

Bethany School Staff Recruitment Policy
Incorporating Equal Opportunities in Employment Policy

March 2022

This policy should be read in conjunction with the school's Safeguarding and Child Protection Policy and the documents 'Guidance on Disqualification by Association for Early Years Settings (Up to Age 8)', and Keeping Children Safe in Education. This policy aims to ensure both safe and fair recruitment and selection is conducted at all times. Safeguarding and promoting the welfare of children and young people is an integral factor in recruitment and selection and is an essential part of creating safe environments for children and young people.

Recruitment and selection policy principles

- The governing body has a duty to secure, preserve and develop the character of the school in line with its aims and objectives..."To promote the Christian faith by providing a school staffed with committed Christians". Bethany School is designated as a School "Having a Religious Character" (www.legislation.gov.uk). Under the equality act 2010, Faith schools are permitted to take into account religious considerations when employing staff. (House of Commons briefing paper: Faith schools, frequently asked questions 2015)
- The School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share in this commitment.
- Opportunities for employment, training, and promotion are equally open to candidates from all racial groups and selection for employment, training, and promotion and access to benefits, facilities and services, will be fair, consistent and equitable, based on merit
- The School is committed to attracting, selecting and retaining employees who will successfully and positively contribute to the life of the school. They are expected to behave in a manner that is compatible with the values and moral codes associated with biblically directed Christian living and support and promote the ethos of the school.
- This policy applies to all the school employees and Governors responsible for and involved in recruitment and selection of all staff. The ultimate responsibility for recruitment and selection lies with the Governing Body.
- All relevant equal opportunities legislation is adhered to and appointees are not discriminated against.
- The most cost effective use is made of resources in the recruitment and selection process.

APPOINTMENT OF WORKERS

Safer Recruitment – Recruitment and Selection

Posts will normally be advertised and selection will be carried out by a panel with at least three members. Selection will be based on a minimum of completed application form, appropriate Identity and criminal records checks, receipt of appropriate references, short listing and successful interview, but in the case of teaching staff will, whenever possible, involve the teaching of a class. New staff

members will be required to comply with the schools safeguarding policy and staff code of conduct. It is a requirement that at least one member of the interview panel has completed the Safer Recruitment Training successfully prior to the start of the recruitment process.

Recruitment Procedure

1. Staff recruitment request

The Head or the Senior Management team (SMT) approach the governors to discuss the need for replacement staff.

2. Advertisement

Having satisfied themselves that a post is required, a suitable job advert needs to be drawn up by the Head or SMT and approved by the Governors.

The advert and/or Job Description is compiled and made available with an Application Form and a Medical declaration form. Vacancies are advertised locally through personal contacts, distribution of leaflets and on the school's website or may be advertised nationally through the Christian School's Trust.

We also attach a Self-Declaration Disclosure form in order to process the DBS check. The Application Form includes an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974, (further details in 'Thirty one eight' guidance). The information enclosed includes a statement about Bethany Schools' commitment to safeguarding children and that a full enhanced DBS is required from all applicants.

The description should also ensure that all applicants are aware of:

- The Christian nature of the school and charity
- The responsibilities/requirements of the role
- Indication of hours/days required
- Indication of salary and other benefits

3. Application Form

A Standard application form will be used to obtain a common set of core data from all applicants. The application form may be adapted for different posts but will always include key information on safeguarding. The application form should be completed and returned to the head teacher along with the criminal record self-declaration form and medical questionnaire which are kept confidentially.

Please see Appendix 1 for information to be considered when determining whether and applicant with a criminal record is suitable for the post applied for.

4. Shortlisting and Appointment

The interviewing panel are given authority by the board to shortlist and appoint the member of staff. The governors on the panel should be part of the shortlisting process and interview panel. The authority to appoint to the post will be delegated to this interview panel and recorded in the Governors meeting minutes. Responses are sifted, using specific criteria, appropriate to the post being advertised. References will be requested by the lead recruiter at this stage (open references are not acceptable). Shortlisted candidates will be invited for interview. In the case of teaching staff, applicants may be observed teaching a class.

