



**QUEEN ETHELBURGA'S COLLEGIATE**  
**SAFE RECRUITMENT POLICY**

Authorised by	The Collegiate Board
Signed	..... Chair of the Collegiate Board
Date	
Effective date of the policy	May 2019

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## **Definitions:**

- “DBS” Disclosure and Barring Service
- “DfE” Department for Education
- “EEA” European Economic Area
- “KCSIE” Keeping Children Safe in Education
- “ISI” Independent Schools Inspectorate
- “ID” Identity
- “NI” National Insurance
- “SCR” Single Central Record
- “TRA” Teaching Regulation Agency
- “WTSC” Working Together to Safeguard Children

## **Definition of staff:**

The definition of staff is: *‘Any person working at the school whether under a contract of employment (ie. all employees, no matter what sort of work they do), under a contract for services (ie. self-employed people arranged and/or paid direct by the school) or otherwise than under a contract (ie. self-employed people who are arranged by the school for the purposes of the school but for example paid directly by parents such as some peripatetic teachers), but does not include supply staff or a volunteer’.* The following are therefore included in ‘staff’: teachers, peripatetic teachers and coaches, part-time staff, students, administrative staff, caretakers and other ancillary staff, staff appointed from overseas, pupils paid to work at the school (for example as after-school carers).

## **Definition of regulated activity:**

Any position undertaken at, or on behalf of, the Collegiate (whether paid or unpaid), will amount to "regulated activity" if it provides the opportunity for contact with children and it is carried out:

- work at, or on behalf of, the Collegiate (whether paid or unpaid), if it provides the opportunity for contact with children and 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. All staff who teach, even temporarily, are in regulated activity.
- Exceptions to regulated activity:
  - a volunteer, not delivering personal care of students and supervised
  - a contractor, not administering personal care or health care, not teaching and supervised
  - a contractor performing an occasional/temporary non-teaching task e.g. plumbing

## 1. Introduction

This Policy applies to the Queen Ethelburga's Collegiate - Queen's Kindergarten, Chapter House Preparatory School, King's Magna Middle School, Queen Ethelburga's College and The Faculty of Queen Ethelburga's - hereafter referred to as "the Collegiate".

The Collegiate is committed to providing the best possible care and education for its students and to safeguarding and promoting the welfare of children and young people. The Collegiate is also committed to providing a supportive and flexible working environment for all its staff. The Collegiate recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest caliber, who share this commitment, and that the policy will equally apply to any volunteers. We ensure that our recruitment and selection practices and policies contain the necessary measures to enable us to employ a workforce that fulfils its roles and responsibilities with full regard to this commitment.

## 2. Aims and Objectives

This policy aims to ensure compliance with legislation and encompass best practice, to ensure appropriate procedures for appointing staff. The process for checking and vetting potential employees is a critical part of this process, in order to deter or reject unsuitable applicants from gaining positions within our Collegiate.

Its aims 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 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 2018*; *Working Together to Safeguard Children (WTSC) July 2018*; *Disqualification under the Childcare Act 2006 (DUCA)* and **Childcare (Disqualification) and (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) 2018 Regulations**; the Equality Act 2010 and the Protection of Freedoms Act 2012; the Prevent Duty Guidance for England and Wales (the **Prevent Duty Guidance**) and any guidance or code of practice published by the Disclosure and Barring Service (**DBS**); and
- to ensure that the Collegiate meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks in order to deter, reject or identify people who might abuse students or are otherwise unsuited to working with them.

## 3. Roles and Responsibilities

**It is the responsibility of The Collegiate Board to:**

- ensure that the Collegiate has effective policies and procedures in place for the recruitment of all staff and volunteers, in accordance with DfE guidance and legal requirements;
- monitor our compliance with them.

**It is the responsibility of the CEO/Principal and HR Manager to:**

- ensure that the Collegiate operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers;
- monitor contractors' and agencies' compliance with this document;
- ensure that at least one member of any interviewing panel has qualified in safe recruitment;
- ensure that applications are treated fairly and equally, eliminating discrimination and promoting equal opportunities;
- promote the welfare of children and young people at every stage of the procedure.

**Employees involved in the recruitment and selection of staff** are responsible for familiarising themselves with, and complying with, the provisions of this policy.

#### **4. Recruitment and Selection Procedure**

4.1. The main elements of the process are outlined below, and more detail is given in Appendices.

- Advertising - to include what qualifications, experience and qualities are required and that, if successful, the applicant will need to obtain an enhanced certificate through the DBS. Any advertisement must be compiled for appropriate media and include a statement about the Collegiate's commitment to safeguarding and promoting the welfare of children and employment checks.

Alternatively, the vacancy will be referred to a reputable agency.

- Ensuring **job descriptions/role profiles** are up to date and make reference to the responsibility for safeguarding and promoting the welfare of children.
- Ensuring that the **person specification** includes specific reference to suitability to work with children and includes both essential and desired criteria.
- A **Candidate Information Pack** is sent to all interested applicants, and this will contain the following:
  - an application form\* containing questions about their suitability for the role. A curriculum vitae will not be accepted in place of the completed application form. The application form will ask for current and former names, date of birth, current address, NI number, qualifications, employment history since finishing full-time education, and full contact details of referees. Applicants for teaching posts should also provide their DfE reference number and qualified teacher status (if applicable);

- job description (for details, see HR manual);

usually, a person specification which contains essential and desirable criteria, describing: the necessary qualifications, skills, experience and knowledge which a candidate should possess to perform the job duties; personal competencies and qualities.

\*Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed.

- Using the application form to obtain and scrutinise comprehensive information about applicants, and **checking for discrepancies or anomalies** (if possible, by someone involved in the recruitment process).
- **Ensuring that the two references are obtained**, to help assess applicants' suitability for the post through specific, focused questions.
  - Where possible one character and one professional reference, although there is now no differentiation in regulations.
  - **At least one reference taken up before interview for teaching and pastoral roles. (see page 8).**
- Other than in exceptional circumstances, **face-to-face interviews** that ask appropriately robust questions will form part of the recruitment process. The applicant may be invited to attend a **formal interview**, at which his / her relevant skills and experience will be discussed in more detail.
  - **At least one member of every interview panel must be trained in Safe Recruitment.**
  - Written notes and details of outcome must be kept on file.
  - All applicants who are invited to an interview will be required to bring with them evidence of **identity, right to work in the UK, address and qualifications.**
  - A list of valid Identity documents is attached in Appendix 1. (These requirements comply with DBS identity-checking guidelines.) A list of valid Right to work documents is attached in Appendix 2.
- *Should the applicant be overseas, an initial interview may be carried out using a Skype facility, but may be followed up with a face-to-face interview. **Those applicants who are invited to undertake a Skype interview will be asked to provide certified evidence of identity, right to work, address and qualifications.***
- Verification of identity (see page 9).
- Verification of qualifications and skills, if relevant.
- Verification of an applicant's previous employment history and experience. **Should there be any gaps in academic or employment history, a satisfactory explanation must be provided.**

- Completion of mandatory pre-employment checks, such as Enhanced Certificate via the DBS and a Barred List check (where this is appropriate and not already included in the DBS check).  
**See more detail in 5 below.**
- Verification of the applicant's state of health and capacity for the job, *but with no medical checks before an offer of employment has been made.*
- ensuring that all new staff receive safeguarding training as part of their induction, so that a culture of safeguarding is adopted and embedded into continuing practice as soon as employment commences. **Child Protection/Safeguarding Policies are available to download from the Collegiate's website and can be printed and forwarded to applicants on request.**

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

- the agreement of a mutually acceptable start date;
- all pre-employment checks being in place, as in the checklist and details in Section 5.

## **5. Pre-employment checks**

In accordance with the recommendations set out in KCSIE, DUCA and the requirements of the *Education (Independent School Standards) Regulations 2014* and the *Boarding schools: national minimum standards*, the Collegiate carries out a number of pre-employment checks in respect of all prospective employees.

**5.1. ALL OF THE PRE-EMPLOYMENT CHECKS MUST BE IN PLACE BEFORE THE APPOINTEE TAKES UP THEIR POSITION.** In exceptional circumstances only, with authorisation from the **Principal/CEO**, in the case of staff who are not living on campus, involved in the boarding environment or having access to boarders or children under 5, the appointee may work under supervision for a short period of time, providing all other checks are in place, including identity.

- This will be subject to a risk assessment, including details of appropriate safeguards to be taken;
- The appointee must be made aware of the supervision arrangements and the limitations on the contact that they may have with students.
- This cannot happen if staff are to work in the Early Years, when employment cannot commence until the DBS has been received.
- A note with this information will be added to the SCR.
- The appointee **must** be checked against the Barred list prior to beginning work in regulated activity, and all other pre-appointment checks must be completed before the appointee commences work.
- There must be a record of daily confirmation of supervision and arrangements must be reviewed every two weeks.

