



ORCHARD HOUSE
SCHOOL

**Policy on Recruitment & Recruitment
Procedures**
(including Safer Recruitment)

September 2022

POLICY ON RECRUITMENT & RECRUITMENT PROCEDURES

(including Safer Recruitment)

I Introduction

- 1.1 The school is committed to ensuring the best possible environment for the children and young people in their care. Safeguarding and promoting the welfare of children is given the highest priority.
- 1.2 This policy and the procedures outlined herein follow the principles of safer recruitment as outlined in the statutory guidance entitled Keeping Children Safe in Education, September 2022 (KCSIE) (<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>) published by the Department for Education.
- 1.3 The school aim to recruit staff that share and understand its commitment to safeguarding children and to safer recruitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.
- 1.4 All queries on the school's application form and the recruitment processes must be directed to jobs@orchardhs.org.uk.

2 Circulation

- 2.1 The Recruitment Policy and Procedures (this document) refers and applies to staff directly recruited and employed at, or engaged as a self-employed peripatetic by, Orchard House School. In the Education (Independent School Standards) Regulations 2014 ("the ISSR"), staff are defined as:

... any person working at the school whether under a contract of employment, under a contract for services or otherwise than under a contract, but ... not ... supply staff or a volunteer.
- 2.2 In the case of agency or contract workers, the school concerned shall obtain written confirmation from the agency or employer or other employment business that it has carried out the appropriate checks detailed later in this policy. The school will check the original DBS disclosures of any such workers and will also verify their identity on arrival at the school.
- 2.3 Safer recruitment procedures apply also to volunteers and contractors. The level of checks required will be determined by the role and whether the person is engaged in regulated activity. Heads considering the deployment of any volunteer must refer to KCSIE (<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>) and in particular to the guidance about regulated activity on page 29, and to the guidance on the supervision of activity with children which is regulated activity contained in Annex F on page 100.

3 Application procedures

- 3.1 All candidates for a staff vacancy will be provided with a job description, Candidate Application Form (CAF) and the Pre-interview Applicant Questionnaire.
- 3.2 OHS will accept applications only from candidates completing the relevant CAF and its Pre-interview Applicant Questionnaire in full. CVs will not be accepted in substitution for the CAF in that this form's declaration that all information supplied by the candidate is true must be signed by the applicant either upon submission or, if sent by e-mail, then upon the first visit by the candidate to the school. However, and as noted on the form, to the extent that an accompanying CV supplies information that would otherwise be repeated within the CAF, these fields in the CAF may be omitted. Any CV must show by month the occupation of the candidate's time from leaving school to the point of application without any periods of time being omitted. Any gaps of time shown on any CV must be explored during interview and if possible verified by the candidate's references.
- 3.3 The school will make candidates aware that all posts in the school involve responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Any advertisement of a job vacancy will include an affirmation of the school's commitment to safeguarding children and mention that the statutory checks will be made. Candidates for employed posts will receive a job description for the role applied for, which may include a person specification.
- 3.4 As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the school with comprehensive accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment, as the school shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information about any criminal offence must be submitted in confidence enclosing details in a separate sealed envelope, which will be seen by the head, the group bursar and the managing governor. If a candidate would like to discuss this requirement before submitting an application, he or she is asked to telephone in confidence the head of the school to which the application is being made.
- 3.5 Any unspent convictions, cautions, reprimands or warnings must be disclosed to the school. However amendments to the Rehabilitation of Offenders Act 1974 Exceptions Order 1975 by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 provide that certain spent convictions and cautions are 'protected' and these are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service ("DBS") website (<https://www.gov.uk/government/publications/dbs-filtering-guidance>).
- 3.6 Unless recruited from a position working in a school in England without a break in service of more than three months, the successful applicant will be required to complete an application form, provided by the school, for an enhanced disclosure by the DBS; and, irrespective of the benefit of the "three months" rule, all successful candidates will be subject

to a Barred List check with the DBS. Where a candidate is transferring from a similar position within three months, this fact must be checked with the previous employer and that employer should also be asked to confirm that a DBS disclosure was obtained. The candidate must also produce the original of his/her DBS disclosure.

- 3.7 Failure to declare any convictions that are not subject to DBS filtering may disqualify a candidate for appointment or result in summary dismissal should the discrepancy later come to light.

