

## **Brighton College Staff Recruitment and Selection Policy**

Brighton College is committed to safeguarding and promoting the welfare of children and young people and fostering a culture of safety, equality and protection. We expect all staff, governors and volunteers to share these commitments. Further, the College understands that a robust, fair and transparent recruitment and selection policy is central to achieving these aims.

The College aims to recruit staff that share and understand our commitment to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the Equality Act 2010.

### **1. General**

- 1.1 Brighton College recognises that its staff are fundamental to its success. A strategic and professional approach to recruitment and selection will enable the College to attract and appoint staff with the necessary skills and attributes to fulfil its strategic aims, and support the College's values.
- 1.2 The College is committed to ensuring that the recruitment and selection of staff is conducted in a manner that is systematic, efficient and effective and promotes equality of opportunity.
- 1.3 All checks will be made in advance of appointment (although see paragraph 35 below regarding delays in DBS checks).
- 1.4 This policy has been produced to provide a flexible framework which promotes good practice, fulfils the College's commitment to promote equality and diversity and supports fully the College's core business whilst ensuring that the College meets all its responsibilities to ensure safer recruitment.
- 1.5 Advice and support is available at all stages of the recruitment process from the HR Department.

### **2. Scope**

- 2.1 This policy applies to the recruitment and selection of all staff to the College regardless of the status of the post.
- 2.2 All Brighton College employees who are involved at any stage in the recruitment and selection of staff must be made aware of and adhere to the contents of this policy. In addition, any external consultants, recruitment agencies or external experts who assist in the recruitment process must act in accordance with this policy.

### **3. Aims**

- To meet the College's operational requirements and strategic aims.
- To ensure that the recruitment processes are fit for purpose.
- To appoint the best person for each position.
- To ensure equality of opportunity for all applicants.
- To carry out safe recruitment and vetting practices (see Safeguarding Policy)
- To ensure compliance with the College's Safeguarding Policy, Dignity at Work Policy, Equal Opportunity Policy and relevant employment legislation.
- To promote the College's values.

## The Recruitment Procedure

1. Guidance on all stages of recruitment planning is available from the HR and Recruitment Advisor or the Head of HR.
2. Hiring managers should first decide on the recruitment requirements e.g. is it a straightforward replacement or an opportunity to redefine the post?
3. Candidate brief to be reviewed and approved by the relevant senior management. This will form the basis of the advertisement and the selection process. Interview and closing date for applications to be agreed.
4. Consideration of whether advertisement is placed in local and/or national press and whether print and/or on line.
5. Advert to include closing date, web address for Candidate Brief, application form & contact details of HR. Adverts to contain a reference to the requirement for an enhanced DBS check and the College's commitment to safeguarding.
6. The College is registered with UK Visa and Immigration (UKVI) as a sponsor for Tier 2 (General) and Tier 5. Excepting where an exemption applies, should the College wish to recruit from outside the European Economic Area (EEA), the relevant resident labour market test must be undertaken for those positions not on the shortage occupation list before a certificate of sponsorship can be issued. All offers of employment are subject to the right to work in the UK being evidenced. Post-Brexit, right to work checks for EU, EEA and Swiss citizens are not expected to change until 1 January 2021 at the earliest. The College will consult <https://www.gov.uk/check-job-applicant-right-to-work> for up to date information.
7. Advert placed on the College website, the School Recruiter portal and relevant job board websites.
8. Applications are received via email to HR and stored on SharePoint. The use of CVs alone is not allowed for reasons of consistency and clarity of employment history; a standard application form enables the College to identify any gaps in employment history.
9. Criteria based on the person specification contained within the Candidate Brief are applied to select Candidates for interview. The Chair of the selection panel, guided by HR, will set out a suitable interview programme and timetable. The DfE recommends two or ideally three interviewers (one to observe and take notes). At least one member of the selection panel is to be appropriately trained in line with safeguarding guidance. The College uses the NSPCC training module as the basis for safer recruitment training, and this is followed by College-based workshop sessions.
10. If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare this as soon as they are aware of the individual's application. In this event, it would normally be necessary for the member of staff to avoid any involvement in the selection process.
11. The selection panel should consider and select Candidates for interview based on criteria set out in the Candidate brief. Application forms are checked to ensure that a full employment history is provided or gaps noted for subsequent investigation.
12. Unless it is in relation to finding Candidates (for example, if an individual has put his/her details on social media websites for the purpose of attracting prospective employers), the HR department

and/or SMT will conduct searches, either themselves or through a third party, on social media only when these are directly relevant to the applicant's skills or claims that he/she has made in the recruitment process; to check whether there are any inappropriate comments about a current or former employer, which might indicate that the Candidate is untrustworthy; or to check whether any published information relating to the Candidate's employment history contradicts statements on his or her job application form or CV.

13. Telephone/e mail Candidates to arrange a convenient interview time and confirm in writing/by e mail.

The interviewee should be asked to bring the following with them:

- Qualifications
- One piece of photo ID, preferably either driving Licence & Passport.