- In cases where this is allowed, the relevant form must be completed and signed by the new staff member and the person responsible for supervision and kept on the new staff member's file.
- A check on any prohibition can be carried out using the Employer Access Online Service.

## 5.2. Checklist for quick reference:

### All staff:

- verification of the applicant's **identity** (where that has not previously been verified – Appendix 1);
- two **references** (one of which must be from the applicant's most recent employer) which the Collegiate considers to be satisfactory;
- **right to work in the UK;**
- verification of the applicant's education and employment history, with **explanation of any gaps within their education or employment history since the age of 16 years;**
- where the position amounts to "regulated activity" (see 5.7) the receipt of an **enhanced disclosure from the DBS** which the Collegiate considers to be satisfactory;
- where the position amounts to "regulated activity" (see 5.7) confirmation that the applicant is not named on the **Children's Barred List;**
- medical declaration, confirming the applicant's physical and mental fitness for the role, with no medical checks before an offer is made. (see section 7);
- any further checks which are necessary as a result of the applicant having lived or worked outside of the UK for more than 3 months - overseas criminal records check, certificate of good conduct or professional references may be required (see 5.7);
- verification of professional qualifications which the Collegiate deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified). This includes qualifications for skilled workers e.g. electricians and gas fitters.

### IN ADDITION TO THE ABOVE, teaching staff only:

- confirmation, from a **Teaching Regulation Agency check**, that the applicant is not subject to a prohibition order;
- where applicable, confirmation that the applicant is **not** subject to a direction under **section 142 of the Education Act 2002** which prohibits, disqualifies or restricts them from providing education at a school, taking part in the management of an independent school or working in a position which involves regular contact with children;

- 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;
- Where the applicant's role will involve providing care for pupils under 8, confirmation that the applicant is **not disqualified from working in connection with early or later years provision** (if applicable, see section 6);
- where applicable confirmation as to whether the applicant has been referred to, or is subject to, any restrictions imposed by all EEA authorities.

**All departments, including catering, Estate, housekeeping**

Where supply/temporary staff are recruited through an agency, the agency must confirm, in writing, that the required checks have been carried out **for that specific individual**. NB – it is not acceptable to provide blanket confirmation for all employees. **See also Section 10.**

**5.3. Appointment of boarding staff, staff who will reside on campus and those who will have unsupervised access to the boarding environment or children under 5.**

In addition to the list below, the following steps will be taken when making appointments:

- Referees will be contacted directly to verify references and to check the reasons for previous termination of employment.
- Where feasible, previous employers, relating to posts where there was work with children, will be contacted to check the reason for that employment terminating.

**5.4. References**

For minimum compliance with inspectorate requirements, references should be received before someone starts work. For all teaching and pastoral roles, these will be taken up for short-listed candidates prior to interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the Collegiate.

- One of the references must be from the applicant's current or most recent employer.
- Where there is no current employer, verification of the most recent period of employments and reasons for leaving should be obtained.
- These will always be sought and obtained directly from the referee, and their purpose is to provide objective and factual information to support appointment decisions.
- Any references that confirm only that a person worked for a certain employer between certain dates should be supplemented by one or more others, to address the suitability for employment.
- No referee should be a relative or someone known to the applicant solely as a friend.
- For internal candidates, suitability references may be sought from senior management within the organization.

### **Those working with children:**

- If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children.

### **Content of references**

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.

Referees will also be asked to confirm that the applicant has not been radicalized so that they do not support terrorism or any form of "extremism" (see the definition of "extremism" at section 13, below).

All referees will be sent a copy of the job description and person specification for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title / duties, reason for leaving, performance, sickness\* 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), except where the issues were deemed to have resulted from allegations which were found to be false, unsubstantiated, unfounded or malicious;
- whether the applicant could be considered to be involved in "extremism" (see the definition of "extremism" at section 13 below); and
- 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, except where the allegation or concerns were found to be false, unsubstantiated or malicious.

(\*Questions about health or sickness records will only be included in reference requests sent out after the offer of employment has been made.)

The Collegiate 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 Collegiate 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 and the relevant referee before any appointment is confirmed.

Wherever possible, the Collegiate will telephone any referee to verify the details of the written reference provided. **Electronic references must be verified as originating from a legitimate source.** If a reference is initially taken over the telephone, detailed notes will be taken, dated and signed, with the name of the person spoken to clearly recorded. These should be followed up with a written reference.

#### **5.5. Previous Employment History**

Complete information about previous employment must be provided, along with satisfactory explanations for any gaps in employment. Any gaps in employment history are investigated at interview and reasons are recorded in the interview notes. Gaps may be investigated further through contact with previous employers etc., until the person making the appointment is satisfied with the explanation. Applicants are informed that previous employers may be approached for information. An employment timeline will be sent to all successful candidates for completion.

#### **5.6. Identity Checks**

These will be carried out on all appointments to the Collegiate before an appointment is made, with regard to guidance published in September 2018.

<https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-dbs-check-applications-from-3-september-2018>.

***The HR Department will ask for 3 documents, in order to carry out identity and DBS checks simultaneously, checking identity with residency.***

Acceptable proofs of identity are listed in Appendix 1 and may include:

- one document from Group 1; and
- two further documents from either of Group 1, Group 2a or Group 2b, 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.

Where an applicant claims to have changed his / her name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) and documentary evidence of identity involves more than one name (e.g. birth certificate) he / she will be required to provide documentary evidence of the change.

The Collegiate 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 Collegiate may verify the identity of, and check for any unexplained discrepancies in the employment and education history of, all applicants. The Collegiate does not discriminate on the grounds of age.

Applicants who are invited to interview will be asked to supply proof of their right to work in the UK. Acceptable proofs of Right to work are listed in Appendix 2 and may include:

- original documents from either List A or List B

## 5.7. Disclosure & Barring Service (DBS) and Teaching Regulation Agency (TRA)

Handling of DBS information will be carried out in accordance with the guidance issued by the Disclosure and Barring Service.

- An enhanced DBS check can only be requested for those over the age of 16.
- The Collegiate is not permitted to check the Children's Barred List unless an individual will be engaging in "**regulated activity**".
- The Collegiate is required to carry out an **enhanced disclosure from the DBS and a check of the Children's Barred List** (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the Collegiate which amount to "**regulated activity**" as defined in the Safeguarding Vulnerable Groups Act. **This will apply to** all staff, supply staff and Collegiate Board members who will be engaging in regulated activity.
- The Collegiate can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.
- The purpose of carrying out an Enhanced Check for Regulated Activity 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.
- An enhanced DBS check with barred list check may not be obtained for anyone working in the schools who is not in regulated activity, but the Collegiate may request an enhanced DBS check without a barred list check.

**See the 'Flowchart of DBS and barred list checks' in KCSIIE, copied into Appendix 5.**

Whether a position amounts to "regulated activity" must therefore be considered by the Collegiate, in order to decide which DBS checks are appropriate, taking into account all relevant circumstances. It is, however, likely that in nearly all cases a Children's Barred List check will be carried out, as most posts in a boarding environment give access to young people. Limited exceptions could include an administrative post undertaken on a temporary basis in the Collegiate office outside of term time or voluntary posts which are supervised.

**Definition of regulated activity:** Any position undertaken at, or on behalf of the Collegiate (whether paid or unpaid) will amount to "regulated activity" if it provides the opportunity for contact with children and 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 unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

**All new teaching staff will be checked against both DBS and TRA lists**, to ensure that they are not prohibited from teaching, since a teacher who may not be considered by the DBS to be of sufficient risk to warrant being barred from working with children or vulnerable adults may still satisfy the criteria for a professional conduct panel to recommend prohibition from teaching.

- The DBS now issues a DBS disclosure certificate to the subject of the check only, rather than to the Collegiate.
- It may be possible for the HR department to view the DBS certificate online, before it is received in hard copy, confirming clearance.
- It is a condition of employment with the Collegiate that the **original** disclosure certificate is provided to the Collegiate either on arrival on an applicant's first day of employment, or before the first day. A convenient time and date for doing so should be arranged with the HR Department, as soon as the certificate has been received.
- Employment will remain conditional upon the original certificate being provided and it being considered satisfactory by the Collegiate.
- If, in the three months prior to beginning work in their new appointment, the applicant has worked in a school in England in a post which brought them into regular contact with children, they may have subscribed to the update service. If an applicant has subscribed to the update service, then it is a condition of employment that the HR Department are provided with consent to contact the DBS to check the status of the certificate.
- All applicants will be required to sign a DBS certificate of originality on production of the original certificate with the HR Department.
- It is the Collegiate's policy to re-check employees' DBS Certificates every three years and, in addition, any employee that takes leave, with the exception of maternity/paternity/shared parental leave, for more than three months (i.e. career break etc.) must be re-checked before they return to work.
- Members of staff are aware of their obligation to inform the Principal of any cautions or convictions that arise between these checks taking place.