5. Interviews

The interview will assess the merits of each candidate for the post and explore their suitability to work with children and young people. The selection process for people who will work with children and young people will always include a face-to-face interview even if there is only one candidate. Where appropriate a question on safeguarding will be asked during the interview.

A minimum of three interviewers will form the interviewing panel and two of these will be Governors.

The members of the panel will:

- have the necessary authority to make decisions about appointments;
- be appropriately trained, (one member of interview panel will have undertaken Safer Recruitment Training in accordance with the DfE requirements).
- meet before the interviews to reach a consensus about the required standard for the job to which they are appointing and to consider the issues to be explored with each candidate and who on the panel will ask about each of those.

Where a candidate is known personally to a member of the selection panel this will be declared before short listing takes place. It may then be necessary to change the selection panel to ensure that there is no conflict of interest and that equal opportunities principles are adhered to.

In addition to assessing and evaluating the applicant's suitability for the particular post, the interview panel will also explore:

- the candidate's Christian testimony
- the candidate's attitude toward children and young people
- his/her ability to support the school's agenda for safeguarding and promoting the welfare of children;
- gaps in the candidate's employment history;
- concerns or discrepancies arising from the information provided by the candidate and/or a referee.
- Relevant questions regarding the candidates mental and physical capacity for the role based on the Medical questionnaire

If, for whatever reason, references are not obtained before the interview, the candidate will also be asked at interview if there is anything s/he wishes to declare/discuss in light of the questions that have been (or will be) put to his/her referees.

It is vital that the references are obtained and scrutinised before a person's appointment is confirmed and before s/he starts work.

6. Conditional Offer of Appointment

A conditional offer of employment is made by letter to the successful candidate and a start date is confirmed. Unsuccessful candidates are informed of the outcome of their application.

7. Pre Appointment Checks

An offer of appointment to the successful candidate will be conditional upon:

- verification of the candidate's identity using photographic ID and proof of address
- verification of eligibility to work in the UK
- overseas check (where appropriate)

Individuals who have lived or worked outside the UK must undergo the same checks as all other staff in schools or colleges. See *paragraphs 262 onwards KCSIE 2021* This includes obtaining (via the applicant) an enhanced DBS certificate (including barred list information, for those who will be

engaging in regulated activity) even if the individual has never been to the UK. In addition, the school will make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered. These checks could include, where available:

- criminal records checks for overseas applicants - Home Office guidance can be found on GOV.UK; and for teaching positions
- obtaining a letter of professional standing from the professional regulating authority in the country in which the applicant has worked. *Advice about which regulatory or professional body applicants should contact is available from the National Recognition Information Centre for the United Kingdom, UK NARIC.*

Where available, such evidence can be considered together with information obtained through other pre-appointment checks to help assess their suitability. Where this information is not available the school will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment. Although sanctions and restrictions imposed by another regulating authority do not prevent a person from taking up teaching positions in England, the school will consider the circumstances that led to the restriction or sanction being imposed when considering a candidate's suitability for employment. *Further information can be found in DfE Guidance: Recruit teachers from overseas.*

- verification of the candidate's mental and physical fitness to carry out their role (completion of medical questionnaire which may be followed up at the interview stage)
- the receipt of at least two satisfactory references

Two professional references and a character and/or pastoral references, will be requested, for all staff. Where possible, references will be obtained prior to interviews to allow any concerns to be explored with the referee and discussed with the candidate. References will always be scrutinised before appointment, including for internal candidates. Open testimonials will not be relied upon, nor any information that has been provided by the candidate without verifying the information. Electronic references will be vetted to ensure they originate from a credible source.

- verification of professional qualifications
- verification of professional status where required e.g. QTS status (unless properly exempted)
- a check of the DfE Barred List, Children's Barred List will be completed for qualified teachers.
- obtaining a DBS Enhanced Disclosure
- a check using the Employer Access Online Service to see if a prohibition order issued by the Secretary of State for Education exists against the individual
- (for teaching posts) verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999)

All checks will be:

- confirmed in writing;
- documented and retained on the staff file
- recorded on the school's single central record database; and,
- followed up where they are unsatisfactory or there are discrepancies in the information provided.

