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Safer Recruitment & Selection Procedure

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INTRODUCTION

This procedure sets out how staff, whether paid or unpaid, will be appointed to the College and includes the college's procedure on the recruitment of ex-offenders to ensure that Richard Huish College does not discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information received. The college's procedure on the recruitment of ex-offenders is made available to all Disclosure applicants at the outset of the recruitment process.

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Richard Huish College complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.

ENQUIRIES

Any enquiries about this document or suggestions on how it can be improved should be addressed to the HR Director.

1. PURPOSE

This procedure will ensure that the College meets its statutory obligations when recruiting and appointing staff i.e.: -

- 1.1 Staff shall be appointed to the college in accordance with paragraph 3(1) and (2) of the Articles of Government, which state that:
 - (a) The Corporation shall be responsible for the appointment, grading, suspension, dismissal and determination of the pay and conditions of service for the holders of senior posts.
 - (b) For all other staff the corporation shall be responsible for setting a framework for pay and conditions of service. Within this framework, staff shall be appointed by the Principal or his delegated nominees ensuring accordance with employment legislation.
- 1.2 The College recognises that its recruitment practices are bound by a broad framework of legislation, in particular the Equality Act 2010 and the current statutory guidance 'Keeping Children Safe in Education 2019'.
- 1.3 The College is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults and expects all staff and volunteers to share this commitment.

2. SCOPE

All employees and volunteers of Richard Huish College.

3. PROCEDURE STATEMENT

3.1 Assessing the need for recruitment

When a vacancy occurs or when staff shortage is identified a decision will be made by the relevant senior manager and the HR Director as to whether:

- (i) It is necessary to fill the vacancy.
- (ii) There should be any change of duties.
- (iii) Changing work patterns, organisation or technology has produced a different job, or the work can be distributed in a different way.

- (iv) There should be any change in the designation of the job as full-time, part-time, permanent, temporary, etc.

If a decision is made to fill the vacancy an authorisation to recruit form must be completed; an advert will not be placed by the HR team until this has the required four signatories. The four signatories are; the line manager if the post is for a member of support staff or the Assistant Principal if the post is for a member of the teaching staff, the Deputy or Vice Principal, the HR Director and then the Principal.

3.2 Job Description

The immediate line manager will prepare a Job Description in liaison with the HR Director, which will contain:

- (i) Title and grade of post and salary range, as previously agreed by the relevant senior manager.
- (ii) Reporting relationships.
- (iii) Overall purpose of the job.
- (iv) Main duties and responsibilities.
- (v) A statement that the postholder will be required to take responsibility for safeguarding and promoting the welfare of all children, young people and vulnerable adults at the College.

3.3 Fluency Duty

Part 7 of the Immigration Act (2016) sets out the requirement for customer facing roles to speak fluent English. If the ability to speak an appropriate standard of spoken English is a requirement of the role, it must be made clear in the job description the standard of English that is required. The ability to speak fluent English will be assessed at interview.

3.4 Person Specification

The immediate line manager will prepare a Person Specification in liaison with the HR Director. The specification will indicate the qualities and characteristics to be looked for in applicants, e.g. educational attainment, qualifications, experience, personal qualities, aptitudes and skills. The person specification will:

- (i) Avoid arbitrary age limits.
- (ii) Avoid a combination of age limit and minimum level of experience.
- (iii) Avoid setting any unnecessary physical standards, which may exclude disabled applicants.
- (iv) Be capable of assessment in the selection process.

3.5 Advertising

The relevant senior manager, in liaison with the HR Director, will determine the appropriate medium for advertising, which will include one or more of the following:

- (i) Internal recruitment.
- (ii) Employment agencies/job centres.
- (iii) External advertisement in a specialist publication.
- (iv) External advertisement in an appropriate newspaper.
- (v) Use of social media, i.e. LinkedIn, Facebook e.g.

Advertisements will:

- (vi) Demonstrate a commitment to safeguarding and promotion of the welfare of children, young people and vulnerable adults, and equal opportunities by use of policy statements, including the requirement that all posts at the College require clearance from the Disclosure and Barring Service [DBS].

- (vii) Be consistent with the Job Description and Person Specification.
- (viii) Include a brief description of the nature of the work and experience/knowledge required.
- (ix) State the grade, salary or salary range and any specific conditions of employment.
- (x) Give details on how to apply.
- (xi) State the closing date for the receipt of applications.