14. The College will seek references for shortlisted Candidates (including internal applicants) and may approach previous employers for information to verify particular experience or qualifications before interview.
15. Written references from the two most recent employers should be applied for, one of which must be the current employer if the applicant is still working. Reference requests must specifically ask about the Candidate's suitability to work with children and reason for leaving (KCSIE).
16. References from friends and family are not acceptable, neither are those supplied via the Candidate. It is made clear by way of the application form that any previous employer may be approached for references.
17. Where an applicant has previously and recently worked in a school will, where practical, request a reference.
18. Referees will be asked if a Candidate is suitable to work with children.
19. Referees will be asked about the Candidate's disciplinary record and if there have been any child protection concerns.
20. Candidates will be interviewed against the requirements set out in the Candidate Brief.
21. Where social distancing is not possible, candidates will be interviewed via MS Teams or equivalent.
22. Interview panels will complete the recruitment templates, which include questions on suitability for the particular post, generic questions to assess suitability to work at Brighton College. The interview should include at least one question to test the Candidate's attitude to child protection.
23. Explanation must be sought if there are any gaps in employment with a written record being made that all gaps have been explained and are satisfactory.
24. A written record is required of the outcome of each interview
25. A member of the HR team will either be present at the interview to complete paperwork or collect the interview paperwork, which will contain the interview decision and details of appointment.

26. HR will send out an offer letter and welcome pack for the successful Candidate. The letter is to include the link to The Healthy Company's website for the health questionnaire and the link for the Safeguarding and Prevent training video. The welcome pack contains:

- DBS application form, guidance sheet and permission to view DBS certificate form.
- Part I of KCSIE (September 2020)
- Safeguarding Policy
- Staff Code of Conduct
- Confirmation of Medical Fitness declaration
- Payroll form & HMRC employee's personal details starter form
- Fire Procedure form
- For Support Staff: Support Staff Handbook and 'Death in Service' paperwork
- The College's Privacy Notice relevant to staff, or a hyperlink to the College's webpage where it can be found

Should the appointee have lived/worked outside the UK for more than 3 months in the last 10 years they are to be asked to obtain a certificate of good conduct or equivalent from the country in question. Where the appointee is unable to do this, HR will arrange for the check to be made using a suitable provider. Extra references should be requested for applicants from countries that do not provide criminal record checks.

27. HR will ensure that all regulatory pre-appointment checks are carried out for successful job applicants: identity; enhanced disclosure; right to work in the UK; barred list (formerly known as List 99); qualifications where needed or specified for the role; overseas checks; medical fitness; employment history; references; prohibition orders (including prohibition from teaching and/or management and prohibition/restriction on teaching imposed by other countries in the EEA); childcare disqualification (where relevant).

28. For appointments who are considered to be a charity trustee or senior managers, the disqualification rules require them to complete a self-declaration form to confirm whether to the best of their knowledge, they are subject to any of the disqualification criteria. All those who are required to complete a self-declaration form are also under an ongoing duty to inform the College if there is a change in their circumstances that results or may result in them becoming disqualified from acting as a governor or senior manager.

29. DfE guidance requires the retention of copies of identity documents, evidence of right to work, and qualifications where relevant to the role.

30. HR will chase references where necessary and validate. This must be done by telephoning the person who has provided the reference and taking notes of the exchange. Two references must be received and validated before the person starts work.

31. Teaching appointments (to include sports coaches) must be checked against the DfE prohibited list via the [DfE Sign-in portal](#).

32. Prohibition from management. Teachers appointed to a Head of Department or positions that are more senior, senior support staff who sit on the HM's SMT and governors must be checked against the prohibited list as above for s128 directions (which prohibits or restricts a person from taking part in the management of an independent school). The College has regard to the [guidance issued](#)

[by DfE in May 2018](#) as to who is to be regarded as occupying a management position. Checks are also carried out in relation to internal promotions to management positions. The check is carried out for those in regulated activity via the DBS form. The wording in section 61, position applied for, must read '*Child Workforce Independent School*'. For those not in regulated activity the check is done via the [DfE Sign-in portal](#).

33. Offer and appointment is subject to successful completion of the relevant probationary period, receipt of a satisfactory DBS disclosure together with suitable references and medical questionnaire return. For teachers, senior support staff and governors appointment is also subject to satisfactory check against the DfE Prohibited List (including where relevant being barred from management - s128 directions- and prohibition/restriction on teaching imposed by other countries in the EEA). In addition, for relevant staff, volunteers and governors who have childcare or management responsibilities for pupils who have yet to attain the age of 8, appointment is subject to receipt of a suitable self-declaration in regards to disqualification (the Childcare Act 2006 and the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018 which state that it is an offence for a school to employ in connection with early years or later years provision with children up to the age of eight any person who is disqualified).
34. DBS checks. A person will be considered to be engaging in 'regulated activity' if, as a result of their work, they will be responsible, on a regular basis, for teaching, training, instructing, caring for or supervising children; or they will carry out paid, or unpaid, work regularly in school where that work provides an opportunity for contact with children. A more detailed description of regulated activity is provided at page 35 of KCSIE and also in the [Factual note by HM Government, Regulated activity in relation to children: scope](#)
- Consideration must be given to the level of DBS check to be undertaken but it is recognised that the majority of College staff are in a regulated activity and in these cases an enhanced DBS check (with check against the barred list) should be carried out.

