but if staff have any questions or need support, they should contact the HR department.

2.1 A vacancy arises because an employee leaves or there is a new post. Before the decision to recruit is made the manager should consider if there are other ways to cover the work required. If recruitment is needed the recruiting manager completes the Permission to Recruit form, and sends a copy to HR and Finance, along with the Job Description and Person Specification. HR can provide support in production of these documents. HR and Finance will seek appropriate authorisation of all vacancies.

2.2 HR maintain a record of all approved vacancies on a vacancy spreadsheet and on the recruitment operating system.

2.3 The HR department prepares the recruitment advert. This is approved by the recruiting manager. The HR department places the advertisement internally and/or externally, including on internet job-boards and the Ardingly College website.

2.4 Recruitment application information can be obtained from the Ardingly College recruitment system, accessed via the Ardingly College website. This will contain the job description person specification, and application form. Applications will only be accepted using the application form, not just a CV. Applicants will be encouraged to apply on-line.

2.5 The HR department records and acknowledges all applicants via the recruitment system and tracks equal opportunities data throughout the process.

2.6 The Recruiting Manager and at least one other qualified person shortlists the applicants independently based on the job description and person specification and records the outcome for all applicants. Where an applicant has a disability, any interview decision should be reviewed with HR. The application forms and short-listing criteria for all rejected candidates are to be sent to HR. Emails will be sent to unsuccessful candidates by the HR department.

2.7 The HR department arranges the interviews and in the case of academic appointments takes up references prior to interview. For support staff references will usually be taken up at the offer stage. Applications from internal candidates also require a reference from a suitably senior person with appropriate authority (e.g. Head of Department or member of Senior Management Team)

2.8 Interviews will be carried out by at least two people, including one person who is trained in Safer Recruitment in Education. Records are to be made for all interviews. Those involved in the interview

process will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made as to whether or not an interviewer should withdraw from the panel.

Copies should be made of original certificates of relevant professional qualifications, two of the following forms of ID: Passport, Birth Certificate, Driving Licence, and one proof of address in the form of a utility bill, credit card or bank statement (all of which must be less than 3 months old), proof of right to work in the UK, proof of any change of name and driving licence, if applicable. A full list of accepted ID documents can be obtained from the HR department.

#### **COVID-19:**

In situations where in person interviews are not possible due to the ongoing impacts of the coronavirus pandemic, candidates will be invited to attend a remote interview using Microsoft Teams (or other similar platforms). Prior to the interview the candidate will be asked to send HR scanned copies of original certificates of relevant professional qualifications and two of the following forms of ID: Passport, Birth Certificate, Driving Licence, and one proof of address in the form of a utility bill, credit card or bank statement (all of which must be less than 3 months old), proof of right to work in the UK, proof of any change of name and driving licence, if applicable.

At the start of the interview, the panel will request that the applicant confirm their identity and right to work by showing a piece of photographic ID to the camera this will then be recorded in the interview notes.

2.9 The recruiting manager returns all interview notes, references and application forms to HR with feedback notes on each candidate.

2.10 The HR department completes the HR Recruitment Checklist, issues the DBS request email, Medical questionnaire, offer letter, contract of employment and employee record card. International Disclosure Check forms are also issued and Prohibition checks completed where applicable.

#### **COVID-19:**

With regard the updated guidance from the DBS, applicants must expect to have their identification documents verified via video call.

2.11 The HR department sets up and retains employee files and enters details of all recruitment checks made onto the Single Central Register (SCR). All applications and recruitment paperwork relating to the post, and to unsuccessful candidates is retained by HR for a minimum of six months from the start date of the successful candidate. For successful candidates, the recruitment information is retained in the employee's personnel file for their duration of employment at the College and retained as per the College document retention policy as detailed in the Data Protection Policy.

2.12 Upon commencement of employment the HR department issues the induction form. The line manager arranges for completion of induction and returns the completed form to the HR department.

The College will ensure that the recruitment process is compliant with Department for Education (DfE) requirements. The College holds a Single Central Register (SCR) which summarises all employment checks that have been conducted. The SCR will be audited on a termly basis by relevant members of senior leadership including but not limited to Deputy Head Staff and Operations, the DSL and the Governor responsible for compliance to ensure that the College is compliant with national standards.