3.6 Information for Prospective Applicants

Prospective applicants will receive, either on-line or in the post:

- (i) A copy of the Job Description.
- (ii) A copy of the Person Specification.
- (iii) A College Application Form.
- (iv) An Equal Opportunities Monitoring Form
- (v) Guidance notes on the application process which include the College's commitment to safeguarding, the required pre-employment checks which includes clearance from the DBS. The amendments to the Exceptions Order 1975 [2013] provide that certain spent convictions are 'protected' and are not subject to disclosures to employers and cannot be taken into account. The Guidance notes makes this clear to applicants and provides a link to the relevant DBS website.
- (vi) A Criminal Records Self-Disclosure Form.

3.7 Applications

- (i) All applications will be addressed to the HR Director.
- (ii) Applications will normally be made on the College's Application Form.
- (iii) On receipt of the application the Recruitment Officer will separate the Equal Opportunities Monitoring Form and the Self-Disclosure Form. Any self-disclosed information will not be considered until shortlisting has taken place. Depending on the nature of the disclosure a judgement will be made as to whether or not it is necessary to have an open and measured discussion about the offences disclosed that may be relevant to the position. This may be at interview, or in a separate discussion.
- (iv) Applications will be closely scrutinised by the Recruitment Officer and any forms not fully completed or properly completed will be returned.
- (v) Applications received after the closing date will not normally be considered.

3.8 Shortlisting

- (i) Shortlisting criteria will be done by a minimum of two people, one of whom will be the immediate line manager.
- (ii) When completing the shortlisting form those shortlisting will be objective and will avoid subjective judgements. The aim of the short-listing form is to show how far the applicant meets the criteria from the job description and specification.
- (iii) The Recruitment Officer will highlight any gaps or discrepancies and inconsistencies in applicant's employment history with the intention that they are explored fully at interview.
- (iv) Records of all applicants, including the shortlisting forms, who are not shortlisted for interview will be kept for a minimum of 6 months, in case an applicant wishes to make a complaint of discrimination, and a maximum of 12 months.

3.9 References

- (i) Where possible references will be obtained from the current and previous employer prior to the interview. When applicants have requested that their current employer not be contacted, the reference will be taken up after the provisional offer of appointment.
- (ii) If the applicant has worked with children, on either a paid or voluntary basis the current or previous employer will be asked about disciplinary offences relating to children, including any in which the penalty is times expired. Referee's will also be asked to: state whether they are aware of anything that

might give rise for concern about the person's suitability to work with children and, if so to provide details; and to confirm the details and responsibilities as described in the application form

- (v) All references will be checked to ensure that all specific questions have been answered satisfactorily. The referee will be contacted to provide further clarification as appropriate, for example if the answers are vague or of insufficient information is provided.
- (vi) Open references will not be accepted.
- (vii) All references, including those received by post and electronically, will be verified by telephone and responses recorded.

3.10 Interviews

- (i) The Principal or HR Director will invite shortlisted applicants for interview. The invitation will
 - Give details of interview time and procedures and any other information relating to the day's arrangements.
 - Ask the applicant to inform the HR Director if they have any special arrangements that need to be made in order for them to attend for interview.
 - For the purposes of checking eligibility to work in the UK request that the applicant brings with them either a passport or birth certificate together with an official document showing a permanent national insurance number issued by a government agency or previous employer.
- (ii) The composition of the interview panel will be agreed by the HR Director and the relevant senior manager and will depend on the level and type of post. Where practicable, the panel will be of mixed gender with members having prior experience in interview techniques, equal opportunities and appropriate training in safer recruitment. For a permanent full time management appointment panel members will include a governor, the Principal, a further member of the senior management team and a course area or line manager.
- (iii) Questions asked at the interview will only be related to job performance and requirements. Questions will not be asked about e.g. marital status, ethnicity, marriage plans, family commitments or intentions, dependants, political or religious beliefs, union membership or a subject that could be construed as inappropriate direct or indirect discrimination.
- (iv) Questions will asked about the applicant's attitudes and motivation for wanting to work with children.
- (v) Any issues arising from any reference received that has not been previously explored may be discussed at interview.
- (vi) Notwithstanding, issues of disability, which may affect capability to do the job, should be addressed positively and discussed during the interview.
- (vii) Candidates will be told at the end of the interview process when they may expect to be informed of the outcome.
- (viii) Feedback will be offered to all unsuccessful candidates.
- (ix) All records of candidates, including interview notes, who were not successful following the interview will be kept for a minimum of 6 months, in case an applicant wishes to make a complaint of discrimination, and a maximum of 12 months.

