



**OXFORD**  
TUTORIAL COLLEGE

# **Safer Recruitment Policy**

Last updated April 17

Date to be reviewed April 18

## **RECRUITMENT & SELECTION POLICY**

### **1. Introduction**

Oxford Tutorial College recognises that the achievement of its goals and the securing of its values are dependent on the recruitment and the retention of a skilled and committed workforce. This policy and procedure sets out our approach to this. To be read in conjunction with the Safeguarding Policy, Child Protection Policy and Keeping Children Safe In Education.

### **2. Policy Statement**

Oxford Tutorial College (OTC) is committed to creating a culture of safe recruitment and, as part of that, adopt recruitment procedures that help deter, reject or identify people who might abuse children. The Senior Management Team and Managers involved in recruitment will act reasonably in making decisions about the suitability of the prospective employee based on checks and evidence including: criminal record checks (DBS checks), barred list checks, prohibition checks and Box 61 (embezzlement and fraud checks) together with references and interview information.

All recruitment and selection activities will be carried out in a fair, consistent, effective and professional manner. An effective recruitment process contributes directly to the continuing success of the organisation and in addition, it is the responsibility of the Principal to ensure that this policy and procedure complies with all relevant legislative and other related policy requirements.

The organisation is committed to applying its equal opportunities policy at all stages of recruitment and selection. Shortlisting, interviewing and selection will always be carried out without regard to sex, gender identity, sexual orientation, marital status, colour, race, nationality, ethnic or national origins, religion or belief, age or trade union membership, unless lawfully allowed for certain specific posts.

Normally appointments must be made in accordance with this policy and will, therefore, be subject to advertisement and interview. The Principal must approve any exceptions in advance of formal appointment.

Financial approval for the establishment of a new post or the filling of a vacancy must be obtained before recruitment commences.

Appointments will be made subject to the receipt of: at least 2 written references; proof of eligibility to work in the UK; documentary proof of qualifications and where appropriate Disclosure and Barring Scheme checks.

### **3. Aims of the policy**

The purpose of the following procedural guide is to inform managers and employees of the aims and design of the recruitment, selection and appointment policy. It is designed as an aid to assist managers, employees and Human Resources to carry out the process in a fair, effective, efficient and systematic manner.

This will ensure that:

- the best candidate is appointed for the vacant post, with regard to objective criteria, which includes qualifications, skills, knowledge and quality of experience.
- vacancies are filled within agreed timescales and in the most cost-effective manner.
- our recruitment procedure does not unlawfully discriminate at any stage of the process.

### **4. New Jobs and Job Vacancies**

The occurrence of a vacancy is an opportunity to review the necessity for the post and its duties, responsibilities and grade salary. Where the duties of a post have changed significantly the Manager must seek confirmation from a line manager or Principal of the appropriate salary for the post.

When a vacancy arises, consideration must be given, prior to open advertising, to any staff for whom redeployment is being sought on the grounds of redundancy or disability.

When employing temporary or casual staff on a short-term basis the principles of good practice outlined in this policy should be followed. For vacancies of less than 3 months vacancies may be filled by means other than advertising, for example by word of mouth or the use of agency staff.

#### **4.1 Job Description**

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps. It must include:

- The job title
- The location of the job
- Grade or salary scale of the post
- The line manager to whom the postholder is responsible
- Any posts reporting to the postholder
- Main purpose of the job

- Main duties and responsibilities
- Any special working conditions (e.g. evening or weekend work)

Other items that should be included in job descriptions are:

- A note that indicates that, as duties and responsibilities change, the job description will be reviewed and amended in consultation with the postholder.
- An indication that the postholder will carry out any other duties as are within the broad scope and purpose of the job as requested by the line manager or other authorised person.
- Where appropriate that the role will be subject to Safer Recruitment and Child Safeguarding practices. Applicants will be informed in the job advertisement that a DBS Enhanced Disclosure will be sought. Referees will be asked specifically whether or not they feel the applicant is a suitable person to work with children or other vulnerable groups; any gaps in CVs must be satisfactorily explained; any period of time longer than 3 months spent outside of the UK in the previous 5 years will be subject to overseas checks; Barred List (formally List 99) checks; Prohibition checks and staff seeking employment in a managerial role will also undergo Box 61 embezzlement and fraud checks.

