

The Mill Hill School Foundation

Walker House, Millers Close, The Ridgeway, Mill Hill, London NW7 1AQ

Mill Hill School

Belmont, Mill Hill Preparatory School

Grimsdell, Mill Hill Pre-Preparatory School

Recruitment, Selection and Disclosure Policy and Procedure

**Independent Co-educational Day School for Pupils aged 3 to 18 years
and Boarding School for Pupils aged 13 to 18 years**

Effective October 2010

The Mill Hill School Foundation Recruitment, Selection and Disclosure Policy and Procedure

1 Introduction

The Mill Hill School Foundation (the “Foundation”) is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The Foundation is also committed to providing a supportive and flexible working environment to all its members of Staff. The Foundation recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain Staff of the highest calibre who share this commitment.

- the aims of the School’s 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 equitably 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 status, disability or age;
- to ensure compliance with all relevant recommendations and guidance including the recommendations of the Department for Education (the ‘DfE’) in ‘Safeguarding Children: Safer recruitment and Selection in Education Settings’ (the ‘Safer Recruitment’) and ‘Keeping our school Safe (March 2009)’, ‘The Safeguarding Vulnerable Groups Act 2006; and the Code of Practice published by the Criminal Records Bureau and the requirements of the Independent Safeguarding Authority (ISA);
- to ensure that the Foundation 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.

2 Recruitment and Selection Procedure

All applicants for employment will be required to complete an Application Form (the ‘Form’) containing questions about their academic and employment history and suitability for the role. Applicants will receive a Job Description and Person Specification for the role applied for. Applicants will be advised that the Foundation is committed to the safeguarding and promoting the welfare of children and young people and that any previous employer of an Applicant may be contacted by the Foundation concerning the application made.

The applicant may then be invited to attend a Formal Interview (the ‘Interview’) at which his/her relevant skills and experience will be discussed in more detail. Any inconsistencies or anomalies in the information on employment history will be examined and a record made of satisfactory clarification. All short-listed applicants will be required to attend an Interview and a written record of the determination of the outcome of the Interview will be made.

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 Foundation's standard terms and conditions of employment;
- the receipt of a minimum of two satisfactory references (in most cases three references will be sought and one of which must be from the applicant's most recent employer) which the Foundation considers satisfactory;
- the receipt of a Disclosure from the Criminal Records Bureau with which the Foundation is satisfied.
- from July 2010 the confirmation of registration with the ISA,
- the receipt of a satisfactory health questionnaire,
- that an applicant has the appropriate level of physical and mental fitness in accordance with the Education (Health Standards) (England) Regulations 2003.

If the offer is accepted and the above conditions are satisfied, the applicant will be issued with a Mill Hill School Foundation Assistant Master/Mistress Contract of Employment as confirmation of employment.

The receipt of satisfactory references and an Enhanced Disclosure, or its equivalent for an overseas applicant, and confirmation of registration with the ISA must be completed before the conditional offer of appointment can be confirmed.

In accordance with the Boarding Schools National Minimum Standards a successful applicant will not be permitted, under any circumstances, to commence employment at the Foundation until the Foundation is in receipt of the successful applicant's enhanced CRB disclosure which the Foundation considers satisfactory.

In accordance with the ISA guidelines as from July 2010 a successful applicant will not be permitted, under any circumstances, to commence employment at the Foundation until the Foundation is in receipt of the successful applicant's confirmation of ISA registration.

3 Pre-employment checks

In accordance with the recommendations of the DfE Safer Recruitment, the Foundation carries out a number of pre-employment checks in respect of all prospective employees.

3.1 Verification of Identity and Address

All applicants who are invited to an Interview will be required to bring the following evidence of identity, address, birth and qualifications:

- current driving licence (including photograph);

Or

- passport;

Or

- full Birth Certificate;

And

- two utility bills or statements (from different sources) showing their name and home address;

And

- documentation confirming their National Insurance number (P45, P60 or national Insurance Card);

And

- documents confirming any educational and professional qualifications referred to in their Form.

Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she will be required to provide documentary evidence of the change.

3.2 References

All offers of employment will be subject to the receipt of a minimum of two satisfactory references (in most cases three references will be sought), one of which 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 referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant as a friend. When a reference is taken over the telephone then detailed notes will be taken, dated and signed.

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. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary and job title/duties, reason for leaving, performance, sickness and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety or welfare of children (including any in which the disciplinary sanction has expired);
- whether any allegations or concerns have been raised about the applicant that relate to the safety or welfare of children or young people or behaviour towards children or young people.

The Foundation 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. A written reference will be followed up by a telephone call to the referee.

The Foundation will compare all references with any information given on the Form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

3.3 Criminal Records Check

Due to the nature of the work, the Foundation applies for criminal record certificates from the Criminal Records Bureau (the 'CRB') in respect of all prospective employees, Governors and volunteers.

There are two types of check that may be requested from the CRB depending on the nature of the position, namely Standard Disclosure and Enhanced Disclosure.

The Foundation considers that all positions within the Foundation will amount to “regulated positions” within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000) and as defined by the ISA and accordingly it is the Foundation’s normal policy to require a satisfactory Enhanced Disclosure for all its employees and volunteers.

