

Safer Recruitment Policy

The safe recruitment of staff in at Tubers is the first step to safeguarding and promoting the welfare of children. Tubers Academy is committed to safeguarding and promoting the welfare of all members in its care. As an employer, Tubers expects all staff and volunteers to share this commitment.

Aims & Objectives

The aims of the Safer Recruitment policy are to help deter, reject or identify people who might abuse members or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of Tubers' recruitment policy are as follows:

- > 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 (KCSIE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- > to ensure that Tubers meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

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

Tubers has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at each Academy based on the applicant's abilities, qualifications, experience and merit as measured against the job description and person specification.

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 KCSIE 2018 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

Tubers aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants for job vacancies at Tubers.

Roles & Responsibilities

It is the responsibility of the Head of Operations and other Managers involved in recruitment to:

- > ensure that Tubers operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at Tubers;
- > monitor contractors' and agencies' compliance with this document;

- > promote the welfare of children and young people at every stage of the procedure.

Tubers is required to carry out an enhanced DBS check for all staff.

Recruitment & Selection Procedure

> Advertising

To ensure equality of opportunity, Tubers 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 Tubers' 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 Forms

Tubers uses its own application form and all applicants for employment will be required to complete an application form containing questions about their full academic and employment history and their suitability for the role (in addition, all applicants are required to account for any gaps or discrepancies in employment history). Incomplete application forms will not be shortlisted.

The application form will include the applicant's declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CVs will not be accepted.

It is unlawful for the Tubers to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at Tubers. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

> Job Descriptions and Person Specifications

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children in a boarding environment.

> References

References for shortlisted applicants will be sent for immediately after shortlisting. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after the interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by Tubers. One of the references must be from the applicant's current or most recent employer. 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. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

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 radicalised so that they do not support terrorism or any form of 'extremism'.

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with each referee to verify the reference.

Tubers does not accept open references, testimonials or references from relatives.

> Interviews

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information in regards to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstances of the individual case during the interview process, if it has not been disclosed on the application form.

At least one member of any interviewing panel will have undertaken Safer Recruitment Training or refresher training as applicable.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications. Only original documents will be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed six months after the recruitment programme.

Offer of Appointment & New Employee Process

In accordance with the recommendations set out in KCSIE and the requirements of the Education (Independent School Standards) Regulations 2014 and the *Boarding Schools: National Minimum Standards*, Tubers carries out a number of pre-employment checks in respect of all prospective employees.

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 and the signing of a contract incorporating the Tubers standard terms and conditions of employment;
- > verification of the applicant's identity (where that has not previously been verified);
- > the receipt of two references (one of which must be from the applicant's most recent employer) which the Tubers considers to be satisfactory;
- > Tubers being satisfied that the applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other European Economic Area country which prevents the applicant working at Tubers or which, in Tubers' opinion, renders the applicant unsuitable to work at Tubers; and
- > Tubers being satisfied that the applicant is not, and has never been, the subject of any proceedings before a professional conduct panel or equivalent body in the UK or any other country for any reason

which prevents the applicant working at Tubers or which, in Tubers' opinion, renders the applicant unsuitable to work at Tubers;

- > 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;
- > verification of the applicant's right to work in the UK;
- > any further checks which are necessary as a result of the applicant having lived or worked outside of the UK; and
- > a personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

> The Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to children. Therefore, any convictions and cautions that would normally be considered 'Spent' **must be** declared when applying for any position at Tubers.

> Disclosure and Barring Service (DBS) Certificate

Tubers applies for an enhanced disclosure from the DBS (formerly known as CRB Disclosure) and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at Tubers which amount to 'Regulated Activity' as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). 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.

It is Tubers policy that the DBS disclosure **should be obtained** before the commencement of employment of **any** new employee, if for any reason there is a delay then it will be at the discretion of the Head of Operations and Safeguarding Lead as to where the member of staff can work within Tubers.

It is Tubers policy to re-check employees' DBS Certificates every three years and in addition any employee that takes leave for more than three months (e.g. maternity leave, career break *etc.*) must be re-checked before they return to work.

Members of staff at Tubers are aware of their obligation to inform the HR Department of any cautions or convictions that arise between these checks taking place.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence.

> Portability of DBS Certificates Checks

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service for a fee of £13 per annum, which is payable by the applicant.

This allows for portability of a Certificate across employers. Tubers will:

- > Obtain consent from the applicant to carry out an update search.
- > Confirm the Certificate matches the individual's identity.
- > Examine the original certificate to ensure that it is for the appropriate workforce and level of check, *i.e.* enhanced certificate/enhanced including barred list information.

The Update check would identify and advise whether there has been any change to the information recorded, since the initial Certificate was issued. Applicants will be able to see a full list of those organisations that have carried out a status check on their account.

> DBS Certificate

The DBS no longer issue Disclosure Certificates to employers, therefore employees/applicants should bring their Certificate to Human Resources within seven days of issue.

> Dealing with convictions

Tubers operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- > the nature, seriousness and relevance of the offence;
- > how long ago the offence occurred;
- > one-off or history of offences;
- > changes in circumstances,

- > decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with The Head of Operations and the Safeguarding Lead. A decision will be made following this meeting. In the event that relevant information (whether in relation to previous convictions or otherwise) is volunteered by an applicant during the recruitment process or obtained through a disclosure check, The Head of Operations and the Safeguarding Lead will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting the DBS. In cases where the applicant would otherwise be offered a position were it not for the disputed information, Tubers may, 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.

> Proof of Identity, Right to Work in the UK & Verification of Qualifications and/or professional status

All applicants invited to attend an interview at Tubers will be required to bring their identification documentation such as a passport, birth certificate, driving licence *etc.* with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. Tubers does not discriminate on the grounds of age.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

> Overseas checks

Tubers, in accordance with the UK Visas and Immigration (UKVI) will, if applicable, sponsor new foreign nationals.

In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a criminal record check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by Tubers.

> Induction Programme

All new employees will be given an induction programme which will clearly identify Tubers policies and procedures, including the Child Protection Policy, the Code of Conduct, and KCSIE*, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

*Keeping Children Safe in Education 2019

> Single Centralised Register of Members of Staff

In addition to the various staff records kept at Tubers and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the Education (Independent School Standards) Regulations 2014 requirements. The Single Centralised Register will contain details of the following:-

- > All employees who are employed to work at the Tubers;

> Record Retention / Data Protection

Tubers is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, Tubers will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness (where relevant) and qualifications. Medical information may be used to help Tubers to discharge its obligations as an employer e.g. so that Tubers may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the Tubers for the duration of the successful applicant's employment with Tubers. All information retained is kept digitally and centrally within Google Drive.

The same policy applies to any suitability information obtained about volunteers involved with Tubers activities.

Tubers will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (shredded). The 6-month retention period is in accordance with the General Data Protection Regulations (GDPR).

> Ongoing Employment

Tubers recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff.

Tubers will therefore provide ongoing training and support for all staff, as identified through the Annual Review/appraisal procedure.

> Leaving Employment at Tubers

Despite the best efforts to recruit safely, there will be occasions when allegations of serious misconduct or abuse against children and young people are raised. 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 Tubers also has a legal duty to make a referral to the DBS in circumstances where an individual:

- > has applied for a position at Tubers despite being barred from working with children; or
- > has been removed by Tubers 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.

Monitoring and Evaluation

The Head of Operations will be responsible for ensuring that this policy is monitored and evaluated throughout Tubers. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit.