

# BRONTE SCHOOL & NURSERY



## RECRUITMENT, SELECTION AND DISCLOSURES PROCEDURES

	Date	Signed
Date reviewed	Sept 2022	 (Miss. Susan Allison, Bursar)
Date reviewed	Sept 2022	 (Mrs Emma Wood, Headmistress & Nursery Director)
Date reviewed	Sept 2022	 (Mrs. Marie Pike, Nursery Manager)
Ratified by Proprietor	Sept 2022	 (Mr. Nicholas Clements, Proprietor)
Date of next review	SEPT 2023	

**This policy relates to Bronte School and Nursery.**

## **General**

Bronte School and Nursery is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

The school and nursery aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including the most recent version of KCSIE and Prevent Duty Guidance).

All queries on our application form and recruitment process must be directed to Miss Susan Allison (Bursar).

An entry will be made on the Single Central Register for all current members of staff, the proprietorial body and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

Bronte School And Nursery is owned by Nicholas Clements, under the DfE registration number: 886/6026 for the school, and Bronte Nursery's registration number: EY48116

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

## **Scope of this Policy**

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by the school and nursery. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as:

*Any person working at the School or nursery whether under a contract of employment, under a contract for services or otherwise than under a contract but does not include supply staff or a volunteer.*

In the case of agency or contract workers, the school and nursery shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. The school and nursery conducts identity checks on agency and contract workers on arrival in school and nursery, and, in the case of agency workers

which includes supply staff, the school or nursery must be provided with a copy of the DBS check for such staff.

The school and nursery will check with the relevant supply agency that the required checks have been carried out (identity, enhanced disclosure – renewed every 3 years, right to work in the UK, barred list, prohibition, qualifications, overseas checks plus two references, declaration of medical fitness, check of previous employment history). The Single Central Register shows these checks have been made and the school and nursery carries out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

In respect of contractors, unchecked contractors will under no circumstances be allowed to work unsupervised. The school and nursery will determine the appropriate level of supervision depending on the circumstances.

The Prevent Duty Guidance requires the school and nursery to have clear procedures for ensuring that any visiting speakers, whether invited by staff or pupils, are suitable and appropriately supervised.

### **Advertising**

To ensure equality of opportunity, the School will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement. Any advertisement will make clear the school's commitment to safeguarding and promoting the welfare of children. All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

### **Application Form**

The school and nursery will only accept applications from candidates completing the relevant application form in full. CVs will not be accepted in substitution for completed application forms.

The school and nursery will make candidates aware that all posts in the school and nursery involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the school and nursery

with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the school and nursery shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Bursar and/or Headmistress/ Nursery Director. If candidates would like to discuss this beforehand, they are asked to please telephone in confidence to the Bursar for advice.

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

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position. Additionally, successful applicants should be aware that they are required to notify the school or nursery immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration. The statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)" applies to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.

The school and nursery takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the Bursar immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

Staff and/or successful candidates who are disqualified from childcare or registration may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed. Please speak to the Bursar for more details.

Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.

The school and nursery has a legal duty under section 26 of the Counter-Terrorism and Security Act 2015 to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the Prevent duty. We are required to assess

the risk of children being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. Guidance from the DfE on this can be found at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/439598/prevent-duty-departmental-advice-v6.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/439598/prevent-duty-departmental-advice-v6.pdf)].

If the candidate is currently working with children, on either a paid or voluntary basis, the school and nursery will ask their 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.

If the candidate is not currently working with children but has done so in the past, the school or nursery will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, We will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, we may request character references which may include references from the candidate's school or university.

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

### **Invitation to Interview**

The school or nursery will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail.

All formal interviews will have a panel of at least two people chaired by the Head or Bursar or another designated senior member of staff. It is recommended best practice that at least one person on the appointment panel will have undertaken safer recruitment training. The Proprietor should chair the panel for the Bursar's/Head's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person and the areas which it will explore will include suitability to work with children.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the

original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

We request that all candidates invited to interview also provide:

- A current driving licence including a photograph or a passport or a full birth certificate;
- A utility bill or financial statement issued within the last three months showing the candidate's current name and address;
- Where appropriate any documentation evidencing a change of name;
- 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.**

Candidates with a disability who are invited to interview should inform the school or nursery of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

### **Conditional Offer of Appointment: Pre-Appointment Checks**

Any offer to a successful candidate will be conditional upon:

- Completed and signed application form (checks for gaps in employment);
- Receipt of at least two satisfactory references (if these have not already been received);
- Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
- A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
- For a candidate to be employed as a teacher, a check that the candidate is not subject to a prohibition order issued by the Secretary of State. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
  - Planning and preparing lessons and courses for pupils
  - Delivering and preparing lessons to pupils
  - Assessing the development, progress and attainment of pupils
  - Reporting on the development, progress and attainment of pupils;

- Verification of professional qualifications, where appropriate;
- Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS after 7 May 1999);
- Where the successful candidate has worked or been resident overseas such checks and confirmations as the School may consider appropriate so that any relevant events that occurred outside the UK can be considered. For an EEA teaching candidate: This shall include the candidate providing the School with proof of his/her past conduct as a teacher in the form of a letter of professional standing from the professional regulating authority in the country in which s/he has worked;
- Satisfactory medical fitness;
- Confirmation that the candidate is not disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)” **OR** Receipt of a signed Staff Suitability Declaration form showing that the candidate is not disqualified from providing childcare as set out in the statutory guidance “Disqualification under the Childcare Act 2006 (July 2018)”
- Where the successful candidate will be taking part in the management of the school, a check will be carried out under section 128 of the Independent Educational Provision in England (Prohibition on Participation in Management) Regulations 2014. This applies to all Governors, Senior Management Team and teaching heads of department; and
- For a candidate that has lived or worked outside the UK, an EEA check using the Teaching Regulation Agency employer access system for information about any teacher sanction or restriction.