#### **4.2 Person Specification**

The person specification is of crucial importance and informs the selection decision. The person specification details the skills, experience, abilities and expertise that are required to do the job. It should be drawn up after the job description and, with the job description, should inform the content of the advert. The person specification should be specific, related to the job, and not unnecessarily restrictive - for example only qualifications strictly needed to do the job should be specified.

The person specification must form part of the further particulars of a vacancy along with the job description in order that applicants have a full picture of what the job entails. The person specification enables potential applicants to make an informed decision about whether to apply and those who do apply, to give sufficient relevant detail of their skills and experience in their application. The person specification forms the basis of the selection decision and enables the selection panel to ensure objectivity.

The person specification details the requirements to do the job and will cover:

- Knowledge (including necessary qualifications)
- Skills and abilities

- Experience
- Aptitudes

The person specification will identify which elements of the above are essential or desirable.

The requirements of the new role may differ from those attributes of the current postholder.

Essential criteria are those without which an appointee would be unable to adequately perform the job; desirable criteria are those that may enable the candidate to perform better.

Knowledge can be derived in a number of ways, for example through education, training, or experience.

For some jobs a particular qualification(s) may be essential, while for others no single qualification may be appropriate and a particular type of experience may be just as relevant as a formal qualification. Where qualifications are deemed essential these should reflect the minimum requirements necessary to carry out the job to an acceptable standard.

The type of experience required of applicants should be specified. Simply specifying a set number of years' experience (e.g. "*must have 5 years' experience*") may be contrary to age discrimination legislation and should be avoided. It is preferable to describe the type of skills and knowledge that a person would be expected to have accumulated over such a period and would be able to demonstrate.

Required abilities should be expressed in terms of the standards required, not just in terms of the task to be undertaken, and should be as specific as possible. For example, avoid statements such as 'Ability to write reports'; instead, indicate the expected standard, such as 'Ability to write detailed financial reports that encompass departmental budgeting, annual variances, and forecasting'.

Great care must be taken if physical requirements are specified. The Disability Discrimination Act requires employers to make reasonable adjustments to jobs to make them suitable for people with a disability. It is therefore important that any physical requirement is stated in terms of the job that needs to be done. For example a job may require that the appointee 'must be able to travel to a number of different locations'. In this instance, it will be necessary to consider if an ability to drive is required, or whether or not reasonable adjustments can be made for non-drivers.

### **4.3 Publicising the Vacancy**

Job adverts are written from the Job Description and Person Specification and should contain the following points:

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- OTC name and logo
- Title of vacancy
- Salary (does not need to be in advert but ought be in details sent out)
- Brief details of the job
- Key details of the person specification
- The necessity of a criminal records check, if required
- Duration of the appointment if fixed term
- How to access further details of the vacancy
- Closing date for applications
- Method of application and to who applications should be submitted
- Where known the date and location of the interview
- A statement reflecting OTC's commitment to equality of opportunity

All posts should be advertised internally, unless it is under 3 months duration, or a post has been designated as potentially suitable for a person for whom the organisation is seeking redeployment.

The majority of posts will also be concurrently advertised externally to maximise the chances of attracting the best candidate. Consideration should also be given to advertising in locations/publications likely to increase diversity in the workforce.

It is also recognised that OTC receives a number of speculative applications. This is particularly the case for teaching positions. These may be used to fill short-term and 'last-minute' vacancies.

Advertisements for positions which involve working with children will make specific reference to the OTC's Safer Recruitment Policy. Applicants will be made aware that:

- Any gaps in CVs will be explored at interview
- Contact details for at least 2 referees must be provided. Referees will be asked specifically about the candidate's suitability to work with children
- This role meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974.
- All applicants who are offered employment will be subject to a Disclosure and Barring Service check before the appointment is confirmed. This will include details of cautions, reprimands or final warnings as well as convictions

#### **4.4 Arrangements for interview**

Invitations to interview should include:

- Date, time and place of interview
- Directions to the interview venue

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- A request that the candidate make it known if they have any particular requirements related to access to the venue or any other need related to a disability
- Details of any presentation or task that form part of the selection process
- A request that the candidate bring with them permission to work in the UK documents and qualification certificates – this must be requested of **ALL** candidates
- Pre-interview guidance notes
- The job description and person specification

The pack may also include, depending on the role guidance notes and a criminal convictions declaration form. Further information relevant to the particular post may also be included – e.g. annual report, organisational structure chart as appropriate.