**See Section 5.1. for what information on what is necessary If there is a delay in receiving a DBS disclosure.**

From 18<sup>th</sup> January 2016, a check is made on all teaching staff for restrictions imposed by EEA (European Economic Area) authorities.

*DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including a criminal record check from the relevant jurisdiction(s). **The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by the Collegiate.***

***See Section 9 for more information on overseas checks.***

## **5.8. Criminal records check**

If any disclosure is made by an applicant, or the DBS check discloses an offence, this will be referred to the Principal/CEO.

In compliance with data protection law and Keeping Children Safe in Education, no self-declaration will be sought before receipt of a DBS check, where this is relevant, or until a conditional offer of employment has been made.

The filtering rules applied by the DBS and Home Office in May 2013, relating to old and minor criminal offences, were amended in 2019, with assurances that any relevant convictions will still be disclosed on an individual's DBS certificate.

The amendment removes the requirement for multiple offences and youth cautions to be automatically included in DBS disclosures, but a conviction will not be removed under any circumstances if it appears on the list of "**specified offences**".

**The list of "specified offences" which must always be disclosed** contains a large number of offences, which includes certain sexual, violent and other offences that are considered so serious they will always be disclosed, regardless of when they took place or of the person's previous or subsequent criminal record. **The list can be found at:**

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

For other offences, the rules work as follows:

### **For those aged 18 or over at the time of an offence**

An adult conviction will be removed from a DBS disclosure if:

- eleven years have elapsed since the date of conviction;
- it is the person's only offence; and
- it did not result in a custodial sentence.

A caution received when a person was aged 18 or over will not be disclosed if six years have elapsed since the date it was issued, and if it does not appear on the list of "specified offences".

### **For those aged under 18 at the time of an offence**

A conviction will be removed from a DBS disclosure if:

- five and a half years have elapsed since the date of conviction; and

- it is the person's only offence; and
- it did not result in a custodial sentence.

A caution received when a person was aged under 18 will not automatically be disclosed, if irrelevant to the job, and will not be disclosed if two years have elapsed since the date it was issued, if it does not appear on the list of "specified offences".

## **5.9. Applicants with Criminal Records**

KCSIE only requires a criminal records check after a conditional offer of employment. In order to comply with current data protection law, asking for self-declaration of criminal records at any stage of the recruitment process must be **necessary and proportionate**, and it is unlikely that it can be justified before the receipt of the results of a DBS check, where this is appropriate. (See "The Key" Criminal Records Check cheat sheet in Appendix 5)

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

**5.9.2** All positions within the Collegiate 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.

**5.9.3** It is unlawful for the Collegiate to employ anyone who is barred from working with children, and it is a criminal offence for any person who is barred from working with children to attempt to apply for a position at the Collegiate. The Collegiate 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.

**5.9.4 Assessment criteria.** If 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 Collegiate 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.

### 5.9.5 Risk Assessment

If 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 Collegiate will carry out a risk assessment by reference to the criteria set out below. The assessment form must be signed by the Principal before a position is offered or confirmed. 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 Collegiate will, 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.

If a candidate's application is considered to be fraudulent or contains false information, the Collegiate will report the matter without delay to the Secretary of State via the DfE and also the police as appropriate.

#### **Risk factors:**

a) If the post involves regular contact with children, it is the Collegiate'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.

b) If the post involves access to money or budget responsibility, it is the Collegiate'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.

c) If the post involves some driving responsibilities, it is the Collegiate's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

## 6. Childcare disqualification requirements

### Definitions:

- **DUCA - Disqualification Under the Childcare Act 2006**

- **EYP – Early Years Provision** includes usual school activities and any other supervised activity for a child up to 1 September after the child's 5th birthday, which takes place on the school premises during or outside of the normal school day;
- **LYP - Later Years Provision** includes provision for children not in EYP and under the age of 8 which takes place on school premises outside of the normal school day, including, for example breakfast clubs, after school clubs and holiday clubs. It does not include extended school hours for co-curricular activities such as sports activities.

The Childcare Act 2006 (**Act**), the Childcare Disqualification Regulations 2009 and the **Childcare (Disqualification) and (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) 2018 (Regulations)** state that it is an offence for the Collegiate to employ anyone in connection with EYP or LYP who is disqualified, or for a disqualified person to be directly involved in the management of EYP or LYP.

DUCA states that only those individuals who are employed directly to provide childcare are covered by the Regulations. "Childcare" means any form of care for a child, which includes education and any other supervised activity for a child who is aged 5 or under. "Childcare" in LYP does not include education during school hours but does cover before and after school clubs.

Roles which will be covered by the Regulations are teaching and teaching assistant positions in EYP, and those which involve the supervision of under 8s in LYP. Those who are directly involved in the management of EYP and LYP include the Head and may also include other members of the leadership team, as well as those involved in the day to day management of EYP or LYP at the Collegiate.

DUCA contains an express statement that cleaners, drivers, transport escorts, catering and office staff are not covered by the Regulations.

Some roles at the Collegiate may involve the provision of childcare in EYP or LYP on an occasional basis. They will not automatically be within the scope of the Regulations and the Collegiate will therefore consider whether they do on a case by case basis. The Regulations only apply to a limited number of roles within the Collegiate but do **extend beyond employees to members of The Collegiate Board and volunteers who carry out relevant work in EYP or LYP.**

The criteria for which a person will be disqualified from working in connection with EYP or LYP are set out in the Regulations. They are not only that a person is barred from working with children (by inclusion on the Children's Barred List) but also include:

- having been cautioned (after 6 April 2007) for, or convicted of, certain criminal offences including violent and sexual criminal offences against children and adults whether committed in the United Kingdom or overseas;
- various grounds relating to the care of children, including where an order is made in respect of a child under the person's care;
- having been refused registration for the provision of childcare (including nurseries, day care and child minding or other childcare), having been disqualified from any such registration or having had that registration cancelled;

- having been refused an application for registration of a children's home or having had any such registration cancelled;
- having been prohibited, restricted or disqualified from private fostering.

All applicants to whom an offer of employment is made to carry out a relevant role in EYP or LYP will be required to complete a Self-Declaration Form confirming whether they meet any of the criteria for disqualification under the Regulations. The Collegiate will decide whether a role is relevant and within the scope of EYP or LYP by having regard to the guidance in DUCA. Employment with the Collegiate in any relevant role will be conditional upon completion of the Self-Declaration Form and upon the applicant not being disqualified. The Collegiate cannot permit any person who is currently disqualified to start work in a relevant role. The Collegiate also reserves the right at its absolute discretion to withdraw an offer of employment if, in the opinion of the Collegiate, any information disclosed in the Self-Declaration Form renders that person unsuitable to work at the Collegiate. Completed forms will be retained by the Head of Chapter House during the term of employment.

Applicants who have any criminal records information to disclose about themselves must also provide the following information:

- details of the order, restriction, conviction or caution and the date that this was made;
- the relevant court or body and the sentence, if any, which was imposed; and
- a copy of the relevant order or conviction.

**Applicants are not required to disclose a caution or conviction for an offence committed in the United Kingdom if it has been filtered in accordance with the DBS filtering rules (see above).**

**For the avoidance of doubt, the Collegiate does not require applicants to request any criminal records information directly from the DBS. The Collegiate only requires applicants to provide relevant information about themselves "to the best of their knowledge".**

A person who discloses information which appears to disqualify them from working in a relevant role may apply to Ofsted for a waiver of the disqualification. The Collegiate may withdraw an offer of employment at its absolute discretion and is under no obligation to await the outcome of an Ofsted waiver application. If a waiver application is rejected the Collegiate will withdraw the conditional offer of employment.

The Collegiate will securely destroy any information which is provided by an applicant which is not relevant to the childcare disqualification requirements as soon as it is established that it is not relevant. Where a person appointed to a role at the Collegiate is found to be disqualified, the Collegiate will retain any relevant information only for the period it takes for a waiver application to be heard and the decision communicated to the Collegiate, after which it will be securely destroyed.

After making this declaration staff in a relevant role are under an on-going duty to inform the Collegiate if their circumstances change in a way which would mean they subsequently meet any of the criteria for disqualification. ***Any failure to disclose relevant information at the point of appointment, or of a future change in circumstances, will be treated as a serious disciplinary matter and may lead to the withdrawal of a job offer or dismissal for gross misconduct.***

## 7. Medical Fitness

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

It is the Collegiate's practice that all applicants to whom an offer of employment is made must complete a Health Questionnaire and may be asked for an appropriate doctor's report. 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 timetable, extra-curricular activities, and layout of the Collegiate etc. If there are any doubts about an applicant's fitness, the Collegiate will consider reasonable adjustments in consultation with the applicant. The Collegiate may also seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

Successful applicants will be required to sign a declaration of medical fitness confirming that there are no reasons, on grounds of mental or physical health, why they should not be able to discharge the responsibilities required by the role. If an applicant prefers to discuss this with the Collegiate instead, they should contact the HR Department, so that appropriate arrangements can be made.

