

## Basingstoke ITEC Safer Recruitment Policy

Basingstoke ITEC are committed to providing a safe learning environment for its' learners and promoting the welfare of vulnerable learners. To support this aim our recruitment aim is to deter unsuitable applicants from applying for roles with vulnerable groups, and that ITEC will ensure all candidates are treated fairly, consistently and in compliance with all relevant legislation.

### Aims and Objectives

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

The aims of the ITECs 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 2019 (KCSIE), the Prevent Duty Guidance for England and Wales April 2019 (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- to ensure that the ITECs 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.

Basingstoke ITEC 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 the ITEC based on the applicant's abilities, qualification, 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 2019 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.

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

## **RECRUITMENT AND SELECTION PROCEDURE**

### **Advertising**

To ensure equality of opportunity, ITEC 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 ITEC's commitment to safeguarding and Prevent and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

### **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.

### **References**

References will be taken up immediately after interview.

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

Any discrepancies or anomalies will be followed up.

## OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS

In accordance with the recommendations set out in KCSIE and the requirements of the Education (Independent ITEC Standards) Regulations 2014 and the *Boarding ITECs: national minimum standards*, Basingstoke ITEC 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 ITEC's 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 ITEC considers to be satisfactory;
- where the position amounts to "regulated activity" the receipt of an enhanced disclosure from the DBS which the ITEC considers to be satisfactory;
- verification of the applicant's medical fitness for the role;
- 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
- verification of professional qualifications which the ITEC deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

\*Basingstoke ITEC is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The ITEC is required to carry out an enhanced DBS check for all staff, supply staff and Trustees who will be engaging in regulated activity. However, the ITEC can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

Whether a position amounts to "regulated activity" must therefore be considered by the ITEC in order to decide which checks are appropriate.

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 learners. Therefore, any convictions and cautions that would normally be considered 'SPENT' **must be** declared when applying for any position at Basingstoke ITEC

### ***DBS (Disclosure and Barring Service) Certificate (formerly known as CRB Disclosure)***

Basingstoke ITEC applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the ITEC 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 the ITECs policy that the DBS disclosure **must be** obtained before the commencement of employment of **any** new employee.

It is the ITECs policy to re-check employee's DBS Certificates every three years and in addition any employee that takes leave for more than three months (ie: maternity leave, career break etc) must be re-checked before they return back to work.

Members of staff at Basingstoke ITEC are aware of their obligation to inform the General Manager 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 if their check was issued after 17 June 2013, for a fee, which is payable by the applicant.

### ***DBS Certificate***

The DBS no longer issue Disclosure Certificates to employers, therefore Basingstoke ITEC uses a third party who will apply for DBS Certificates on behalf of the employee. The Certificate will be issued to the employee who should bring their Certificate to the General Manager (for employees within 7 days of issue or applicants before they commence work or any project involving regulated activity).

### ***Dealing with convictions***

The ITEC 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 General Manager and a Trustee from the board. 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 General Manager 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, the ITEC 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 the ITEC will be required to bring their identification documentation such as 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. The ITEC 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.

### ***Induction Programme***

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

### ***Single Centralised Register of Members of Staff***

In addition to the various staff records kept at the ITEC and on individual personnel files, a single centralised record of recruitment and vetting checks is kept. This is kept up-to-date and retained by the General Manager. The Single Centralised Register will contain details of all employees who are employed to work at the ITEC; which can be located in staff records folder on the shared drive.

A designated Trustee will be responsible for auditing the Single Centralised Register and reporting his/her findings to the full Governing Body during the Summer Term meeting.

### ***Record Retention / Data Protection***

Basingstoke ITEC is legally required to undertake the above pre-employment checks. Therefore, if an applicant is successful in their application, the ITEC 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 and qualifications. Medical information may be used to help the ITEC to discharge its obligations as an employer e.g. so that the ITEC 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 ITEC for the duration of the successful applicant's employment with the ITEC. All information retained on employees is kept centrally in the General Manager's Office in a locked and secure cabinet.

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

### ***Ongoing Employment***

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

### ***Leaving Employment at Basingstoke ITEC***

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 the ITEC also has a legal duty to make a referral to the DBS in circumstances where an individual:

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

If the individual referred to the DBS is a teacher, Basingstoke ITEC may also decide to make a referral to the Teaching Regulation Agency.

### ***Monitoring and Evaluation***

***The General Manager will be responsible for ensuring that this policy is monitored and evaluated annually. This will be undertaken through formal audits of job vacancies and a yearly Safer Recruitment Evaluation audit which will be presented to the Trustees.***