Pre-interview Applicant Questionnaire

- 3.8 If the candidate is currently working with children, in either a paid or a voluntary basis, the school will ask his or her current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.
- 3.9 If the candidate is not currently working with children but has done so in the past, the school will ask the previous employer where the candidate worked with children about those issues. Where neither the current nor the previous employment has involved working with children, the school will nonetheless ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the school may request additional character references which may include references from the candidate's school or university.
- 3.10 All candidates should be aware that provision of false information is a criminal offence and could result in the application being rejected, or if he or she has been appointed, in summary dismissal by the school and a possible referral to the police and/or DBS.
- 3.11 In addition, as part of the shortlisting process the school will consider carrying out an online search as part of its due diligence on any shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school, might explore with the applicant at interview. (KCSIE 2022, paragraph 220).

4 Invitation to interview

- 4.1 The school will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Shortlisted applicants will then be invited to attend a preliminary interview with the head and a tour of the school.
- 4.2 Applicants for a non-teaching post or teaching assistantship (including gap year students and those applying for a Montessori studentship) may at or after the first interview be made an offer, subject to satisfactory references and recruitment checks, by the head.

- 4.3 For teaching jobs as a qualified teacher, shortlisted applicants will in almost all circumstances other than where the candidate is overseas be invited to return and upon this second visit be expected to teach a sample lesson, observed by a senior member of the teaching staff, and to attend a second interview at which his/her relevant skills and experience will be discussed in more detail. The second interview is almost invariably conducted by both the managing governor and the head. Occasionally another senior member of the teaching staff or the bursar may also interview the applicant. All members of staff involved in leading any recruitment have undertaken training in safer recruitment and this is updated at least every five years.
- 4.4 The interview will be conducted in person (or very occasionally by video conference if the applicant should be overseas) and the areas which the interview will explore will invariably include suitability to work with children. During each interview, safeguarding issues will also be explored.
- 4.5 The chairman of the governors, the managing governor and at least one of the group's heads will interview applicants for the bursar's appointment. The panel for the appointment of any head will consist as a minimum of at least two of the OHS governors, a head of a sister school in the group and the group bursar. Others may attend as the governors shall deem appropriate.
- 4.6 The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and in such a case a judgement will be made by the governors as to whether or not an interviewer should withdraw from the panel.
- 4.7 All candidates invited to a preliminary interview must bring documents that will provide evidential proof of any educational and/or other professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc). Where originals are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body. The documents of the successful candidate will be subject to verification and audit by the group bursary staff.
- 4.8 The school requests that any candidate invited to a preliminary interview should also bring for inspection at the interview:
- A current driving licence including a photograph or a passport or a full birth certificate;
 - A utility bill or financial statement issued within the previous three months showing the candidate's current name and postal address;
 - Where appropriate, any documentation evidencing a change of name;
- 4.9 Where the candidate is not a citizen of a country within the European Economic Area or Switzerland, proof of entitlement to work and reside in the UK. Please note that **originals** of the above are necessary: photocopies or certified copies are not sufficient.

- 4.10 Copies will be made by the school, certified by a school secretary and filed, with the original documents then being returned to the applicant.
- 4.11 Candidates with a disability who are invited to interview should inform the school of any necessary reasonable adjustments or arrangements to assist them in attending the interview.
- 4.12 Following completion of the interviewing process and a decision as to which candidate is to be offered the vacant appointment, the head (in practice usually the school secretary) prepares a Requisition for Staff Contract ("RSC") summarising the proposed terms of employment or engagement specific to the successful candidate. To this requisition the head attaches a draft of a formal offer and friendly covering letter based on templates provided by the bursar from time to time and addressed to the appointee. The RSC and its attachments are sent to the managing governor if the post is to be a teacher's post (other than a maternity cover) but to the bursar for a teaching assistant, maternity cover or intended recruit to the support staff. The managing governor checks and approves the RSC if sent to him. The bursar then checks the documents (irrespective of whether sent to the managing governor or to her) before signalling to the head that these are approved for issue. Meanwhile, in most cases and providing at least one satisfactory reference has been taken by the head (preferably from the most recent employer, albeit in many cases over the telephone) the head will have telephoned the appointee to inform him or her of the success of his or her application for the job, but in that conversation the head will emphasise that the intended appointment is subject to the completion of contractual formalities and all references being satisfactory.

5 Taking up of references, the OHS medical questionnaire and Staff Self Declaration

- 5.1 Any offer to a successful candidate will be conditional upon
- For teaching staff, receipt of at least two satisfactory references comprising two professional teaching references, usually from the heads of previous employing schools, plus, where details given on the application form, one character reference who has known the applicant for at least five years (but ten years is preferred)
 - For support staff, two references subsequently confirmed in writing will be sufficient but three are to be preferred
- 5.2 The school will ask all referees whether the candidate is suitable to work with children and whether the referee has any hesitation in recommending her/him for the job described.
- 5.3 Any appointment remains conditional until written satisfactory references have been received in response to the school's request. Open testimonials or references (often headed "To whom it may concern") are not accepted and not regarded as references. Telephone references are acceptable but must be recorded in writing and signed and dated.