The Collegiate 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, considering reasonable adjustments and suitable alternative employment.

## 8. Qualification Requirements

Candidates must be able to demonstrate they have actually obtained any academic **or vocational qualifications** legally required for the post and claimed in their application, including, for example, qualifications for electricians and gas fitters. It is Collegiate policy to check original certificates/proof of qualification, where applicable.

## 9. Overseas checks

All new appointments, where persons have lived outside the UK, are subject to additional checks as deemed necessary, including **the right to work in the UK**. For anyone who is not a UK citizen, checks are made to ensure that any necessary visa or other requirements are in place. *DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.* These applicants may also be asked to provide further information, including **a criminal records check** from the relevant jurisdiction(s).

**From January 2016, a check is made on all teaching staff for restrictions imposed by EEA (European Economic Area) authorities.** Any applicant who has lived outside the UK for 12+ months within the last 10 years will need to obtain a police check from the relevant country/countries. If an applicant has lived outside of the UK for 3 months, up to 12 months then the Collegiate will request a Letter of Good Conduct from the relevant country/countries.

*If applicants have worked abroad in the last five years in a country where no police check is possible, other confirmation of suitability will be sought e.g. contact with the previous place of employment and extra references.*

There will be no change to the rights and status of EU citizens currently living in the UK until 30 June 2021, or 31 December 2020 if the UK leaves the EU without a deal. EU citizens can apply to the EU Settlement Scheme to continue living in the UK. The scheme will open fully by 30 March 2019.

From 29 January 2019, there are some change to the right to work check. **Schools will be able to rely on an online right to work check and will no longer be required to obtain paper documents for prospective migrant employees that are eligible for the system.** Under the current Home Office Right to Work Checking Service, UK employers can check, free of charge, the current right to work of a migrant to see whether they are subject to any restrictions. The individual must first access the system, grant permission for the employer to access the system, so that the employer may obtain confirmation of their status. The service has been available since April 2018, but previously employers have had to follow up their online checks by obtaining paper documents from the employee.

**From 29 January 2019, the e system will allow for online confirmation only.**

Non-EEA nationals, who hold biometric residence permits or biometric residence cards, and EEA nationals who have been granted immigration status under the EU Settlement Scheme, are able to use the system. **EEA nationals who have not been granted status under the EU Settlement Scheme will still need to demonstrate their right to work using the appropriate documents.**

The online check must confirm that the employee is allowed to work in the UK and perform the work in question. The school should further ensure that any photograph on the system is of a true likeness to the employee.

**Schools must also retain a copy of the online check for at least two years after the employment ends.**

Schools can continue to use the existing document-based check for the time being at least, whilst migrants and employers develop familiarity with the new service.

To use the checking service on <https://www.gov.uk/view-right-to-work> you will need the applicant's date of birth and right to work share code. If you have no share code, go to <https://www.gov.uk/legal-right-work-uk> to use the checking service.

The list of acceptable documents is contained in the guide on [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/441957/employers\\_guide\\_to\\_acceptable\\_right\\_to\\_work\\_documents\\_v5.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/441957/employers_guide_to_acceptable_right_to_work_documents_v5.pdf) and is reproduced in Appendix 2.

## **10. Contractors and agency staff**

Contractors engaged by the Collegiate must complete the same checks for their employees that the Collegiate is required to complete for its staff. The Collegiate requires **specific confirmation** that

these checks have been completed **on individuals** to work at the Collegiate, before employees of the Contractor can commence work.

Agencies who supply staff to the Collegiate must also complete the pre-employment checks which the Collegiate would otherwise complete for its staff. Again, the Collegiate requires confirmation that these checks have been completed before an individual can commence work at the Collegiate. If long-term contractors' employers do not meet the requirement to carry out safeguarding checks, the Collegiate will action checks.

Where contractors not employed by the Collegiate attend the site to carry out specific work e.g. short-term building or maintenance, they will be under the supervision of staff who are DBS cleared and will not be allowed to share any facilities with Collegiate staff and students. For such contractors, and communication with students could lead to dismissal. Wherever possible e.g. for construction, such staff will be separated from the rest of the campus. For occasional work e.g. servicing, the procedure for signing in and out will be required and supervision by a DBS-cleared manager will be necessary.

The Collegiate will independently verify the identity of staff supplied by contractors or an agency in accordance with [section 5.6](#) above and will require the provision of the original DBS disclosure certificate before contractors or agency staff can commence work at the Collegiate.

## **11. Volunteers**

The Collegiate will request an enhanced DBS disclosure and Children's Barred List information on all volunteers undertaking regulated activity with students at or on behalf of the Collegiate (the definition of regulated activity set out in [section 5.7](#) above will be applied to all volunteers).

The Collegiate will request an enhanced DBS disclosure without Children's Barred List information on all volunteers who do not undertake regulated activity. This is likely to be because their volunteering duties are subject to regular, day to day supervision by a fully checked member of staff or by a volunteer who the Collegiate has deemed appropriate to supervise and ensure the safety of those students in their care.

Under no circumstances will the Collegiate permit an unchecked volunteer to have unsupervised contact with students.

It is the Collegiate's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the Collegiate for three consecutive months or more. Those volunteers who are likely to be involved in activities with the Collegiate on a regular basis may be required to sign up to the DBS update service as this permits the Collegiate to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

In addition, the Collegiate 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):

- 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.

## 12. Work Experience

- **External School Students**

All work experience students from external schools will be supervised at all times whilst undertaking their work experience at the Collegiate and will be subject to risk assessment. They will be required to complete the work experience application form in full and complete the staff disqualification declaration to assess suitability for working with pupils under the age of eight.

The work experience needs to be confirmed by the Collegiate staff involved, including letting the HR Department know the duration, start and end date, and working pattern (e.g. days worked).

On arrival, Collegiate staff will give the student a child protection briefing, and the HR department will provide a booklet of key safeguarding information. The student will need to sign to confirm that the training has taken place.

- **Internal School Students**

Collegiate students undertaking work experience within the Collegiate will need to undertake a child protection briefing given by Collegiate staff and will be supervised at all times. The student will need to sign to confirm that the training has taken place.

The work experience needs to be confirmed by the Collegiate staff involved, including letting the HR Department know the duration, start and end date, and working pattern (e.g. days worked).

- **University Students**

All work experience students from universities will be required to complete an application form and staff disqualification declaration, to assess suitability for working with pupils under the age of eight.

Their University Course Tutor, or Outreach Coordinator, will need to provide the HR Department with a safeguarding vetting letter, which includes details of enhanced DBS checks and confirmation that the student has been cleared in accordance with that university's child protection and safer recruitment procedures.

On arrival, the students need to provide a form of photo ID to verify their identity and present their original DBS certificate. The member of Collegiate staff organising the work experience will go through a short child protection briefing with the student. A booklet is provided by the HR Department. The student will need to sign to confirm that the training has taken place.

The work experience needs to be confirmed by the Collegiate staff involved, including letting the HR Department know the duration, start and end date, and working pattern (e.g. days worked).

## 13. Visiting speakers and the Prevent Duty

The Prevent Duty Guidance requires the Collegiate to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by students, are suitable and appropriately supervised.

The Collegiate is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the Collegiate or perform any other regular duties for or on behalf of the Collegiate.

All visiting speakers will be subject to the Collegiate's usual visitor's protocol. This will include signing in and out at Reception, the wearing of a visitor's badge at all times and being escorted by a fully vetted member of staff between appointments.

The Collegiate will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the Collegiate. In doing so, the Collegiate will always have regard to the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

*""Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."*

In fulfilling its Prevent Duty obligations the Collegiate does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

#### **14. Retention and security of information**

The Collegiate's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. Other records will be retained in accordance with the Data Protection Act 2018/GDPR.

All expired disclosure information or other personal data will be destroyed by suitably secure means, such as shredding. The same policy applies to any suitability information obtained about volunteers involved with Collegiate activities.

In particular, the Collegiate 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 Collegiate's senior management team, the HR Manager and the Company Solicitor;
- since May 2013, not retain DBS certificates\*.
- not retain disclosure information or any associated correspondence for longer than is necessary and for a maximum of six months\*. The Collegiate 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;
- prohibit the photocopying or scanning of any disclosure information without the express permission of the individual to whom the disclosure relates;
- Normally securely dispose of all documentation relating to unsuccessful applications after six months.