3.11 Appointment

- (i) Once the Interview Panel has made a decision an offer of employment will be made to the successful candidate. This offer will be made before contacting unsuccessful candidates in case the person offered the position has decided not to accept.
- (ii) It will be confirmed at this stage that the offer is only provisional and is subject to: proof of eligibility to work in the UK, medical clearance by the College's Occupational Health Consultant, clearance by the DBS, two satisfactory verified references [if these have not already been received], verification of qualifications, and professional status where required and successful completion of the probationary and induction period.
- (iii) If the applicant has spent a significant amount of time living outside the UK or has only recently moved to the UK then the College should attempt to obtain a criminal record check from the country they

have been living in. The DBS provides and list of countries from A to Z detailing how to obtain a criminal check from each one. This check will be in addition to the UK criminal record check.

- (iv) The HR Director will confirm the detail of the discussion with a written offer of provisional appointment. This letter will ask the candidate to confirm acceptance of the appointment on the conditions laid out and will be signed by both the Principal and the HR Director. It will also state that a contract of employment will not be issued until the college is in receipt of two satisfactory references.
- (v) The contract of employment will detail the period of probation required.

3.12 Induction

- (i) All newly appointed staff will be issued with a Staff Handbook and be allocated a staff mentor to guide them through the induction programme.
- (ii) All newly appointed staff will, as part of the induction programme, complete the mandatory training in Safeguarding, Prevent, Diversity and Equality and other training relevant to their job role. The probation period will not be satisfactorily confirmed until this training as been received.

3.13 Internal Promotion

- (i) Opportunities for internal promotion will be advertised via all staff emails and the College intranet.
- (ii) Procedures outlined above for the selection of external candidates will apply as appropriate to the particular circumstances.

3.14 Procedure for appointment and selection of Senior Postholders

- (i) If a vacancy exists for a senior postholder the Corporation, with the assistance of the HR Director, will advertise the post and appoint a panel consisting of;
 - (a) where the vacancy is for the post of Principal, at least 5 members of the Corporation including the Chairman of the Corporation and/or Vice-Chairman, or
 - (b) where the vacancy is for any other senior post, the Principal, and at least 3 other persons who are members of the Corporation.
 - (c) where practicable, the panel will be of mixed gender with members having prior experience in interview techniques, equal opportunities and appropriate training in safer recruitment.
- (ii) The selection panel shall; determine the arrangements for selecting applicants for interview, interview these applicants and where they consider it appropriate to do so, recommend to the Corporation for appointment one of the applicants interviewed by them.
- (iii) If the Corporation approve the selection panel's recommendation that person shall be appointed.
- (iv) If the selection panel are unable to agree on a person to recommend to the Corporation, or if the Corporation do not approve their recommendation, the Corporation may require the panel to repeat the steps specified in point (ii), with or without re-advertising the vacancy.

3.15 Procedure for appointment of Volunteers

- (i) Volunteers will apply using the College Volunteer application form.
- (ii) All safeguarding checks and references will follow the same procedure as employees.
- (iii) Huish Governors, Members, Directors and LGB Governors will be treated as Volunteers for recruitment purposes, please refer to the Huish Governor Recruitment, Succession and Renewal Policy for further details.

4. RECRUITMENT OF EX-OFFENDERS

- 4.1 As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), Richard Huish College complies fully with the [code of practice](#) and undertake to treat all applicants for positions fairly.

huish | PROCEDURES

- 4.2 We undertake not to discriminate unfairly against anyone who is the subject of a Disclosure on the basis of conviction or other information revealed.
- 4.3 We will only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- 4.4 We will only ask an individual about convictions and cautions that are not protected.
- 4.5 We are committed to the fair treatment of our staff, potential staff or users of our services, regardless of age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, sex, religion or belief, sexual orientation or offending background.
- 4.6 We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.
- 4.7 We select all candidates for interview based on their skills, qualifications and experience.
- 4.8 For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- 4.9 We will ensure that all those in the College who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- 4.10 We will also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- 4.11 At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- 4.12 We make every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request.
- 4.13 We undertake to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

5. QUALITY MANAGEMENT

- 5.1 The effectiveness of the College in recruiting staff is evaluated by the HR Director and reported on in the annual Human Resources Quality Report. This report is circulated to the Personnel Committee.

6. OTHER RELATED POLICIES/DOCUMENTS

Acceptable Use Policy
Staff Code of Conduct
Diversity and Equality Policy including SEND and Accessibility
Equal Opportunities in Employment Policy
Health and Safety Policy
Safeguarding and Child Protection Policy
Whistle Blowing Policy