

ABBEY SCHOOL FOR EXCEPTIONAL CHILDREN

RECRUITMENT POLICY AND PROCEDURE



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Other relevant policies:

Safeguarding children and young people in education policy and procedures

Equality and Diversity Policy

Induction and CPD Policy

Staff Code of Conduct policy

Pay Policy

Relevant legislation and guidance:

[Keeping Children Safe in Education \(September 2020\)](#)

[The Education \(Independent School Standards\) Regulations 2014](#)

[The Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975](#)

[Independent Educational Provision in England \(Prohibition on Participation in Management\) Regulations 2014](#)

[Disqualification under the Childcare Act 2006 \(July 2018\)](#)

Contents

Contents	1
1. General.....	2
2. Who is involved in the Process	2
3. Scope of this Policy	2
4. Vacancies	3
5. Application Form.....	3
6. Selection.....	4
7. Interview	4
8. References	5
9. Conditional Offer of Appointment: Pre-Appointment Checks.....	5
10. Offer of Employment	6
11. Candidate Reserve List	6
12. Fraudulent Applications.....	7
13. Candidate Feedback	7
14. Agency and Contractors.....	7
15. Criminal Records Policy	7
16. Retention, Security of Records and Data Protection Obligations	8
Appendix 1: Policy on the Recruitment of Ex-Offenders.....	9
Appendix 2: Recruitment of Volunteers.....	10

1. General

Abbey 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, young people and adults at risk is our highest priority.

The School aims to recruit high calibre staff that share and understand our commitment and to ensure that all applicants are treated fairly by promoting equality and diversity in line with good practice and legislation.

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

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

2. Who is involved in the process

Who is involved	Responsibility
Principal/School Senior Leadership Team (“SLT”)	Overall responsibility for approving the business need and budget for proposed recruitment and planning for resulting new position.
Principal / SLT	Discussion with potential candidates where confidential disclosure made, positive DBS checks obtained or matters of concern raised on references. Notes of discussions recorded. Agree supervision arrangements for staff pending satisfactory recruitment checks.
Appointment manager	Carry out recruitment process in line with the Recruitment Policy and Guidelines. Subject to agreement with SLT, offer employment, subject to recruitment checks and in line with Pay Policy.
School Business Manager	Maintain Single Central Register. Ensure all recruitment checks satisfactorily received before member of staff can start work. Advise on HR matters
Resourcing officer	Issue the Contract of Employment once a verbal offer of employment has been made and accepted. Complete pre-employment recruitment checks. Set up personnel record on school MIS

3. Scope of this policy

The Recruitment Policy and Procedure herewith refers and applies to staff recruited and engaged 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 shall 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 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 three years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus in line with Keeping Children Safe In Education (KCSIE) two references, declaration of medical fitness, check of previous employment history). 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).

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised in School. 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.

4. Vacancies

All vacancies will be advertised on the School website. Existing employees are encouraged to apply if they have the appropriate qualifications, skills and experience.

Where appropriate, adverts will also be placed via other sources, e.g. professional networks, recruitment websites. Whenever we advertise externally, we will always reference our commitment to the highest level of safeguarding and welfare for children, young people and adults at risk in order to attract suitable candidates who share the School's vision.

All applicants will have access to the Information pack relating to the vacancy containing:

- Application form
- Safeguarding children and young people in education policy
- Recruitment policy
- Job description
- Person specification
- Selection procedure for the post

5. Application form

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

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.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Principal or School Business Manager. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Principal or School Business Manager for advice.

Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However, amendments to the [Exceptions Order 1975 \(2013\)](#) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the [Disclosure and Barring Service](#) website.

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

6. Selection

Selection methods will be objective, promote equality of opportunity and guard against bias. The School will shortlist applicants based on the relevance and applicability of their professional attributes and personal qualities specified by the role. Essential and desirable qualities will be published in the Person Specification for each role.

All candidates will be vetted throughout the process for their suitability to work with children, young people and adults at risk.

7. Interview

Short-listed applicants will be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail and their suitability to work with children will be explored.

All formal interviews will have a panel of at least two people, one of whom will be safer recruitment trained. 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 SLT as to whether or not an interviewer should withdraw from the panel should a potential conflict of interest arise.

All candidates will be asked a mandatory question:

“Have you at any time been subject to an interview, inquiry, children’s services or social services investigation, suspension from work, disciplinary, police investigation, caution or conviction as a result of concerns about child abuse or neglect or the abuse or neglect of an adult?”

The panel will also ask questions to assess the Candidate’s personal competencies in relation to their:

- Motivation for working with children or adults at risk
- Emotional resilience
- Physical resilience
- Values and ethics

Questions on the above should have direct links to the Person Specification for the role and be structured in such a way that examples of what would constitute a positive indicator in a response is set alongside what a negative indicator would be, to assist the panel in measuring the responses.

Candidates will be asked to explain any gaps in employment and be asked a question to probe their understanding and knowledge of safeguarding.

Some roles may require additional assessment such as a lesson observation or practical task. Details will either be included in the Information Pack or sent to the applicant prior to the interview date.

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:

- A current driving licence photocard or a current passport or a full birth certificate;
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
- Any documentation evidencing a change of name, where appropriate;
- Additional proof of entitlement to work and reside in the UK where appropriate.

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

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.

Temporary staff who are appointed on a fixed-term basis will only be appointed to a permanent position if the full recruitment, selection and vetting processes have been followed.

8. References

At least two references will be taken up for every appointment, whether internal, permanent, temporary, part-time or fixed-term and previous employers may be approached for information to verify particular experience or qualifications, before interview. Additional references may be required dependent on the role, employment history and type of references received. In the case of staff who have lived or worked abroad we will take up at least one reference from the employer in the relevant country.