\*In line with DBS guidance, if, in exceptional circumstances, it is deemed necessary for an employee's ongoing employment relationship to retain information for longer than six months, the Collegiate will seek advice and give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail. (Ref. <https://www.gov.uk/government/publications/handling-of-dbs-certificate-information/handling-of-dbs-certificate-information>).

The Collegiate is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the Collegiate will retain on his / her compliance personnel file any relevant information provided as part of the application process. This will include:

- a written record of all employment interviews and conversations regarding any gaps in employment,
- copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.
- medical information which may be used to help the Collegiate to discharge its obligations as an employer e.g. so that the Collegiate may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.
- records of child protection training.

This documentation will be retained by the Collegiate for the duration of the successful applicant's employment with the Collegiate.

A central list of all appointments (Single Central Record or SCR), showing that the relevant checks have been made, is kept by the HR Department. When staff leave the Collegiate, information stored on the SCR will be removed from the main record but may be retained as long as deemed necessary e.g. in the light of the IICSA.

#### **15. Referrals to the DBS and Teaching Regulation Agency (TRA)**

This policy is primarily concerned with the promotion of safer recruitment and details the pre-employment checks that will be undertaken prior to employment being confirmed. Whilst these are pre-employment checks, the Collegiate also has a legal duty to make a referral to the DBS in circumstances where an individual:

- has applied for a position at the Collegiate despite being barred from working with children; or
- has been removed by the Collegiate from working in regulated activity (whether paid or unpaid), or has resigned prior to being removed, because they have harmed, or pose a risk of harm to, a child.

If the individual referred to the DBS is a teacher, the Collegiate may also decide to make a referral to the TRA.

#### **Queries**

If an applicant has any queries on how to complete the application form or any other matter, he / she should contact the **HR Manager**.

**This policy is available on the Collegiate web site at [www.qe.org](http://www.qe.org)**

**Related Policies**

Child Protection/Safeguarding

Data Protection

Careers

Equality

## **Appendix 1 - List of valid identity documents**

### **Group 1: primary trusted identity credentials**

- current valid passport
- biometric residence permit (UK)
- current driving licence photocard (full or provisional - UK, Isle of Man, Channel Islands and EEA.)
- birth certificate issued within 12 months of birth - (UK, Isle of Man & Channel Islands -including those issued by UK authorities overseas, for example embassies, High Commissions and HM Forces); full or short form acceptable.
- adoption certificate (UK and Channel Islands)

### **Group 2a: trusted government / state issued documents**

- current driving licence photocard - (full or provisional); all countries outside the EEA, excluding Isle of Man and Channel Islands.
- current UK paper driving licence, if issued before 1998 - Isle of Man, Channel Islands and EEA
- 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
- HM Forces ID card (UK)
- fire arms licence - UK, Isle of Man and Channel Islands

### **Group 2b: Financial / social history documents**

- mortgage statement (UK or EEA)\*\*
- bank / building society statement (UK and Channel Islands or EEA)\*
- bank/building society statement (countries outside the 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) \*\*
- letter of sponsorship from future employment provider (Non-UK or non-EEA only). Must still be valid for applicants residing outside of the UK at the time of application
- utility bill (UK)\* – not mobile telephone
- benefit statement\* - e.g. child benefit, pension (UK)
- 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).

- EEA national ID card - must still be valid
- Irish passport card - cannot be used with Irish passport and must still be valid
- cards carrying the PASS accreditation logo (UK, Isle of Man and Channel Islands) - must still be valid
- letter from Principal or College Principal (UK) for 16-19 year-olds in full time education. This is only used in exceptional circumstances if other documents cannot be provided.

### **Note**

If a document in the list of valid identity documents is:  
denoted with \* - it should be less than three months old  
denoted with \*\* - it should be less than 12 months old

(NB work permit no longer listed as accepted document)

### **Applicants who are not nationals of the UK or the EEA**

An applicant who wants to do paid work and is not a national of the UK or EEA must be able to show:

- one primary document
- 2 supporting documents

If an applicant is unable to provide this documentation, they cannot submit a DBS check. This is because the right to work in the UK cannot be established. They cannot use any other route.

Applicants for voluntary work who are not UK or EEA nationals must **use Route 1**. (One document from Group 1 and 2 more from groups 1,2a or 2b).

Non-EEA nationals who are eligible for a DBS check and receiving payment for work, even if it is an allowance e.g. a foster carer must use the paid work route.

However, Route 1 can be used by adult household members:

- in a fostering household
- in a child-minding household
- in a host family
- living where 'work with children' takes place e.g. living in a boarding school

## Appendix 2 - List of Right to Work documents

The list of acceptable documents is contained in the guide on

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/441957/employers\\_guide\\_to\\_acceptable\\_right\\_to\\_work\\_documents\\_v5.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/441957/employers_guide_to_acceptable_right_to_work_documents_v5.pdf)

**List A:** contains the range of documents which you may accept for a person who has a permanent right to work in the UK. If you conduct the right to work checks correctly before employment begins, you will establish a continuous statutory excuse for the duration of that person's employment with you. You do not have to conduct any further checks.

### Group 1:

- A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
- A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- 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
- A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

**List B:** contains a range of documents which may be accepted for a person who has a temporary right to work in the UK. If you conduct the right to work checks correctly, you will establish a time-limited statutory excuse. You will be required to conduct a follow-up check in order to retain your statutory excuse. This will generally be when the permission to be in the UK comes to an end.

**Group 1: Documents where a time-limited statutory excuse lasts until the expiry date of leave**

- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
- A current Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer. current UK driving licence (old style paper version)

**Group 2: Documents where a time-limited statutory excuse lasts for 6 months**

- A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a Positive Verification Notice from the Home Office Employer Checking Service.
- An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
- A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question

### **Appendix 3 – Supervision of workers on site but not employed or checked by the Collegiate**

As indicated above and in the Child Protection Policy, all those in regulated activity will be checked in accordance with the Safe Recruitment Policy. In cases of a delay in receipt of a requested DBS check, staff will be subject to supervision and risk assessment, which will be recorded and reviewed. If long-term contractors' employers do not meet the requirement to carry out safeguarding checks, the HR department will action checks on behalf of the Collegiate.

Where volunteers are not in regular attendance, and so not in regulated activity, they will be subject to the Visitors Policy and supervised at all times.

Where contractors not employed by the Collegiate attend the site to carry out specific work e.g. short-term building or maintenance, they will be under the supervision of staff who are DBS cleared and will not be allowed to share any facilities with Collegiate staff and students. For such contractors, any communication with students is an offence which will lead to dismissal, as indicated at induction. Wherever possible e.g. for construction, such staff will be separated from the rest of the campus, and construction areas will be fenced off. For occasional work e.g. servicing, the procedure for signing in and out will be required and supervision by a DBS-cleared manager will be necessary.

**Appendices 4-6 are guidance for those involved in recruiting and interviewing.**

## **Appendix 4 - The Equality Act 2010**

People have the legal right not to be discriminated against, either directly or indirectly, when applying for a job, when they are being considered for a particular post or once they are appointed. In addition to this, many organisations, have introduced policies which extend beyond what is required by law and reflect their approach to recruiting and managing people according to their ability alone.

In recruitment and selection, all applicants (and potential applicants) are protected from discrimination. Employment legislation applies to all aspects of the recruitment process (including the advertisement, person specification, job description, application form, shortlisting procedure, pre-employment checks, interviews and decision to appoint).

The Equality Act 2010 is a comprehensive piece of legislation which protects people against discrimination on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity. These are called '**protected characteristics**'.

It is unlawful to discriminate against a person because of a protected characteristic, because they associate with another person who possesses a protected characteristic or because others think they possess a particular protected characteristic. Employers also have a statutory obligation not to discriminate against a person on grounds of their trade union membership or non-membership. It is, therefore, unlawful to specify union membership when advertising a vacancy, limit recruitment to trade union membership or to deny a person employment because they do or do not belong to a trade union.

It is now unlawful for schools to enquire about the health of an applicant for a job until a job offer has been made, unless the questions are specifically related to an intrinsic function of the work -for example ensuring that applicants for a PE teaching post have the physical capability to carry out the duties. Information sought through references is affected by this as well as questions in interview.

### **Occupational Requirement (OR)**

In certain circumstances, it is lawful to discriminate in recruitment when an occupational requirement (OR) applies. An OR exists when the essential nature or particular or particular duties required of a job can only reasonably or practically be undertaken by a member of one particular group and not simply because it is preferable. If an employer wishes to claim an OR he/she must consider what the duties are for which an exemption is to be claimed. It must also be shown that those duties must be carried out to achieve the objectives of the job.