### **Internal Appointments**

Where a role is open only to internal candidates e.g. additional roles, internal promotions or restructures/redundancies, relevant additional checks will be undertaken, including (but not limited to);

- an additional reference (where possible this will be taken from the staff members current or most recent Manager)
- additional appropriate suitability checks (e.g. disqualification from childcare if the staff member is transferring to a relevant role or S128 checks for those entering a leadership or management role)

### **Pre-Appointment Checks**

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

- the agreement of a mutually acceptable start date and the signing of an offer letter and employment contract incorporating the College's standard terms and conditions of employment;
- verification of the applicant's identity against an official document i.e., photographic ID (where that has not previously been verified); (see changes for ID checks under COVID secure measures)
- the receipt and verification of two references (one of which must be from the applicant's most recent employer) which the College considers to be satisfactory and neither referee to be a relative or someone known to the applicant solely as a friend;
- full employment history check with written satisfactory explanation of any gaps on the application form;
- for applicants who have carried out teaching work outside the UK, information about whether the applicant has ever been referred to, or is the subject of a sanction issued by, a regulator of the teaching profession in any other country which renders them unable or unsuitable to work at the College;
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS (including a Children's Barred List check) which the College considers to be satisfactory;
- for positions which involve "teaching work", information about whether the applicant has ever been subject to a direction under section 142 of the Education Act 2002 relating to whether the applicant has ever been referred to, or is the subject of a sanction, restriction or prohibition issued by, the Teaching Regulation Agency (**TRA**) which renders them unable or unsuitable to work at the College;
- for management positions, information about whether the applicant has ever been referred to the Department for Education, or is the subject of a direction under section 128 of the

Education and Skills Act 2008, which renders them unable or unsuitable to work at the College;

- verification of the applicant's medical fitness for the role;
- verification of the applicant's right to work in the UK;
- for applicants who have lived or worked outside the UK for more than 3 months in the last 5 years will be subject to any further checks which the College decides are necessary, which may include an overseas criminal records check, certificate of good conduct or professional references;
- verification of professional qualifications which the College deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified);
- digital Footprint; where appropriate potential candidate's social media or other online activity may be checked prior to interview

### **Suitability Checks**

Relevant suitability checks will be, where possible, renewed annually. Suitability checks include, but are not limited to:

- Disqualifications under the Childcare act (for relevant members of staff)
- Medical fitness
- Understanding of current and updated policies and regulatory guidance
- Updated next of personal information (inclusive of next of kin)

### **Medical Fitness**

The College is legally required to verify the medical fitness of anyone to be appointed to a post at the College, **after** an offer of employment has been made but **before** the appointment can be confirmed.

The College is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence (such as being in receipt of a letter from the applicants GP or receiving information from the College's occupational health consultants), considering reasonable adjustments and suitable alternative employment.

### **Disclosure and Barring Service (DBS) Checks**

The College applies for an enhanced disclosure from the DBS (which includes a check of the Children's Barred list) in respect of all positions at the College which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. Any position undertaken at, or on behalf of the College will amount to "regulated activity" if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or

- satisfies the "period condition", meaning four times or more in a 30 day period; and provides the opportunity for contact with children.

Roles which are carried out on an voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

It is for the College to decide whether a role amounts to "regulated activity" taking into account all the relevant circumstances. However, nearly **all** posts at the College amount to regulated activity. It is a condition of employment with the College that the **original** disclosure certificate is verified by the College on or before the start date of employment.

A short period of work is allowed under controlled conditions, at the Head of College's discretion. However, if an Enhanced Disclosure is delayed, the Head may allow the member of staff to commence work (but not in a Boarding context):

- without confirming appointment
- after a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including relevant prohibition checks) having been completed
- provided that the DBS application has been made
- with appropriate safeguards taken (including a written risk assessment signed Head of College)
- with the safeguards reviewed at least every two weeks (including the risk assessment) by the HR Manager (for support staff) and the Deputy Head, Staff and Operations (for teaching staff)
- with the person in question is informed what these safeguards are
- With a note added to the SCR and evidence kept of the measure put in place

### **Prohibition from Teaching Check**

The College is required to check whether staff who carry out "teaching work" are prohibited from doing so. The College uses the TRA Teacher Services system to check whether successful applicants are the subject of a prohibition, or interim prohibition order issued by a professional conduct panel on behalf of the TRA.

### **Employment of EEA/EU Teachers**

As of January 1 2021, due to changes related to the UK leaving the EU the TRA will no longer allow UK employers to check whether successful applicants are the subject of a prohibition or interim prohibition order issued by an EU professional conduct panel. As per KCSIE (updated January 2021) the College will seek to obtain a letter of professional standing from the professional regulating authority in the country in which the applicant has worked.

### **Prohibition from Management Check**

The College is required to check whether any applicant for a management position is 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 College (a **section 128 direction**).