It is best practice to write to candidates who have not been shortlisted but if this is not possible due to limited resources, the application pack should make clear that if not notified after a certain date or period, applicants should consider themselves not to have been shortlisted.

#### **4.5 Selecting the Panel**

In the normal course of events, shortlisting and interviews should be conducted by a panel. The immediate line manager and senior manager will select interview panel members prior to the closing date. This allows panel members to carry out the shortlisting process. Panels should:

- Consist of a minimum of two people including the immediate line manager of the vacant post
- Reflect a sex and ethnicity balance wherever possible
- Declare if they already know a candidate
  - Be willing and able to attend shortlisting and all interviews for the duration of the recruitment process, to maintain consistency and to ensure fair treatment of all candidates
  - At least one member of the panel needs to have undergone Safer Recruitment Training

However, in certain circumstances shortlisting may be carried out by the appointing line manager alone. This will be the case with urgent 'last-minute' hires where it is unreasonable and impractical to convene a panel. That person must have undergone Safer Recruitment Training.

After the closing date has passed the interview panel should individually assess the applications to determine which applicants are to be called for interview. The panel should then meet to discuss and agree the shortlist. Where the panel has an external member,

that person should take part in the shortlisting wherever practicable. Shortlisting decisions should be based on evidence that the applicant has met the requirements of the person specification.

The original applications for all applicants, together with a written note of reasons for shortlisting or rejection, must be retained for a minimum of 6 months from the date that an appointment decision is notified, in case of complaint to an Employment Tribunal. All photocopies of application forms must be shredded.

#### **4.6 Criminal Conviction Declaration Forms**

Criminal declaration forms belonging to candidates who have not been shortlisted for interview will remain sealed and will be shredded. Short-listed candidates' forms will be opened and checked for relevant convictions. If it is deemed that a conviction is relevant to the post, the candidate may be withdrawn from the list of interviewees.

Criminal convictions declaration form template is saved in the 'application pack'.

It is best practice to write to candidates who have not been shortlisted but if this is not possible due to limited resources, the application pack should make clear that if not notified after a certain date or period, applicants should consider themselves not to have been shortlisted.

#### **4.7 Interviewing**

Interviews should be scheduled as soon after the closing date as reasonably possible.

The structure of interviews should be decided in advance by determining who will chair the panel and what areas of questioning are required to cover all of the elements of the person specification. The question areas to be explored by each panel member should be agreed in advance to avoid overlap or repetition.

The same areas of questioning should be covered with all candidates. Interview questions should be phrased so that they do not favour any one candidate and should be designed to seek evidence of how the interviewee meets the criteria on the person specification. Supplementary questions should be used to probe for further information or clarification where answers are incomplete or ambiguous. Care must be taken to avoid questions that could be construed as discriminatory (e.g., questions about personal circumstances that are unrelated to the job).

Interview panels act for the organisation in making selection decisions and are accountable for them. Interview notes must be taken to help the panel to make an informed decision based on the content of the interviews. Such notes must relate to how candidates demonstrate their knowledge, skills, experience and abilities in relation to the person

specification. The Data Protection Act allows applicants to request disclosure of such notes in the event of a complaint. Obviously any inappropriate or personally derogatory comments contained within the notes could be considered discriminatory and are unacceptable.

#### **4.7.1 Disabled Applicants**

Where the candidate being interviewed has a disability for which adjustments may need to be considered, the candidate's requirements should be discussed with him/her once the planned questioning is complete. The outcome of these discussions must not influence the consideration of the candidate's application. If the disabled candidate best meets the person specification, consideration must be made regarding what would be 'reasonable adjustments' to accommodate the needs of the person in question. On considering these, if it is considered that the adaptations needed would not be deemed to be 'reasonable' under the Disability Discrimination Act; the Manager will draft a letter to the applicant explaining why the adaptations cannot be made. Reasons for not making adjustments to the working environment must be both material and substantial, and must be documented.