An OR cannot be applied in order to establish or maintain an ethnic or gender balance within an organisation. They apply in very specific circumstances and are always open to challenge. Only an employment tribunal or higher court can make an authoritative ruling as to the validity of an OR. When an OR does apply, this should be stated clearly in the advertisement for the post.

## **Positive Discrimination**

Positive discrimination occurs when somebody is given employment, training or access to services on the basis that they belong to a particular group. Positive discrimination is unlawful and cannot be used to address under-representation of a particular group within an organisation or profession.

## **Positive Action**

In certain circumstances, action can be taken to encourage people from particular groups which are under-represented in a profession or organisation to take advantage of training or recruitment opportunities. This is known as **Positive action**. Positive action encourages people to apply to for a post but their application cannot be treated more favourably than another's and must not unfairly advantage a particular group.

## **What Constitutes Unfair Treatment?**

The law prohibits:

**Direct Discrimination (including associative and perceived discrimination):** Treating somebody less favourably, on grounds outlined in the Equality Act, than others would be treated in the same or similar circumstances. The Act makes it clear that discrimination occurs if an employer discriminates against an employee because of a protected characteristic, whether or not the employee possesses that protected characteristic. The Act also makes it unlawful to discriminate against someone because they are perceived to possess a particular protected characteristic, even if the employer is mistaken.

**Indirect Discrimination:** Applying practices or provisions to everybody but which may favour one particular group of people over another or which only a small percentage of a certain group of people can comply with.

**Harassment:** Where a person engages in unwanted conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.

**Victimisation:** A particular type of discrimination which arises as a result of somebody making a complaint, taking action or giving evidence in relation to the Equality Act.

## **Reasonable Adjustments**

Where necessary, reasonable adjustments will be made for candidates attending interviews and those successful in securing a post (See Equal Opportunities Policy).

## Appendix 5 - Recruitment Procedures

At each stage of our recruitment process, we are mindful of the need to protect and safeguard children and to ensure that their welfare is promoted at all times. There is a thorough and consistent process of obtaining; collating, analysing and evaluating information about applicants and in order to ensure safe recruitment, the Collegiate will ensure that through safer recruitment advertising and pre-interview information, it will be made clear the school's commitment to safeguarding and promoting the welfare of children.

**Identifying the Need:** We identify whether a new appointment needs to be made or whether the post can be accommodated within existing staffing arrangements.

**Preparation.** The Collegiate:

- determines which selection methods will be used (interviews, occupational personality questionnaires, skills tests, practical exercises, presentations etc).
- decides who will be responsible for shortlisting and interviewing. At least two people are involved in any interview where the postholder will have contact with children and they are suitably trained.
- defines the timeline.
- considers accommodation and domestic arrangements.

**Attracting Suitable Candidates. The Collegiate:**

- reviews Job description/Role profile and writes a person specification which includes the individual's responsibility for promoting and safeguarding the welfare of children. The job description outlines the duties of the post and the person specification outlines the particular skills, attributes and characteristics that are required of the new staff member. The job description and person specification are used throughout the selection process as a definition of the criteria against which candidates will be assessed. It will serve as the basis on which a final decision will be made and will subsequently inform the planning of the induction and development programme of the successful candidate.
- considers the potential job hazards in the light of specific demands of the job.
- compiles an advertisement for appropriate media which includes a statement about our school's policy on safeguarding children and employment checks OR refers the vacancy to a reputable agency.
- prepares an information pack which makes clear the school's commitment to safeguarding children. It also contains the relevant standard application form specific to the category of staff being employed and makes it clear that CV's will not be accepted instead of the form.

The job description reflects the roles, responsibilities and accountabilities associated with the post. A job description includes, for example:

- Job title.
- Purpose of the role.
- Key objectives.
- Responsible for.
- Responsible to.
- Key accountabilities (in priority order).

- Staff management responsibilities.

The person specification details the knowledge, skills and attributes necessary to fulfil the requirements outlined in the job description, indicating clearly which of these are essential to the post and which are desirable. When writing a person specification, careful attention should be paid to maintaining a sensible balance between essential and desirable criteria and consideration is given to which of the requirements may be achieved through training. The person specification includes details of the following requirements which will either be essential or desirable to the post:

- Skills
- Knowledge
- Qualifications
- Experience
- Personal competencies and qualities

Essential criteria are only those things which are essential to the post and without which a candidate cannot be considered. Desirable criteria are aspects that would be beneficial and strengthen a candidate's application and allow a distinction between candidates who meet all the essential criteria.

### **Shortlisting**

The Collegiate short lists applicants, checking for the following and exploring further at interview:

- Gaps in employment.
- Reasons for repeated and regular changes in employment.
- Anomalies or discrepancies in information contained within the application.
- Anomalies or discrepancies between information contained in references and the application

All candidates are assessed equally against the criteria in the person specification or role profile without exception

The selection panel will select candidates for interview on the basis that they meet all of the essential criteria as defined in the person specification. If more people meet the essential criteria than can be sensibly interviewed, the desirable criteria can then be used to decide who should be invited to the next stage. The use of a reserve list is not recommended as it increases the potential for challenge about the selection procedures.

All those involved in the recruitment process are aware that anti-discrimination legislation applies equally to all parts of it and, as such, shortlisting decision needs to be accurately recorded so that they can be justified if challenged. A shortlisting proforma will help the selection panel to decide objectively and methodically whether applicants have met each criterion and provide a valuable written record of the selection process.

When shortlisting, the selection panel should consider the following:

- **Application form** - is the application form well-presented and legible? Has care been taken to

ensure that it is completed in full, with no grammatical or spelling mistakes?

- **Employment history** – What positions have they held and for how long? What are their reasons for leaving?
- **Gaps in employment** – Are there any unexplained gaps in employment records? If there are gaps, a note should be made to question this at interview.
- **Skills and experience** – What breadth of experience does the candidate have? What skills have they gained?
- **Training** – What training has the applicant undertaken? When was this? How relevant is it?
- **Candidate's opinion** – Are the candidate's statements purely factual with no personal influence or can you detect any particular educational philosophy?
- **Attention to detail** – If you asked for applicants to address any particular points, has this been done or have you been sent a standard response?
- **Relevance** – Has the candidate attempted to relate their skills and experience to the requirements of the post? Does the candidate demonstrate that they have read and understood the job description, person specification and supporting materials?
- **No evidence** – There may be aspects of the selection criteria which are not measurable from the application form but that could be explored at interview. If this is the case, indicate that there is no supporting evidence and make a note to investigate further.

All candidates are assessed equally against the criteria in the person specification or role profile without exception.

#### **WHAT AFFECTS OUR ABILITY TO ASSESS ACCURATELY?**

Assessment is all about making judgments and decisions about people. The aims of assessment in selection and interviewing are to make the optimum decision about who is best suited to the vacancy when presented with a great deal of complex and sometimes conflicting data. Our minds can often play tricks on us during assessment which can lead us to make the wrong decisions. Being aware of potential tricks of the mind can help us to overcome this and remain fully objective.

**Unconscious bias:** Your background, personal experiences, societal stereotypes and cultural context can have an impact on your decisions and actions without you realising. Implicit or unconscious bias happens by our brains making incredibly quick judgments and assessments of people and situations without us realising. Our biases are influenced by our **background, cultural environment** and **personal experiences**. We may not even be aware of these views and opinions or be aware of their full impact and implications.

**Labels:** We all have a natural disposition to assign labels to people. These are often based on limited information and can be inaccurate.

**Categories:** In order to reduce the amount of information our brain is having to process, we tend to use various "clues" to put people into pre-determined categories.

**Stereotypes:** Stereotypes are largely related to our own perception or experience of a particular group and will be influenced by how much information we have, where we got it and how long ago it was. Stereotyping, whether in a negative or positive way, very often leads us to reach inaccurate conclusions.

**Self-image/similarity:** Identifying a similarity between yourself and another person tends to lead us to project other attributes to that person. Research has shown that interviewers weigh information differently depending on how easily they can relate it to themselves or their own experiences and how importantly they view that particular attribute.

**First impressions:** Research shows that people make decisions about others within the first four minutes of meeting them. People usually spend the rest of the time looking for information to confirm this. It is particularly important for assessors to be aware of this and to hold back from making their mind up about a person within the first few minutes.

**Horn effect:** The opposite of the halo effect where candidates who come across poorly in one aspect are assumed to be poor in other areas of the requirements.