The criteria for NOT appointing children's workers are:

- Previous offences against children
- If the Governors have reservations about an individual's behaviour, lifestyle, attitudes and spiritual commitment.

- If the Governors have any reasons to doubt a worker's suitability for the job.

N.B. The facts will be reported to the police and/or the DfE Children's Safeguarding Operations Unit (formerly the Teachers Misconduct Team), if:

- the candidate is found to be disqualified from working with children by a Court; or,
- an applicant has provided false information in, or in support of, his/her application; or,
- there are serious concerns about an applicant's suitability to work with children.

If an individual's DBS certificate is not available a member of staff would only be able to start work if:

- the individual is appropriately supervised
- other checks (references etc) have come through
- the person in question has been informed of these safeguards

The following personnel should have their details entered on the School Single Central Record

- Staff in regulated activity – all teaching staff (teachers and assistants), (See KCSIE for details of those in regulated activity)
- Volunteers working in an unsupervised capacity
- Chair of the Governors
- Other Governors

8. Post Appointment Induction

Workers will be given a contract on appointment (Under development)

There will be an appropriate induction program for all staff which includes Safeguarding training. All new staff will be expected to read the school Code of Conduct Policy and all policies concerning Child Protection and Safeguarding as part of their Induction Process, including the behaviour policy, the safeguarding response to children who go missing from education, and the identity of the DSL and Deputy DSL.

All new staff will need to complete a Basic Awareness Course on Safeguarding and Child Protection, renewable every three years, which is considered best practice by Sheffield Local Authority Safeguarding Board.

All staff members participate in the appraisal system as per the appraisal policy and undergo 3 yearly DBS checks

Appointing Governors and Volunteers

Please see the Volunteer Policy for details on how volunteers are appointed, including the procedure, pre-appointment checks and induction information.

All leaders and managers, including Governors are required to have a section 128 Management Check. This will be included on the school's SCR showing that checks have been according to section 128. This will also be done using Teacher Services (as point 7).

Note: Section 128 directions will show on an enhanced DBS check with barred list information, provided that 'children's workforce independent schools' is specified in the parameters of the check.

New Governors may be asked to complete an application form and meet with the Head teacher and Chair of Governors, following the appropriate checks as above.

Policy Approved by Governors: 25/4/2022

Policy due for review: 2025

INFORMATION TO BE CONSIDERED WHEN DETERMINING WHETHER AN APPLICANT WITH A CRIMINAL RECORD IS SUITABLE FOR THE POST APPLIED FOR

If an applicant's criminal record check reveals details of past cautions and/or convictions the following procedures will be followed:

- If the certificate simply confirms what the applicant has already disclosed, and we have already taken this information into account when making the offer of employment, we will confirm the offer of employment.
- If our decision to recruit an applicant depends upon approval from a senior staff member, we shall ensure that the decision maker has all the relevant information to hand to make a fair and balanced decision. This may include the applicant's initial disclosure, a disclosure statement and any other relevant information they may have provided in the interim that may inform a risk assessment.
- If the certificate reveals information that we were not expecting or that the applicant had not previously disclosed, further consideration may be necessary.

Adapted from <https://www.nacro.org.uk/resettlement-advice-service/support-for-employers/employing-someone-with-a-criminal-record/#suitable>

An assessment of the applicant's skills, qualifications, experience, and conviction circumstances will be weighed up against the risk assessment criteria for the job. To determine whether a criminal record is relevant, the information will be assessed in relation to the tasks which need to be performed and the circumstances in which the work is to be carried out. The following will be considered when deciding whether the offence is relevant to the post applied for:

- Does the post involve one-to-one contact with the children?
- What level of supervision will the post-holder receive? Is it unsupervised? Does it involve working in isolation?
- Does the post involve any direct responsibility for finance or items of value?
- Does the post involve direct regular contact with the public?
- Will the nature of the job present any opportunities for the post-holder to reoffend in the course of work?
- Are there any safeguards which can be put in place to minimise any potential risks?

