



Charters Ancaster Nursery and Forest School



RECRUITMENT, SELECTION AND DISCLOSURE POLICY

Reviewed By: Nursery Manager

Date approved by Directors: November 2019 Signature: _____

Date for Review: November 2020

Introduction

Charters Ancaster Nursery 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 Nursery is also committed to providing a supportive and flexible working environment to all its members of staff. The Nursery 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 Nursery's recruitment policy are to:

- Ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position.
- Ensure that all job applicants are considered equitably and consistently ensuring that no applicant is treated unfairly by reason of a protected characteristic as defined by the Equality Act 2010.
- 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) (formerly the Department for Children, Schools and Families (DCSF), Safeguarding Children and Safer Recruitment in Education (the Guidance) and the code of practice published by the Disclosure and Barring Service (DBS).
- Ensure that the Nursery 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.
- A member of senior management who has received 'recruitment training' must be included in the Selection panel.

- **Recruitment and Selection Procedure**

All applicants for employment will be required to complete an application form containing questions about their academic and employment history and their suitability for the role. This enables the Nursery to compare candidates as information is submitted in the same format and applicants sign appropriate declarations regarding the truthfulness and accuracy of the information given.

Incomplete application forms will be returned to the applicant where the deadline for completed application forms has not passed. A curriculum vitae will not be accepted in place of the completed application form.

Applicants will receive a job description and person specification, where applicable, for the role applied for. The applicant may then be invited to attend one or two formal interviews at which his/her relevant skills and experience will be discussed in more detail. 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 Nursery's standard terms and conditions of employment.
- The receipt of two satisfactory references (one of which must be from the applicant's most recent employer) which the Nursery considers to be at least satisfactory.
- The receipt of an enhanced disclosure from the DBS which the Nursery considers to be satisfactory.
- Verification of the applicant's medical fitness for the role.
- Confirmation that the applicant is not named on either the Children's Barred List or the Adults Barred List administered by the DBS.

Medical Fitness

The Nursery is legally required to verify the medical fitness of anyone to be appointed to a position at the Nursery, after an offer of employment has been made but before the appointment can be confirmed. It is the Nursery's practice that all applicants to whom an offer of employment is made must complete a Health declaration. This will then be held by the Nursery in strictest confidence and will not form part of the selection process. If the Directors have any doubts about an applicant's fitness the Nursery will seek a further medical opinion from a specialist or request that the applicant undertakes a full medical assessment.

The Nursery is aware of its duties under the Disability Discrimination Act 1995. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, considering reasonable adjustments and suitable alternative employment.

Pre-Employment Checks

In accordance with the recommendations set out in the *Guidance*, the Nursery carries out a number of pre-employment checks in respect of all prospective employees as follows:

Verification of Identity and Address

All applicants who are invited to an interview will be required to bring the following evidence of identity, right to work in the UK, address and qualifications:

- Passport.
- Two utility bills or statements (from different sources) showing their name and home address.

- Documentation confirming their National Insurance Number (P45, P60 or National Insurance Card).
- Original documents confirming any educational and professional qualifications referred to in their application 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.
- Birth certificate or other proof of date of birth. Proof of date of birth is necessary so that the Nursery may verify the identity of, and check for any unexplained discrepancies in the employment and education history of all applicants. The Nursery does not discriminate against applicants on the grounds of age.

References

References will be taken up on short listed candidates prior to interview. All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the Nursery. 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 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 solely as a friend. 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. All referees will be sent a copy of the job description and person specification for the role which the applicant has applied for.

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, job title/duties, reason for leaving, performance and disciplinary record.
- Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and 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 and welfare of children or young people or behaviour towards children or young people.
- Sickness record - but only in requests sent out after the offer of employment has been made.

The Nursery 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. The Nursery will compare all references with any information given on the

application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant and the relevant referee before any appointment is confirmed.

Criminal Records Check

Due to the nature of the work, the Nursery applies for an enhanced disclosure from the DBS in respect of all prospective staff members and volunteers. An enhanced disclosure will contain details of all convictions on record (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. An enhanced disclosure will also reveal whether an applicant 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 DBS. An enhanced disclosure may also contain non-conviction information from local police records which a chief police officer thinks may be relevant in connection with the matter in question.

Newly appointed staff may begin work at the Head's discretion pending receipt of a DBS certificate. This will only be allowed if all other checks, including a check of the Children's Barred List and Adult's Barred List have been completed and providing appropriate supervision is put in place. DBS checks will be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. These applicants may also be asked to provide further information, including the equivalent of a DBS disclosure, from the relevant jurisdiction(s).

Contractors and Agency Staff

Contractors engaged by the Nursery must complete the same checks for their employees that the Nursery is required to complete for its staff. The Nursery requires confirmation that these checks have been completed before the Contractor can commence work at the Nursery.

Agencies who supply staff to the Nursery must also complete the pre-employment checks which the Nursery would otherwise complete for its staff. Again, the Nursery requires confirmation that these checks have been completed before an individual can commence work at the Nursery.

The Nursery will independently verify the identity of staff supplied by such an agency.

Recruitment of Ex-Offenders

The Nursery will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. The Nursery makes appointment decisions on the basis of merit and ability. If an applicant has a criminal record, this will not automatically bar him/her from employment within the Nursery. Instead, each case will

be decided on its merits in accordance with the objective assessment criteria set out below.

In view of the fact that all positions within the Nursery 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 Nursery to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children or vulnerable adults. In addition, it will also be unlawful for the 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 a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Nursery. If the Nursery receives an application from a disqualified person, is provided with false information in, or in support of an applicant's application; or the Nursery has serious concerns about an applicant's suitability to work with children, it will report the matter to the Police and the Disclosure and Barring Service.

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 Nursery 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.
- 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, also serious class A drug related offences, robbery, burglary, theft, deception or fraud.

- If the post involves access to money or budget responsibility, it is the Nursery'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 Nursery's normal policy to consider it a high risk to employ anyone who has been convicted of drink driving within the last ten years.

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 Nursery will carry out a risk assessment by reference to the criteria set out above. The assessment form must be signed by the Directors and the Nursery Manager before a position is offered. If an applicant wishes to dispute any information contained in a disclosure, he/she can do so by contacting the DBS direct. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the Nursery will, where practicable, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

Retention and Security of Disclosure Information

The Nursery's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information, but is under no obligation to do so. In particular, the Nursery will:

- Store disclosure information and other confidential documents issued by the DBS in locked, non-portable storage containers, access to which will be restricted to the Nursery Manager and Business Manager.
- Not retain disclosure information or any associated correspondence for longer than is necessary. Generally this will be for a maximum of six months. The Nursery will keep a record of the date of a disclosure, the name of the subject, the type of disclosure, the position in question, the unique number issued by the DBS 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 Nursery complies with the provisions of the DBS code of practice, a copy of which is available on request.

- Disclosure by association. Every staff member is expected to produce a Disclosure by association form.

Retention of Records

If an applicant is appointed, the Nursery will retain any relevant information provided on their application 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.

Queries

If an applicant has any queries on how to complete the application form or any other matter they should contact the Business Manager.