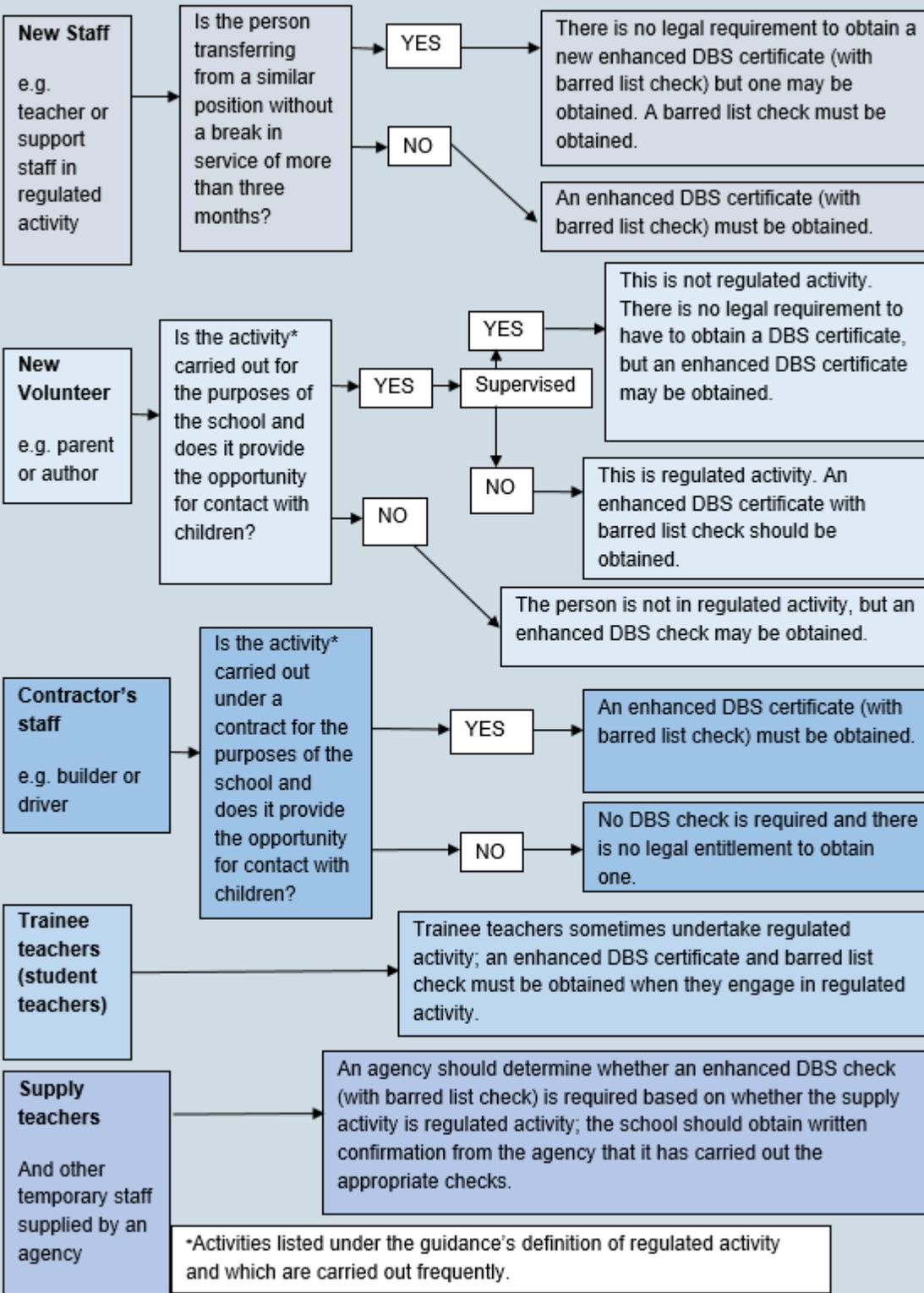
**Sequence effect:** Our brains will automatically compare this person with the last person that we assessed. Somebody who is mediocre will shine if we have seen a string of poor candidates. Similarly, a person can appear poor if seen with a string of good people.

**Over-influence of negative information:** We have a tendency to be over-influenced by negative information. We may have a lot of possible information about a person, but one piece of negative information can change our view completely.

Documents to assist those implementing pre-employment checks follow:

- Flow chart from KCSIE, indicating when to action a DBS and/or Barred List check
- Criminal Records check guidance from “The Key”.

**FLOWCHART OF DISCLOSURE AND BARRING SERVICE CRIMINAL RECORD CHECKS AND BARRED LIST CHECKS**



## Checking criminal records

Use this quick reference to help you comply with data protection legislation and fair recruitment practices when processing criminal record information for job applicants.

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### DO

- ✓ **Clearly state on your application form that job offers are conditional on the satisfactory completion of the necessary recruitment checks**
  - ✓ **Explain on your application form that it's an offence to seek employment in regulated activity if you're on the barred list**
    - It's also an offence to provide or manage childcare provision that's regulated by the Childcare Disqualification Regulations if you're disqualified
  - ✓ **Wait until you have the results of the DBS check to discuss a candidate's criminal record**
  - ✓ **Conduct a criminal record assessment based on reliable information from the DBS check**
  - ✓ **Be transparent about when you will collect criminal record information and how you will treat it**
- 

### DON'T

- ✗ **Use a tick box or self-disclosure section on your application form, unless you're confident you have a legal basis under data protection law to do so**
- ✗ **Discuss criminal records, or ask for self-disclosure, during an interview, unless you're confident you have a legal basis to do so**
- ✗ **Discuss or consider protected convictions during the recruitment process**
- ✗ **Dismiss a candidate just because their DBS reveals a criminal record**
  - Only do so if their specific convictions suggest they're not suitable for the role

### Sources

This information sheet is based on advice from:

- › [Forbes Solicitors](#)
- › [Mishcon de Reya LLP](#)
- › [The Information Commissioner's Office](#)
- › [Unlock](#)

## Appendix 6 - Guidance for Interviewing

### Interviews

**Candidates will be invited to interview using a 'Safer Recruitment' letter outlining arrangements for the day and will be asked to provide the following original documents at interview – proof of identity e.g. driving licence or birth certificate plus a valid passport, certificates or diplomas confirming education qualifications, qualified teacher status or qualifications appropriate for the position, where appropriate any documentation, giving evidence of change of name.** We ask candidates whether they require any reasonable adjustments in order to attend the interview. Verification will be sought of a candidate's right to work in the UK and copies of the successful candidate's passport and documentation as outlined above will be taken and retained on the person's file.

We conduct a face-to-face panel interview to explore the candidate's suitability to work with children as well as his/her suitability for the position being recruited including one panel member who has been trained in safer recruitment and a second who has the authority to make the decision on the appointment. Where face-to-face interviews are not possible, the interview may be carried out via Skype. A consensus about the required standards for the post will be reached and issues considered and explored in interview in line with the agreed assessment criteria. The panel will assess the candidate's attitude towards children and young people and his/her ability to support the safeguarding policies of our school. Questions relating to child protection and safeguarding children will be asked in every interview for paid staff and volunteers prior to an offer of appointment. We will not ask questions regarding health at the interview. A successful candidate is then required to complete a health questionnaire.

Interview notes will be made and copies retained on the compliance personnel files. For teaching positions, the candidate will be observed in taught lessons wherever possible and notes kept of the outcome of the observation. Verification of the successful candidate's identity from all scrutiny previously undertaken will occur and details entered on the Single Central Register and our staff employment checklist related to:

- character/professional references;
- original copies of qualifications seen and photocopied to confirm that the successful candidate has all the academic or vocational qualifications claimed;
- the place of residence and identity of successful candidate including name, address and date of birth by checking passport together with two utility bills less than 3 months old (Refer to Valid Identity Documents referred to in 'An applicant's guide to completing the DBS Application Form');
- the successful candidate having the right to work in the UK along with a clearly traceable employment history and experience

Our application form also requests more detailed information regarding teaching experience, details of special areas of teaching interest, details of relevant training undertaken recently (e.g. First Aid course), details of referees, declaration of full criminal record, declaration of any family of close relationship to existing employees or employers and a declaration that all information is true and

accurate. For unsuccessful candidates, **copies should be retained along with their interview notes for 6 months.**

### **Golden Rules for Effective Interviewing**

There are basic rules that help people interview effectively, avoid bias or prevent candidates from perceiving bias when they are interviewing candidates for a post.

#### **The Interview Should Be Properly Conducted**

A badly-conducted interview can create the impression that the interviewer is not interested in the candidate. This may lead to an interviewee believing they are performing badly or being discriminated against when, in actual fact, the interviewer will treat everybody the same way. A structured interview with clearly defined criteria is one of the best ways of ensuring that an interview is perceived as having been well conducted.

#### **Interviewers Should Be Trained**

The right training can make interviewers more confident, consistent, their assessments more reliable and reduce the chance of their judgement being affected by anything other than the evidence relating to a person's ability to do the job concerned. If the training is focused on developing the skills needed to explore a candidate's ability to meet the requirements of the post, there will be much less chance of evidence being affected by perceptions, assumptions, bias or stereotypes.