#### **4.8 Making a Decision After Interview**

The information obtained in the application, the interview, and in any selection tests will allow candidates to be assessed against the person specification and a selection decision to be made. The Chair of the panel must ensure that a written note of the reasons for selecting the successful candidate and rejecting others is made and placed on the recruitment file, together with the original applications and notes of all panel members, for a minimum of 6 months after the appointment decision has been notified to the candidates.

Interview proceedings are confidential and interviewers are free to divulge to others the decision reached only once the appointee has accepted the post.

The Manager will make a provisional offer to the preferred candidate subject to satisfactory references and Disclosures (if appropriate) being received.

#### **4.9 Feedback**

It is good practice to offer applicants feedback after interviews and it is our policy to respond if requested. Feedback should be specific and honest. Panel members giving feedback must ensure that any feedback they give relates to the selection criteria for the post and that the words that they use could not be taken to infer unlawful discrimination.

#### **4.10 Pre-employment Checks**

A number of employment checks require to be undertaken before a formal offer of employment can be made. It must be ensured that any offer of employment given, is a 'provisional' one, subject to receipt of documentation as shown below.

## All new appointments

Any offer of appointment made to a successful candidate, including one who has lived or worked abroad, will be conditional on satisfactory completion of the necessary pre-employment checks.

When appointing new staff, schools and colleges must:

- verify a candidate's identity
- obtain a certificate for an enhanced DBS check which will include barred list information, for those who will be engaging in regulated activity
- automatically obtain a separate barred list check in case an individual will start work in regulated activity before the DBS certificate is available
- check any managerial roles against Box 61, embezzlement and fraud check
- verify the candidate's mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role
- verify the person's right to work in the UK. If there is uncertainty about whether an individual needs permission to work in the UK, then OTC will follow the advice on the [GOV.UK website](https://www.gov.uk)
- if the person has lived or worked outside the UK for longer than 3 months in the previous 5 years, the candidate must provide evidence of criminal record checks for the country of residence
- verify professional qualifications, as appropriate
- ensure that a candidate to be employed as a teacher is not subject to a prohibition order issued by the Secretary of State, using the [Employer Access Online service](#).

Since an enhanced DBS certificate is required, it will be obtained from the candidate before, or as soon as practicable after, the person's appointment.

There is **no requirement** to obtain an enhanced DBS certificate or carry out checks for events that may have occurred outside the UK if, in the three months prior to their appointment, the applicant has worked:

- in a school in England in a post which brought them into regular contact with children or young persons in any post in a school since 12 May 2006
- in an institution within the further education sector in England or in a 16-19 Academy, in a post which involved the provision of education which brought the person regularly into contact with children or young persons.

All other 'pre-appointment checks must still be completed, including where the individual is engaging in regulated activity, a barred list check. OTC will also request an enhanced DBS certificate should they wish to do so.

#### **4.10.1 References**

References should only be used after interview to confirm, but not influence, a decision. Candidates' permission must be sought prior to seeking references.

Appropriate referees are those who have direct experience of a candidate's work, education or training, preferably in a supervisory capacity and a reference must be obtained from the current or previous employer.

References are confidential and must be sought 'in confidence'. Panel members must return all copies of any references with the application forms and their interview notes to the Manager on completion of the recruitment process. References must only be kept in the personal file.

#### **4.10.2 Eligibility to Work in the UK**

The Immigration, Asylum and Immigration Act 2006 makes it an offence to employ anyone who does not have permission to be in, or work in, the UK. To avoid making assumptions about such permission, it is the hiring manager's responsibility to ask all appointees for evidence of eligibility to work in the UK. It is unlawful racial discrimination to carry out checks only on potential employees who by their appearance or accent seem to be other than British. It is therefore a requirement to ask all candidates attending interview to bring with them evidence of their right to work in the UK.