If a shortlisted applicant who meets the requirements of the person specification discloses a criminal record that is not related directly to the post, a risk assessment will be conducted which includes meeting with the applicant to discuss the relevance of their criminal record. Based on the information provided, we shall consider the following:

Nature of offence(s)

What type of offence or offences did the individual commit? I.e. theft, fraud, violence, possession of drugs, supply of drugs, sexual offences, public order or other offences. Did the offender commit one type of offence or a range of different offences?

Relevance

Is the offence relevant to the position in question? The relevant categories of offences in relation to the protection of children are generally considered to be serious, violent, sexual and drug-related offences,

although the nature of the offence is not the only factor that ought to be considered. For example, a person with a previous history of drug-related convictions who has clearly moved on from that period may be particularly well-suited to support others with substance misuse problems. They should not be discounted simply on the basis that they have drug-related convictions.

Drink-driving offences are not generally considered relevant unless the job itself involves driving e.g. taxi driver or a bus driver.

Seriousness

How serious is any offence or allegations disclosed? This is important because all offence categories cover a very wide range of offences that vary in terms of seriousness. A sexual offence, for instance, covers everything from young men sleeping with their underage girlfriends to indecent assault and rape. Violence covers everything from slaps and smacks, normally recorded as battery or common assault, to grievous bodily harm and murder. Drug offences cover everything from possession of small amounts of cannabis for personal use to possession of class A drugs with intent to supply. Burglary covers everything from taking goods from shop storerooms to entering the homes of elderly people, leaving them in fear. Arson ranges from setting fire to litter bins to destroying property and endangering lives.

The name of the offence (the offence code) can often make the incident sound more serious than it was; which is why it is extremely important to gain further details of what actually took place and to consider the other factors listed here.

Offence circumstances

Who was involved? What happened? Where did it happen? When did it happen? How did it happen? Why did it happen?

What were the circumstances and the explanation offered by the applicant? Consideration will be given to whether there were any aggravating or mitigating circumstances. What was the applicant's attitude to their offending? Did they show any remorse or take responsibility for their actions? Did they try to make reparation to any victim?

In particular, the applicant's own circumstances at the time of the offending behaviour including issues with accommodation, education, employment, management of finances and income, lifestyle and associates, relationships, drugs and alcohol, emotional well-being or health will be taken into account.

An explanation of the circumstances surrounding an offence will often be plausible and reassuring. For instance, the person who explains that, in fear and panic, they ended up assaulting someone who was threatening them during a bar fight, may not be as culpable as an individual who caused serious injury with intent during an armed robbery. It is important to bear in mind that only a small minority of offences take place in a work setting. We will also consider the fact that a person convicted of a serious offence may have completely changed their life around for the better.

It is important to be aware that it is incredibly difficult for an applicant seeking to show themselves in the best possible light to a prospective employer, to have to then discuss past matters that they may feel ashamed or embarrassed about. Taking that into account, we will look for openness and honesty, rather than denial and minimisation. We will consider the applicants' insight into their own behaviour, any indication of changed thinking, relevant changes in their circumstances, and where relevant, victim empathy rather than victim blame or shared responsibility.

Age of offences

We will consider the length of time that has passed since the offence that has been disclosed took place. Cautions or convictions that appear on a disclosure certificate may be very old, for example, dating back to

when the person was growing up. They may not be relevant in many instances because applicants have put their past behind them.

The government recognises that people can and do put their offending behind them. This recognition is embodied in the Rehabilitation of Offenders Act 1974 (ROA) and by the introduction of the filtering system for positions subject to standard or enhanced disclosure checks. Reoffending statistics in the UK indicate that if individuals go a little more than two years without reoffending, they are no more likely to offend than those who have never offended.

Pattern of offending

We will consider whether the applicant committed a single offence, or whether there has been a pattern of offending behaviour or allegations. Is there a big gap between offences, or are there a number of offences within a short period? People who have a pattern of offending right up to the present date may not have put their offending behind them.