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 School will ask all referees if the candidate is suitable to work with children. For specific roles at least one reference should be taken up prior to interview. This includes, but is not limited to, all senior roles, teaching posts and allied health professionals. 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. Where references are received electronically, the School will ensure they originate from a legitimate source. When references are not sufficient in response, they will be followed up with a phone call to the referee and details of the response noted.

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.

9. Conditional offer of appointment: pre-appointment checks

Any offer to a successful candidate will be conditional upon completion of the checks set out below to the School's satisfaction. The checklist is not exhaustive and may be added to and adapted to improve the process when appropriate:

- Receipt of at least two satisfactory references (if these have not already been received).
- Verification of identity, including evidence of the right to work in the UK.

- A satisfactory enhanced DBS check and if appropriate, a check of the Barred List(s) maintained by the DBS. Any positive DBS checks will be discussed with the Principal and the candidate, the results of which will be recorded. See [Appendix 1](#) for further details on the Recruitment of Ex-offenders. Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.
- The statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)” 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. 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 Principal or School Business Manager for more details.
- 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.
- Verification of professional qualifications, where appropriate.
- Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999).
- Where the successful candidate has worked or been resident overseas such criminal record checks and other confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered.
- Verification of a satisfactory medical physical and mental fitness to carry out the role which the candidate has been offered through completion of a pre-employment health questionnaire. In this context, 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.
- 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.

10. Offer of employment

Abbey School are regulated activity providers in a child and adult workforce. This means that all employees will be subject to an Enhanced DBS application with a check on the children and adult barred lists. In addition, where applicable and relevant to the role, a check of the adult barred list will also be processed.

Barred list checks must be completed before the person may commence employment and if employment commences prior to receipt of an enhanced DBS certificate or overseas criminal record check, the individual’s employment will not be confirmed, they will be closely supervised at all times and wear an identifying lanyard to indicate that checks are not complete.

Abbey School also requires all roles to subscribe to and maintain annual membership of the [DBS Update Service](#) from the commencement of employment and for the duration of employment service.

11. Candidate reserve list

Candidates who are deemed to be suitable for appointment by the selection panel, but for whom there are not enough vacancies, can, if they wish, be placed on to a reserve list. If another vacancy for the same role with the same specification becomes vacant then the

vacancy may be filled directly from the reserve list without the need to re-advertise or re-interview subject to pre-employment checks including updated references.

Candidates will be placed in order on the reserve list in selection result order. Appointments will be subject to the candidate being able to fulfil any specific requirements of the vacancy at the time. The reserve list will be valid for 6 months from the interview date

12. Fraudulent applications

Providing false information could result in the application being rejected, an offer being withdrawn or summary dismissal if the applicant has been selected. If an application turns out to be fraudulent this may need to be referred to the police and/or DBS as a criminal act may have been committed.

13. Candidate feedback

As part of our commitment to good practice, we offer feedback to all interviewed candidates, where possible, within three weeks from the date of interview. We are able to offer feedback on unsuccessful applications for those not shortlisted for interview to internal applicants only.

14. Agency and contractors

All agencies supplying agency staff will provide Abbey School with a written agreement that they have carried out all pre-employment checks required by the School and will be recorded on the School's Single Central Register.

All agency staff must provide photographic ID, right to work documents, proof of address and their DBS certificate on their first day before they are allowed to start work at the School.

Contractors on site will not be left alone in areas where they can have access to or access to data about children or adults at risk. If employed to work with children or adults at risk they will be subject to the same checks as a School employee.

15. 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 required 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 school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- 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
- 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.

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.

16. 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 (in compliance with GDPR). 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.

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 them 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 positions within the School 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](#).

All candidates should be aware that provision of false information is an offence and could result in the application being rejected, an offer being withdrawn 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 or adults at risk. 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 certain violent and sexual criminal offences against children or adults at risk, at home or abroad. 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 or adults 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;
 - 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.

Appendix 2: Recruitment of Volunteers

Volunteers fall outside of the definition of staff contained in the Education (Independent Schools Standards) (England) Regulations 2014.

Volunteers are individuals who undertake unpaid activity in the School of their own free choice.

Abbey School is committed to ensuring that:

- pupils benefit from working with volunteers
- volunteers benefit from working at Abbey School
- volunteers support the aims and objectives of the School
- employed staff understand the role of volunteers
- a range of opportunities will be offered to encourage volunteers to work with us.

Abbey School expects volunteers to:

- be reliable and honest
- uphold the school's values
- comply with the school's policies and procedures
- contribute positively to the aims of the school
- carry out tasks within agreed guidelines

Volunteers can expect:

- to have clear information about what is and is not expected of them
- to receive adequate training, support and supervision
- to be insured and volunteer in a safe environment

Anyone wishing to volunteer at Abbey School should approach the Principal with their contact details and details of how and when they would like to volunteer.

Volunteers must complete a Volunteer Application Form with details of two referees who can confirm their suitability to work with children.

If an applicant is accepted to volunteer at the school, a volunteer agreement will be drawn up setting out the conditions of the volunteering, code of conduct and checks required before volunteering can commence.

In line with guidance from Keeping Children Safe in Education volunteers will be:

- be risk assessed for the type of DBS check required according to the nature of the work with children, whether the role is eligible and the information known about the volunteer
- supervised at all times by an employed member of staff in regulated activity

The school will undertake an Enhanced DBS check with barred list for children and adults on all individuals undertaking regulated activity.

In addition, volunteers will undergo the following checks before volunteering may commence:

- ID check, confirming their identity and current address
- Health disclosure to confirm their physical and mental fitness for the role
- DBS check

At least two references from individuals who can confirm their suitability to work with children and do not know the applicant solely as a friend or relative

Overseas check, where the volunteer has lived or worked abroad for more than three months in the past five years.