For every new employee we must (a) see, (b) check and (c) copy either one or two documents to prove entitlement to work in the UK. The documents must be originals, not copies.

The Home Office requires that we must in particular:

- Check that photographs appear to be of the prospective employee;
- Check that dates of birth are consistent with the apparent age of the person;

- Check that expiry dates have not been passed;
- Check that UK government stamps or endorsements do allow the type of work you are offering;
- Get a third document (such as a marriage certificate) to explain the reason if the two documents produced are in different names.

We will make a copy of the relevant parts of the documents. These are: the front cover and all the pages which give the prospective employee's personal details, especially the photograph and signature; and any page containing a UK government stamp or endorsement which allows the person to do the work we are offering.

A list of acceptable evidence is available from the HR Department.

#### **4.10.3 Criminal Conviction Information**

The organisation will seek a Disclosure and Barring Service (DBS) checks for all posts that are exempt under the Exemption Order of the Rehabilitation of Offenders Act 1974. A Disclosure request will only be undertaken for the successful candidate, and all candidates will be informed of this process in the invitation to interview. It should be noted that this may delay the offer a position until the disclosure process is complete.

#### **4.10.4 Qualifications**

Proof of academic qualifications and any others considered essential for the post must be verified.

### **5 Appointment**

Only the Principal, a member of senior management team, or appointing line manager may issue letters of appointment and arrange for individuals to go on to the payroll.

Conditional offers will be made subject to the checks described above

### **6 Induction and Probation**

All new staff will undergo a probationary period during which they will be introduced to the main duties and responsibilities of their post. An induction programme will be set out which covers information about the organisation and their post.

### **7 Record Keeping**

In accordance with the Data Protection Act, all records relating to the recruitment and selection procedure will be retained only for as long as is necessary (generally 6 months) , and will be securely destroyed thereafter.

## **8 Volunteers**

Under no circumstances should a volunteer in respect of whom no checks have been obtained be left unsupervised or allowed to work in regulated activity.

Volunteers who on an unsupervised basis teach or look after children regularly, will be in regulated activity. The College will obtain an enhanced DBS certificate (which should include barred list information) for all volunteers who are new to working in regulated activity.

The College will obtain an enhanced DBS certificate (not including barred list information), for volunteers who are not engaging in regulated activity, but have the opportunity to come into contact with children on a regular basis, e.g. supervised volunteers.

The College will undertake a risk assessment and use professional judgement and experience when deciding whether to seek an enhanced DBS check for any volunteer not engaging in regulated activity. In doing so we will consider:

- the nature of the work with children;
- what the establishment knows about the volunteer, including formal or informal information offered by staff, parents and other volunteers;
- whether the volunteer has other employment or undertakes voluntary activities where referees can advise on suitability; and
- whether the role is eligible for an enhanced DBS check.

[The Protection of Freedoms Act 2012 amended the Safeguarding Vulnerable Groups Act 2006, removing supervised volunteers from regulated activity and applying a duty on the Secretary of State to issue guidance to assist regulated activity providers such as schools and colleges, to decide what level of supervision is required so that this exclusion would apply. If the volunteer is to be supervised while undertaking an activity, which would be regulated activity if it was unsupervised, the statutory guidance must be followed. The guidance issued following this change requires that:

- there must be supervision by a person who is in regulated activity;
- the supervision must be regular and day to day; and

- the supervision must be “reasonable in all the circumstances to ensure the protection of children”.

The DBS cannot provide barred list information on any information, including volunteers, who are not in regulated activity.]

## **9 Contractors**

The College should ensure that any contractor, or any employee of the contractor, who is to work at the College has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information). For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required. In considering whether the contact is regular, it is irrelevant whether the contractor works on a single site or across a number of sites.

Under no circumstances should a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity. The College is responsible for determining the appropriate level of supervision depending on the circumstances.

If a contractor working at the College is self-employed, the College should consider obtaining the DBS check, as self-employed people are not able to make an application directly to the DBS on their own account.

The College should always check the identity of contractors and their staff on arrival.