This check applies to appointments to the following positions made on or after 12 August 2015:

- Head (of College and subsequent Heads of Schools);
- teaching posts on the senior leadership team;
- teaching posts which carry a departmental head role;
- head of house (HoMM) and assistant head of house (AHoMM) roles;
- support staff posts on the senior leadership team; and
- appointments to the governing body.

S128 checks will also be conducted for any internal promotions or transfers of role.

### **Contractors and Agency Staff**

Contractors engaged by the College must complete the same checks for their employees that the College is required to complete for its staff. The College requires confirmation that these checks have been completed before employees of the Contractor can commence work at the College.

Agencies who supply staff to the College must also complete the pre-employment checks which the College would otherwise complete for its staff. Again, the College requires confirmation that these checks have been completed before an individual can commence work at the College.

The College will independently verify the identity of staff supplied by contractors or an agency and will require the provision of the original DBS disclosure certificate before contractor or agency staff can commence work at the College.

Further details are contained in the Supervision of Ancillary, Contract and Unchecked Staff Policy.

### **Volunteers**

The College will request an enhanced DBS disclosure on all volunteers undertaking regulated activity with pupils at or on behalf of the College. Under no circumstances will the College permit an unchecked volunteer to have unsupervised contact with pupils.

In addition the College will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- Volunteer application form
- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source; and
- an informal safer recruitment interview.

Further details of the volunteer recruitment and vetting process are contained within the Supervision of Ancillary, Contract and Unchecked Staff Policy.

### **Visitors**

All visitors to the school are required to sign in at the reception desks in the Senior School, Prep School or Pre-Prep School. All visitors are given a visitor's badge and are accompanied at all times by a member of staff. They are required to sign out and return their badge at the end of their visit.

Member of staff are responsible for their guests, and where they are a visiting speaker or have opportunity to interact with pupils, must seek prior permission from the Head or Deputy Head. They must ensure that appropriate checks are made in advance of their visit, to ensure that the content of

their interaction is appropriate for the pupil audience with due regard to the Prevent Duty guidance, as set out in the Keeping Children Safe in Education statutory guidance. Where there is any doubt, advice should be sought from the Designated Safeguarding Lead, Deputy Head or Head. Visiting speakers must not be left alone with pupils at any time and must be escorted at all times by a fully vetted member of staff.

For frequent visitors and overnight guests to the College (i.e. those visiting more than 3 times per month) the visitor is required to undergo appropriate vetting checks via the Human Resources Department and a record kept on the Single Central Register. Further information is provided in the Supervision of ancillary, contract and unchecked staff policy, the Resident Adult policy and the Security policy.

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

The College will not unfairly discriminate against any applicant for employment on the basis of conviction or other details disclosed. The College makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically bar them from employment with the College. Each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All positions within the College are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except those received for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules.

A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose 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.

It is unlawful for the College to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the College. The College will make a report to the Police and / or the DBS if:

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

### **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 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;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters; and

- the circumstances surrounding the offence and the explanation(s) offered by the applicant.

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; or
- 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 within the last ten years.

The College will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Head before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the College may, where practicable and at its discretion, 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 College's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. In particular, the College 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 members of the College's senior management team; and
- not retain disclosure information or any associated correspondence for longer than is necessary, and for a maximum of six months. The College 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.

### **Maintaining a Safer Culture**

Continued awareness is vital, and it is important that all staff (with specific regard to new appointments) have appropriate training and induction so that they understand their roles and responsibilities and are confident about carrying them out. Staff, pupils, parents also need to feel confident that they can raise issues or concerns about the safety or welfare of pupils and that they will be listened to and taken seriously. This is achieved by maintaining an ethos of safeguarding and promoting the welfare of children and young people and protecting staff who is supported by:

- A clear written statement of the standards of behavior and the boundaries of appropriate behavior expected of staff and pupils that is understood and endorsed by all
- Appropriate induction and regular refresher training
- Regular briefing and discussion of relevant issues.

- Ensuring all those working with children in an educational setting are familiar with best practice
- A clear reporting system if a pupil, member of staff or any other person has concerns about the safety of children in our care

### **Monitoring**

Monitoring of both the recruitment process and induction arrangements by both the Deputy Head for Staff and Operations and the HR Manager will allow for future recruitment practices to be better informed. It is to cover:

- Staff turnover and reasons for leaving (via exit interview data)
- The attendance of new members of staff at Safeguarding and Child Protection training

### **Related Policies**

- Supervision of Ancillary, Contract and Unchecked Staff Policy
- Equal Opportunities Policy
- Data Protection Policy
- Staff Privacy Policy