It is the School and nursery’s practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by us 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 i.e. proposed workload, extra-curricular activities, layout of the school or nursery.

We are aware of our duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

## References

The school and nursery will seek the references referred to in section 5 above for shortlisted candidates (including internal applicants if deemed applicable) and may approach previous employers for information to verify particular experience or qualifications, before interview. One of the references must be from the applicant’s current or most recent employer. References must be received by a senior person

with appropriate authority. We will ask all referees if the candidate is suitable to work with children.

We 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. We will verify all references. Where references are received electronically, we will ensure they originate from a legitimate source.

The school and nursery will compare any information provided by the referee with that provided by the candidate on the application form. Any inconsistencies will be discussed with the candidate.

### **Criminal Records Policy**

The School will refer to the Department for Education (“DfE”) document, ‘Keeping Children Safe in Education’ and any amended version in carrying out the necessary DBS checks.

The school and nursery complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:  
<https://www.gov.uk/government/publications/dbs-code-of-practice>.

There are limited circumstances where we will accept a check from another educational institution which are as follows:

This is where the new member of staff (“M”) has worked in:

- A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
- A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
- An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education or which brought M regularly into contact with children or young persons,

during a period which ended not more than three months before M’s appointment.

In these circumstances the school or nursery may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

### **DBS Update Service**

Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.



**If disclosure is delayed**

A short period of work is allowed under controlled conditions, at the Headmistress/Nursery Director's discretion. However, if an 'enhanced disclosure' is delayed, she may allow the member of staff to commence work:

- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, supervision and completion of a risk assessment);
- Safeguards reviewed at least every two weeks by the Bursar and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but not a requirement, that a note is added to the single central register and evidence kept of the measures put in place.

**Retention, Security of Records and Data Protection Obligations**

The school and nursery will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy.

We will comply with its data protection obligations in respect of the processing of criminal records information.

**Appendix****Policy on the Recruitment of Ex-Offenders**

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

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

Under the relevant legislation, it is unlawful for the scholar nursery to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for

the school or nursery to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence. It is also unlawful for the school or nursery to knowingly employ someone who works in the relevant settings and is disqualified from providing childcare under the statutory guidance "Disqualification under the Childcare Act 2006 (July 2018)".

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the school or nursery. We will report the matter to the Police and/or the DBS if:

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

In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, we will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question;
- the seriousness of any offence or other matter revealed;
- the length of time since the offence or other matter occurred;
- whether the applicant has a pattern of offending behaviour or other relevant matters;
- whether the applicant's circumstances have changed since the offending behaviour or other relevant matters;
- in the case of disqualification from providing childcare, whether the applicant has or is able to obtain an Ofsted waiver from disqualification; and
- the circumstances surrounding the offence and the explanation(s) offered by the convicted person.

If the post involves regular contact with children, it is the 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, serious class A drug related offences, robbery, burglary, theft, deception or fraud.

If the post involves access to money or budget responsibility, it is our normal policy to consider it a high risk to employ anyone who has been convicted at any time of robbery, burglary, theft, deception or fraud.

If the post involves some driving responsibilities, it is the normal policy to consider it a high risk to employ anyone who has been convicted of drink driving.

### **Data Protection Obligations**

We will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the Data Protection Policy.

### **RECRUITMENT CHECKLIST**

Action	Date	Completed by (please initial)
<b>Name:</b>	<b>Position:</b>	<b>Salary: £</b>
<b>Advertisement placed</b>		
<b>Send to Applicant:</b> <ul style="list-style-type: none"> <li>• Application form</li> <li>• Equal Opportunities Monitoring Form</li> <li>• Job Description &amp; Person Specification</li> <li>• Child Protection Policy</li> <li>• Application and Recruitment Process Explanatory note</li> <li>• Recruitment Privacy Notice</li> </ul>		
<b>Received from Applicant:</b> <ul style="list-style-type: none"> <li>• Completed Application form</li> </ul>		

<b>Letter Invitation to Interview including Self-Declaration Form</b>				
<b>At least two reference requests sent (ensure references for internal candidate are requested and followed up)</b>				
<b>References followed up over telephone (including school where last worked) and electronic references verified as coming from legitimate source</b>				
<b>Interview with written outcome</b>  <b>Record kept of reasons for any gaps in employment</b>				
<b>Identification documents received (including name, address, and D.O.B.)</b>  <b>Hard copy of signed Self-Declaration Form</b>				
<b>Evidence of right to work in UK</b>				
<b>Qualifications</b>				
<b>Rejection letter sent (if applicable)</b>				
<b>Conditional offer made. Sent to Applicant:</b> <ul style="list-style-type: none"> <li><b>Applicant completed online DBS application</b></li> <li><b>Contract of Employment</b></li> </ul>				

<ul style="list-style-type: none"> <li>Health Declaration &amp; Questionnaire</li> </ul>		
Health Declaration signed		
Payroll documents completed		
DBS check received and satisfactory		
Barred list check received and satisfactory (where appropriate)		
Where appropriate, verification of any award of Qualified Teacher Status, completion of teacher induction or probation		
If the candidate is undertaking a leadership role, evidence that the candidate is not prohibited from participating in the management of independent schools.		
EEA Check for individuals who have lived or worked overseas (if applicable)		
Prohibition Order check (for a candidate to be employed as a teacher)		

<b>Evidence of overseas criminal records checks for applicants who have worked/lived abroad (if applicable)</b>		
<b>Receipt of a signed Staff Suitability Declaration form showing that candidate is not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2018</b>		
<b>Check single central register completed</b>		
<b>Induction completed</b>		

**Verified by Headmistress/Nursery Director .....**

**Date: .....**