An Enhanced Disclosure will contain the same details as a Standard Disclosure, namely details of all convictions on record including current and spent convictions (including those which are defined as “spent” under the Rehabilitation of Offenders Act 1974) together with details of any cautions, reprimands or warnings held on the Police National Computer. If the individual is applying for a position working with children or young adults, the Standard Disclosure will also reveal whether he/she is barred from working with children or vulnerable adults by virtue of his/her inclusion on the lists of those considered unsuitable to work with children or vulnerable adults maintained by the DCSF and Department of Health. An Enhanced Disclosure may also contain non-conviction information from local police records that a Chief Police Officer thinks may be relevant in connection with the matter in question.

Applicants with recent periods of overseas residence and those with little or no previous UK residence will be required to register with the ISA and obtain a satisfactory Enhanced Disclosure. Applicants from overseas will be required where necessary to provide evidence of permission to work in the UK and may be required to apply for the equivalent of a Disclosure, if one is available in the relevant overseas jurisdiction(s). The CRB website gives details of which countries provide the equivalent of a Disclosure.

The Foundation expects supply/temporary worker agencies that are used by the Foundation to work with, or provide services for, children for whom the Foundation is responsible to register with the CRB and ISA on their own account and to comply with the recruitment measures as detailed in this policy or their own comparable policy. Proof of registration with the CRB will be required before the Foundation will commission services from any such organisation and the Foundation will require proof of a satisfactory Disclosure from the CRB for all supply/temporary workers provided by such agencies.

The Foundation requires a contractor in a contract let by the Foundation where the contractor employs staff to work with, or provide services for, children for whom the Foundation is responsible, to adopt and implement the measures described in this policy. Where such a contractor is not registered with the CRB on their own account the Foundation may agree to assist such a contractor by making application for criminal record certificates from the CRB and registration with the ISA in respect of the prospective contractor employed staff on behalf of the contractor as appropriate.

The Foundation recognises that volunteers are regarded by children as safe and trustworthy adults. A prospective volunteer, of whom the Foundation has little or no recent knowledge to work with, or provide services for, children for whom the Foundation is responsible, will be recruited in accordance with the measures

described in this policy. Where the Foundation already has reasonable knowledge of a prospective volunteer to work with, or provide services for, children for whom the Foundation is responsible, the Foundation will follow the procedures detailed in Section 3 of this policy and in addition undertake an informal interview with the prospective volunteer to determine his/her suitability.

A volunteer recruited by an external organisation to work at the Foundation will be regarded as a supply/temporary worker.

4 Policy on Recruitment of ex-offenders

4.1 Background

The Foundation will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The Foundation makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar him/her from employment within the Foundation. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out in paragraph 4.2 below.

In view of the fact that all positions within the Foundation will amount to “regulated positions” within the meaning of the Protection of Children Act 1999 (as amended by the Criminal Justice and Courts Services Act 2000) all applicants for employment must declare all previous convictions (including those which would normally be considered “spent” under the Rehabilitation of Offenders Act 1974). A failure to disclose a previous conviction may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for the Foundation to employ anyone who is included on the lists maintained by the DfE and the Department of Health of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for the Foundation 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 a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Foundation. If the Foundation receives an application from any such person, it will report them to the Police, CRB and/or DfE Children’s Safeguarding Operations Unit (formerly the Teacher’s Misconduct Team).

4.2 Assessment Criteria

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 Foundation will consider the following factors before reaching a recruitment decision:

Whether the conviction or other matter 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; 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 Foundation's 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 Foundation's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last 10 years.

4.3 Assessment Procedure

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 Foundation will carry out a risk assessment by reference to the criteria set out above. The Head of the School or the Bursar as appropriate must sign the Assessment Form before *a final decision is made about the appointment and the position is offered*.

If an applicant wishes to dispute any information contained in a Disclosure, he/she can do so by contacting the CRB direct. In cases where the applicant would be offered a position were it not for the disputed information, the Foundation will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the Disclosure.

It is a criminal offence for the Foundation to allow an individual who is barred by the ISA or not registered with the ISA to work in a regulated activity. If an applicant is barred by the ISA and the applicant wishes to dispute that barring, he/she can do so by contacting the ISA direct. In cases where the applicant would be offered a position were it not for being barred by the ISA, the Foundation will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the ISA.

4.4 Retention and Security of Disclosure Information

The Foundation's Policy is to observe the guidance issued or supported by the CRB on the use of Disclosure Information.

In particular the Foundation will:

- store Disclosure Information and other confidential documents issued by the CRB in locked, non portable storage containers, access to which will be restricted to *those members of the Foundation entitled to see it as part of their duties*;
- not retain Disclosure Information or any associated correspondence for longer than is necessary. In most cases, the Foundation will not retain such information for longer than six months, although the Foundation will keep a record of the date of a Disclosure, the name of the subject, the position in question, the unique number issued by the CRB and the recruitment decision taken;
- ensure that any Disclosure Information is destroyed by suitably secure means such as shredding;
- prohibit the photocopying or scanning of any Disclosure Information.

The Foundation complies with the provisions of the CRB Code of Practice, a copy of which is available on request.

5 Retention of Records

If an applicant is appointed, the Foundation will retain any relevant information provided on their Form (together with any attachments) on their personnel file. If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after six months unless the applicant specifically requests the Foundation to keep their details on file.

6 Central Register

The Foundation maintains a central register of staff appointments, including volunteers and others brought into the schools to provide additional teaching or instruction (such as sports coach), supply staff and governors in accordance with the recommendations and guidance of the DfE. The Central Register is held at Walker House, the Foundation's registered company office.

Last review: October 2010