They will usually be followed up by sending a reference request form to the referee concerned.

- 5.4 The school may before interview approach previous employers for information to verify particular experience or qualifications.
- 5.5 If the candidate does not wish the school to take up a particular reference in advance of the offer being made, he or she should notify the school at the time of applying or at first interview. At first interview, candidates should be asked whether references may be taken up and when assent is given, this should be noted in writing in the recruitment file.
- 5.6 The school will compare any information provided by the referee with that provided by the candidate on the CAF. Any inconsistencies or contradictions will be raised with the candidate and, if appropriate, with the referee.
- 5.7 It is the school's practice to require that a successful candidate must at the time he or she is offered a job then complete the group's medical questionnaire. The information contained in the questionnaire will be held by the school in strictest confidence. 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, eg proposed workload, extra-curricular activities, layout of the school. If a medical condition of significance that might impair the candidate's ability adequately to discharge his or her role were to be reported within the form, the head will discuss the matter with the candidate and, if appropriate, consider with the candidate what reasonable adjustments might be made. The school may also require the candidate to be examined by the school's doctor.
- 5.8 The school is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and, as noted above, considering reasonable adjustments.
- 5.9 In addition to a completed medical questionnaire recruits are required to provide, before taking up their appointment, the group's form of staff self declaration to the effect that the recruit is not disqualified from working in the school. The form is issued to all new staff and volunteers on appointment and is also available via the group's matrix of policies: see the Policy on Staff Self Declarations, a copy of which is supplied along with the form.

6 Obtaining a DBS disclosure

- 6.1 As a general rule the school will not allow any newly recruited member of staff to begin work without a clear enhanced DBS disclosure (and, if applicable, overseas police clearance). This rule is absolute where the appointee is to work in a one-to-one situation, e.g. a peripatetic music teacher or a member of staff giving LSU support. An exception may however be made if the following conditions are met

- the appointment is necessary to allow the education and care of the children to continue
- the recruit has no unsupervised contact with children
- the recruit will be supervised at all times, meaning that in the presence of children he/she will be continuously within sight and hearing of a colleague for whom the school holds an enhanced DBS disclosure
- the recruit will not undertake one-to-one work, personal care activities or residential visits
- other staff are aware that there should be no unsupervised contact
- all other pre-employment checks are satisfactory and the risk assessment in the form of Appendix 1 to this policy has been completed and signed by the head
- pending receipt of a clear enhanced DBS disclosure (and, if applicable, overseas police clearance) the risk assessment is reviewed every two weeks.

6.2 The completed risk assessment form must be placed on the recruit's personnel file so it is available for any safeguarding audit and/or ISI inspection.

7. Single Central Register (SCR) (also known as Staff Appointments Register)

7.1 To comply with the requirements of the Education (Independent School Standards) Regulations 2014 (the ISSR) and OHS requirements, for all staff appointed the following checks will be carried out and recorded in the SCR (as outlined in the OHS SCR guidance document) prior to the appointee starting work. Guidance in KCSIE should be followed for volunteers according to individual circumstances. For some volunteers some of these checks will also be required and should be recorded in the SCR. At the school's instigation, the checks marked as carried out by the bursary will be so carried out and the results reported by the bursary to the school

- References as described above
- Verification of identity
- Evidence of the right to work in the UK
- A Barred List check for those engaged in regulated activity (carried out by the bursary)
- A satisfactory enhanced DBS disclosure (see Appendix 2, extracted from KCSIE, which summarises as a flowchart for whom DBS checks are required)
- A prohibition from teaching check for those staff engaged in teaching activities. This includes peripatetic staff, teaching assistants and staff who run clubs (carried out by the bursary)

- Verification and audit of professional qualifications, where applicable
- Verification of recent (last five years') employment history, unless fresh from university and teacher training
- Verification of successful completion of statutory induction or probation period for teaching posts: this applies to those who obtained qualified teacher status after 7 May 1999 (carried out by the bursary)
- A check that a teacher is not the subject of a suspension or conditional order imposed by the General Teaching Council for England (prior to its abolition) (carried out by the bursary)
- For management positions (membership of the SLT) a section 128 check (as set out in paragraph 125 of KCSIE) (carried out by the bursary)
- A declaration by the candidate of satisfactory medical fitness to carry out the role envisaged. (The school will consider any reasonable adjustments where these may be necessary and it is practical to implement these; see paragraphs 5.7 and 5.8 above.)
- A declaration (supervised by the bursary) by the candidate that he/she is not disqualified under the Childcare Disqualification Regulations 2018 [formally Part 2 of the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018]. (Further information can be found in Disqualification under the Childcare Act 2006 statutory guidance (August 2018). See <https://www.gov.uk/government/publications/disqualification-under-the-childcare-act-2006>. The effect of this legislation is also explained and guidance given in the group's Policy on Staff Self Declarations available in the group's matrix of policies.)
- Where the candidate has been resident overseas, including EU countries, such criminal record checks and confirmations as the school may consider appropriate will be made so that any relevant events that occurred outside the UK can be considered. Each candidate will be assessed individually although the school will usually require checks to be made from any country where a candidate has been resident for three months or more in the five years prior to applying to the school (carried out by the bursary)
- An online "right to work" check using the Home Office Right to Work Checking Service.