#### **Interviewing with regard to EYFS**

The Collegiate prevents people who pose a risk of harm from working with children or learners by: ensuring that at least one person on any appointment panel has undertaken safer recruitment training.

#### **The Interview Should Focus on Obtaining Evidence**

Poor interviewers rely on instinct and 'gut-feeling' and can be unduly influenced by factors that have nothing to do with a person's ability to undertake the duties and responsibilities of the post that they are being interviewed for. Evidence is also essential in supporting the decisions made in the selections process and protecting the interviewer from being accused of any form of discrimination.

#### **The Interviewer Should Always Take Notes**

Failure to take accurate and relatively comprehensive notes during an interview often limits an interviewer's ability to recall exact information and vital pieces of evidence. All notes relating to a selection process are retained for six months after the process ends, the period of time in which a candidate can make an accusation of unlawful discrimination, as any evidence must be submitted to a tribunal on request should this happen.

#### **Utilise all of the Evidence**

Interviews are only one part of the recruitment process and do not always provide all of the information needed to make the best decision. The evidence gained through an interview can be

supported by various selection tools and techniques. Psychometric testing, presentations, written exercises, and practical assessments can all add to the quality of information and evidence that a selector **has about a candidate's suitability for a post.**

### **Step-By-Step Interview Process**

#### **Before the Interview, the Collegiate in conjunction with the HR Department:**

- arranges suitable accommodation. Arranges for interviewers to have access to all of the paperwork they review for the interview (application forms, and interview questions).
- agrees realistic and achievable timescales.
- decides who will lead the interview. This person takes responsibility for greeting the candidates as they arrive and introducing them to the rest of the panel.
- confirms who will ask each question and in which order. Agrees whether panel members are happy for others to probe around their questions if this is deemed necessary.

#### **During the Interview. The selection panel must:**

- switch off mobile phones, fax machines and divert telephones.
- have a glass of water available for candidates.
- put candidates at ease. Introduce them and allow each panel member to introduce themselves and their role.
- stick to the question areas that have been agreed prior to the interview. Avoid asking questions unrelated to the role or personal questions that could be misinterpreted.
- try not to make assumptions and stay open-minded and objective.
- adhere carefully to the agreed timescales.
- take notes.
- allow candidates to answer questions fully and listen carefully to their answers. It is important, however, to ensure that the panel retains control of the interview.

### **Questioning**

The purpose of questions is to explore the knowledge, skills, abilities and attributes of candidates in order to ascertain whether or not they meet the requirements of a particular vacancy. Interviews are also an opportunity for candidates to demonstrate how well they meet the criteria set out in the person specification and in which ways they can fulfil the requirements of the job description.

In order to get the best quality of answers from interviewees, we ask clear, unambiguous and open questions. These begin with phrases such as “tell us about...”, “what do you think...” and “what are your thoughts on...”. Closed questions that invite a “yes” or “no” answer give the candidate little or no opportunity to express their thoughts fully or show their true character. Closed questions are, however, often valuable in gaining a decisive answer when a response has been ambiguous or vague.

## Types of Questions

There are various types of questions which we use appropriately in various circumstances. Some types of questions are best avoided in most situations but can be very useful in others. The different question types are as follows:

Question	What does it achieve?	Example
Open	Encourages candidates to give an expansive answer and does not invite the answers “yes” and “no”. Allows the candidate to elaborate and give a true reflection of themselves.	Can you tell me about your experience of curriculum management?
Probing	Used to question further and expand on answers given to open questions. Excellent for uncovering information that may not have been initially offered.	What exactly were your responsibilities?
Clarifying	Allow the interviewer to recap and clarify the answer that has been given.	So you contacted the parent first then?
Hypothetical	Asks for an answer to a hypothetical situation. Answers will seldom be based on experience and may not reflect what would happen in reality. Can be used if no real-life experience exists around which to question but evidence of past behaviour is often the best indicator of future performance so hypothetical questions are best avoided.	How would you deal with a difficult parent?
Multiple	More than one question at once. Can invite several answers and potentially confuse both interviewer and interviewee.	How did you choose which method to use, did it work and what was the outcome?
Leading	Suggest the answer that the interviewer wants to hear. Can lead an interviewee to give an answer which does not necessarily reflect their true opinion.	Do you agree that it's good practice to involve parents in classrooms?
Closed	Can be answered with “yes” or “no”. Good for establishing simple facts but doesn't allow an opportunity to expand on or explain an answer.	Have you completed the NPQH?

## Systematic Questioning

In order to ensure that the question remains focused on the specific area of the person specification that the question relates to, the selection panel is systematic when questioning. A useful acronym to remember when interviewing is the **SOAR** method as follows:

- S = Establish a relevant situation** - “Give me an example of a time when...”  
 - “Tell me about...”

- "Describe a situation when..."

O = Clarify the objective

- "What were the reasons for...?"

- "What was the anticipated outcome of...?"

- "What were you hoping to achieve...?"

A = What action(s) were taken?

- "What did you do?"

- "How did you organise...?"

- "What approach did you take?"

R = Establish the result

- "What was the outcome?"

- "How did you measure your success?"

- "Would you do the same again?"

### Ensuring questions do not compromise equality legislation

Asking questions regarding health and disability are not normally prohibited under the Equality Act 2010. However, it is important that interview candidates are provided with the opportunity to share any information about their health and/or disability that may impact on the nature of the work and/or work environment at the earliest stage (if they wish to disclose such information) so that pragmatic discussions can take place at an early stage. Interview candidates also need to be clearly aware of the exact nature of the role and in particular need to be able to manage, with the relevant risk assessments and control measures in place, the hazards associated with the role.

All candidates should be asked:

- Are there any adjustments to this role or particular aids that may be needed to enable you to perform this role effectively?

Where there are particular risks associated with the role, the candidate is asked questions in line with the job hazard form. Some examples are provided below:

- This role requires the post-holder to perform, on a regular basis, manual handling activities, including weights up to 15kg. Are you able to fulfil this aspect of the role requirement?
- This role has high potential to require physical behaviour interventions. Are you able to fulfil this aspect of the role requirement?
- **This role requires the post-holder to drive the school's vehicles. Are you able to fulfil this aspect of the role's requirement?**

Probing further into a candidate's answer is vital and is invaluable in uncovering the true part an interviewee played in the situation they're describing. Probing also helps to determine if an answer is spontaneous and entirely truthful or if it has been rehearsed in anticipation. Following a method of systematic questioning can assist in probing as can asking specific questions such as "What was your role throughout the process?", "What level of responsibility did you have in that situation?", "What contribution did you make to the team on that occasion?" and "what decisions did you make in that process?".

During an interview, it is sometimes necessary to retain control of the situation or return focus to the key criteria around which is being questioned. We try not to allow an interview to be led by the interviewee as it often uses up valuable time and can leave questions unanswered or key areas unexplored. Clarifying questions allows the interviewer to retain control by checking that the interviewee has fully understood the question. Phrases such as "if I can just stop you there...", "in order to summarise..." and "coming back to the original question..." are extremely useful in helping us guide the questioning.

#### **After the Interview. The selection panel:**

- Reserve judgement until all candidates have been through the selection process.
- Discuss thoughts and findings with other panel members, ensuring that these relate to the selection criteria.
- Ensure less experienced panel members have the opportunity to offer their feedback first as they will not be influenced by others' opinions and will not feel reluctant to offer their true thoughts and feelings.
- Agree and formalise reasons for the decision to appoint the successful candidate and reject the others or to reject all candidates if appropriate.

#### **Appointing the Right Candidate**

Immediately after the interviews have taken place, or as soon after as possible, the selection panel discuss the interviews and agree how well each candidate met the requirements of the post. Ideally this will be at a time that will give the panel the opportunity to meet with candidates again should any areas of concern or confusion have been raised which may be answered easily with further questioning (i.e. over lunchtime or while candidates are touring the school). If this time is allocated from the outset, it is straightforward to cancel should a unanimous decision be reached and a follow up discussion not be required.

No applicant is rejected for any reason other than their assessed ability or willingness, in relation to the other candidates, to undertake the duties as defined in the job description and meet the requirements in the person specification. So far as the law is concerned, the selection panel acts as 'the employer' and its actions and decisions can commit the school contractually and be challenged through complaints to tribunals.

Contractually, the verbal offer of a job and its acceptance by the successful candidate constitute a binding contract of employment. Subsequent documentation merely confirms this contract. Too

casual a verbal agreement with the successful candidate about terms (e.g. salary, starting point etc) can cause major problems if decisions are altered retrospectively. The Collegiate will never make a verbal offer of employment (which the candidate accepts) and then retract the offer. In such cases, the candidate would be able to pursue a claim for breach of contract. Applicants for Principal and Vice-Principal posts are therefore not offered the job until the Proprietor has ratified the panel's decision.

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To be reviewed September 2019

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