## **10 Visitors**

The College does not have the power to request DBS checks and barred list checks, or ask to see DBS certificates, for visitors (for example children’s’ relatives). The Principal should use their professional judgment about the need to escort or supervise visitors. Please refer to the Visitors’ Policy.

## SAFER RECRUITMENT CHECKLIST FOR MANAGERS

Recruitment & Selection process	Safer Recruitment Step	Comments
<b>Refer to your Recruitment Policies &amp; Procedures</b>	Check your own Recruitment Policies & Procedures to ensure you are following a consistent and safe process, relating to roles working with children, young people and families.	
<b>Define Your Requirements</b>	Define your requirement – what is the post?  Agree on the interview pane members.	
<b>Preparing the Job Description:</b>	Safeguarding Responsibilities clearly identified on: <ul style="list-style-type: none"> <li>• Job description</li> <li>• Person Specification (Essential and Desirable skills, experience, knowledge and qualifications).</li> </ul>	

<p><b>Advertising the Vacancy:</b></p>	<p>Insert safeguarding message to deter unsuitable applicants:</p> <ul style="list-style-type: none"> <li>• “(Our organisation) is committed to safeguarding and promoting the welfare of children and young people, and expects all staff to share this commitment.”</li> </ul> <p>Include:</p> <ul style="list-style-type: none"> <li>• Applications Forms must be full and up to date – gaps will be investigated at interview</li> <li>• DBS disclosure is required (if applicable)</li> <li>• All references will be taken up and referees asked if there is any reason why the candidate shouldn’t hold a post with substantial access to children</li> </ul>	
<p><b>Applicant and Pre-Interview Packs:</b></p>	<p>Insert safeguarding message to deter unsuitable applicants:</p> <ul style="list-style-type: none"> <li>• “(Our organisation) is committed to safeguarding and promoting the welfare of children and young people, and expects all staff and volunteers to share this commitment.”</li> <li>• Enclose full Job Description and Person Specification.</li> <li>• Include Information for Applicants sheet</li> </ul>	
<p><b>Short-listing Applications:</b></p>	<p>Devise short-listing criteria based on Essential criteria.</p> <p>Reject all applications which do not meet your essential criteria e.g. Qualifications, experience, skills.</p> <p>Invite to interview.</p>	

<p><b>Interviews &amp; Assessment:</b></p>	<p>Plan a range of assessment methods including:</p> <ul style="list-style-type: none"> <li>• Interview questions which probe attitude towards safeguarding, and motivation to work with children, young people and/or families</li> <li>• Question any gaps exposed on application form.</li> </ul>	
<p><b>Recruitment Decision made:</b></p>	<p>Issue verbal offer of employment to the candidate who best demonstrated their suitability for the role. Inform candidate that the offer is subject to thorough checks and further references (where applicable).</p> <p>Inform HR of appointment.</p>	
<p><b>Pre-Employment Checks:</b></p>	<p>Confirm:</p> <ul style="list-style-type: none"> <li>• Identity using photo ID - where available</li> <li>• Name, address, date of birth</li> <li>• Validity of qualification certificates</li> <li>• Right to work in the UK</li> <li>• All references including current employer taken up, received and followed up by telephone(where needed)</li> </ul> <p>Submit:</p> <ul style="list-style-type: none"> <li>• Completed DBS form</li> </ul> <p>NOTE: Safer recruitment practice is about preventing risk of harm to your children. Therefore, your new worker should not begin work within your setting until the DBS check has been returned and you are satisfied with its outcome. Where a DBS check is pending the Pending DBS Risk assessment Form must be completed, Barred List (List 99) check plus references and a staff member may be allowed to start under supervision.</p>	

	<ul style="list-style-type: none"> <li>Completed Prohibition check</li> </ul>	
<b>Plan Induction Period:</b>	<p>Highlight safeguarding responsibilities and process for reporting concerns about colleagues within the setting.</p> <p>Ensure appropriate Safeguarding training is taken up by the new worker, if not already achieved.</p> <p>Ensure appropriate PREVENT training is taken up by the new worker, if not already achieved.</p> <p>Ensure staff feel able to report concerns about colleagues' behaviour or conduct around children and young people.</p>	