Those people with gambling, drink, or drug-related convictions, in particular, may remain a risk unless there is evidence of a clear break in the pattern of their offending. Nevertheless, many offenders, including repeat offenders, do eventually give up crime and settle down. They may have a particular motivation for doing so (e.g. becoming a parent) and often there will be clear evidence shown throughout the other aspects of the recruitment process and on the disclosure certificate itself.

Changed circumstances

We will take into account whether the applicant's circumstances have changed since the offending took place. For instance, those convicted when young, perhaps as juveniles, often do not reoffend once they have family or mortgage responsibilities, because they have too much to lose by getting into trouble. As previously mentioned, many offenders, even those with long and serious records, can eventually change, as they simply grow out of a period of offending or seek help to address related problems.

As part of the risk assessment process we will try to establish the applicant's attitude at the time of the offence. What is their attitude now? How do they now feel about what happened? How do they feel about their part in what happened? Do they show remorse? Do they blame others? Do they feel a victim of injustice? How genuine is their expression? What efforts have they made not to reoffend? If they have one, can a reference be sought from their probation officer or support worker?

Having reviewed the circumstances at the time of the offence, we will then compare the applicant's circumstances at the time of them applying for the role. It may be that the applicant can provide the necessary reassurance that past issues have been resolved. However, many people with more recent convictions will also have reached the point where they want to put their offending behind them and put their talents to constructive use. If the offence is not work-related, or if the post is at a level of responsibility which means that the applicant does not pose a risk, we will consider recruiting them if in all other respects they are suitable for the job.

Carrying out a Risk Assessment

The school will gather as much information as possible to inform our assessment. Sources may include (but are not limited to) answers given during application and interview, self-declarations, disclosure certificates, disclosure statements, value-based interviewing, references and independent statements from support workers

The applicant will be given the opportunity to address any concerns that we may have or discrepancies. This will be done in the form of a face-to-face meeting with the applicant. It will be made clear to the applicant that the purpose of the meeting is to discuss any relevant information that can inform our risk assessment. The meeting will be conducted with sensitivity and empathy, as discussing past convictions may be a great source of anxiety and embarrassment for the person concerned.

Careful thought will be given to the questions we plan to ask, and the discussion will be kept focused on the individual and their feelings and attitudes. At least two people who were involved in the recruitment process will be present to provide support and take notes. We will remember it is not our responsibility to decide whether the court's decision or police course of action was the right or fair one. The purpose of the interview is to help us gather the necessary information to assess whether the individual may pose a risk in the position applied for.

Once we have gathered all the relevant information, a risk assessment will be conducted; where any risks are identified, we will assess whether any appropriate safeguards can be put in place to minimise these risks. The assessment will be a documented decision-making process that is signed by those who have undertaken the assessment. If the applicant is successful in post, the risk assessment will be securely stored on their personnel file and reviewed as appropriate.

DBS CERTIFICATE RISK ASSESSMENT

To be completed if the DBS Certificate or the applicant has disclosed criminal record information

Name on DBS Certificate:

Certificate No:

Post:

Date of issue:

	Yes	No	Comments/Actions/Explanation
Was the applicant a juvenile at the time of any offence(s)?			
Does the disclosure show a pattern of offending?			
Does the disclosure show recent offences or a recent change in behaviour? How long ago was that?			
Do any offences have any relevance to the job role?			

Does the nature of the job present any opportunities for the post holder to reoffend in the place of work?			
Where completed, has the applicant disclosed their offences on the DCC form or in interview?			
What was the outcome of the discussion with the applicant about their criminal background?			
Will the post holder be supervised?			

Outcome of Assessment

I am satisfied that based on the above, the criminal background of this person should not prevent them taking up the position	
I am not satisfied that based on the above, the criminal background of this person makes them suitable to take up the position	

Chair of Governor's/Headteacher Name: _____

Chair of Governor's /Headteacher Signature: _____

Date: _____