8. Criminal records policy

- 8.1 In carrying out the necessary required DBS checks, the school will refer to the statutory guidance in KCSIE and other associated guidance.
- 8.2 The school complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request or accessed <https://www.gov.uk/government/publications/db-code-of-practice>.

9. Retention and security of records

- 9.1 The school will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under data protection legislation. Copies of DBS disclosures will not be retained for longer than six months.
- 9.2 Guidance from the DBS on this practice may be seen at <https://www.gov.uk/government/publications/handling-of-dbs-certificate-information>.
- 9.3 The school shall retain the application of any unsuccessful candidate and related documents for no longer than three months following the date on which the successful candidate commences employment with the school following which they will ordinarily be destroyed, unless (a) the candidate has in the interim applied for any other role with the school or OHS or (b) the candidate has raised any concern about his or her failure to be appointed, in which case the records shall be retained as necessary to facilitate such other process. The school shall in any event be entitled to retain the name of any applicant, the date of his/her application, the role for which the candidate applied and the outcome.

10. Appointments of governors

- 10.1 Any appointment of a governor will be conducted, so far as applicable, in accordance with the ISSR.

11. Referral to the DBS and the Teaching Regulation Agency (TRA)

- 11.1 OHS school has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had that person not left the school's employ. If the individual is engaged in teaching duties, a referral will also be made to the TRA.
- 11.2 Referrals may also be made to the TRA (irrespective of whether the DBS criteria for referral have been met) for unacceptable professional conduct, conduct that may bring the profession into disrepute or a conviction, any time, for a relevant offence. Advice about whether an allegation against a teacher is sufficiently serious to warrant referral to the TRA can be found in <https://www.gov.uk/government/publications/teacher-misconduct-the-prohibition-of-teachers--3>). Further guidance is also published on the TRA website.

12. Visiting Speakers

- 12.1 Staff must obtain permission from the head for any visiting speakers. Visitors will be supervised at all times and should not be left alone with pupils. If the presentation of a visiting speaker is thought to be unsuitable for any reason, staff should have no hesitation in asking the visitor to stop.
- 12.2 Statutory guidance requires the school to ensure that any visiting speakers who might fall within the scope of the [Prevent duty](#), whether invited by staff or pupils, are suitable and appropriately supervised.

(Appendices follow on pages 11-13)

APPENDIX I TO RECRUITMENT POLICY (paragraph 6.1)

DBS RISK ASSESSMENT

This form, referred to in paragraphs 6.1 and 6.2, is to be completed if a newly recruited member of staff is needed to start work prior to a DBS disclosure (and, if applicable, an overseas police clearance) being obtained.

School **Name of recruit**

Role **Proposed start date**

I. The following checks must be completed before the applicant begins work.

Check	Date completed	Initials*
Barred list check		
Identity check (photographic)		
CV checked		
At least two satisfactory references		
Medical fitness declaration obtained		
Right to Work in the UK		
Qualifications verified		
EU check (if applicable) completed		
Prohibition from teaching check (if applicable)		
Prohibition from management check (if applicable)		
Self declaration for disqualification from childcare		
If employee has disclosed any previous convictions/cautions these have been considered by the head but are not felt to pose any risk to the safety of children or staff.		

continued...

2. DBS and overseas check(s) must be applied for before the person may begin work.

	Date	Initials*
DBS application made		
Date DBS disclosure obtained		
If applicable Application for Overseas check(s) made and to which country or countries		
Overseas check obtained		

*Head or school secretary only

I have considered the risks and agree that the recruit named above may commence employment subject to the conditions set out in paragraph 5.8 of the school’s Recruitment Policy.

Head’s signature **Date**

Until the DBS disclosure has been obtained (and, if applicable, overseas police check completed), the grid below is to be used to review this risk assessment every two weeks from the date of the head’s signature above.

Reviews

Date	Any action taken	Head’s signature

APPENDIX 2 TO RECRUITMENT POLICY (paragraph 7.1)

Flowchart of Disclosure and Barring Service criminal record checks and barred list checks