Note: Governors and others e.g. Artist in Residence may not meet the criteria for an enhanced Disclosure with check against the barred list.

Anyone over 16 years' old who is a family member of staff (e.g. a spouse) and resident at the school and not on the school roll must be DBS checked at the enhanced level with a barred list (NMS 14.2) and reference checked, in addition to completing the 'Agreement between Brighton College and adults who are not employed in a boarding capacity but are living in staff accommodation'.

Any member of staff who, during their time at the College, takes on a role with greater responsibility for pupils e.g. becoming a Housemaster/mistress may be required to undergo a further DBS check. For clarity, anyone taking on a residential boarding role or joining the Safeguarding Team will be required to undergo a further DBS check.

Please note: there are special arrangements for the DBS check for the proprietor/chair of governors – see ISI guidance.

35. The DBS certificate is sent directly to the applicant who must send the original to HR for review.

Details of DBS disclosure must be recorded in the Central Register: level of disclosure, disclosure number, clearance date, name of the checker and the date the certificate was checked.

If a disclosure is delayed, the Candidate may begin work provided that his or her suitability is

checked against the DBS Barred List AND that the DBS application has been made in advance of his or her start of work and a risk assessment has been completed and that all other pre-employment checks have been completed (identity, right to work in the UK, overseas checks, references, medical declaration and prohibition, qualification and childcare disqualification checks where relevant). In such cases, the Candidate must be informed of the appropriate safeguards to be taken; safeguards shall then be enforced and reviewed every two weeks until the DBS check has been approved.

Staff due to work in the boarding houses should not normally commence employment/be redeployed until all relevant checks (including satisfactory DBS disclosures and references) are completed.

Once the job has been offered and accepted, personalised letters, sent by post or e mail should be sent to those who attended for interview but were not successful. All documentation and explanatory notes relating to unsuccessful applicants, whether interviewed or not, must be held by the HR Department for a maximum period of 6 months in accordance with the College's Retention and Deletion Schedules.

36. Announce new appointment via email/relevant meetings.
37. HR to identify and inform relevant trained member of staff that Induction Training is to take place on day of joining the College or before, with confirmation of induction to be e mailed to [induction@brightoncollege.net](mailto:induction@brightoncollege.net) on the same day. HR to book new appointee on the next Safeguarding training slot, inform line managers and new appointee of details via e mail - for Support Staff managers via the Induction Checklist.
38. HR issues the contract of employment prior to the employee starting For Support Staff the relevant job description is attached to the back of their contract.
39. The line manager carries out a departmental induction.
40. The Director of IT carries out an ICT induction and obtains consent for ICT usage.
41. Where staff are recruited through supply agencies, a check with the agency is to be made that the required checks have been carried out: identity, enhanced disclosure, right to work in the UK, barred list, qualifications, and overseas checks. The single central register must show that all these checks have been carried out and, in addition, that the school has carried out its own identity check. The school must also see the DBS disclosure. The DBS certificate must be no more than three months old unless they have a) worked in a school in the last three months or b) have signed up to the update service and given permission for the College to carry out a check before starting. Additionally, in having regard to KCSIE, the agency should take up references, obtain a declaration of medical fitness, and check previous employment history. In addition, where relevant, that a check for prohibition orders (teachers, senior support staff and coaches) has been carried out and that the self-declaration childcare disqualification form has been completed with no concerns raised. A teacher working for an agency should have a fresh disclosure every three years (or earlier if there are grounds for concern or a break in service of three months or more). Supply agencies must keep 'disclosures' for at least a year and, where an individual remains with an agency for more than 12 months, a disclosure can be kept for up to three years to facilitate portability arrangements. A check of the agency staff member's identity must be made by the College and the DBS disclosure certificate seen.

42. Any contractor who will be working on a regular basis at the college during term time or school holiday periods and who may have unsupervised contact with pupils is subject to an Enhanced DBS check and is required to wear a photographic identification badge. In addition, the contracting company will have agreed to and completed a 'Contractors Agreement' which governs their recruitment strategy. All other contractors who are on site during term time will be accompanied by a member of the Security team or the relevant department.
43. All recruitment is to be undertaken by the HR Department in conjunction with the relevant member of SMT/line manager. All paperwork is to be held centrally by the HR Department. For teaching staff only, a modified file containing CV (if provided), application form, references and appointment letter may be kept by the relevant Head.

All documentation and explanatory notes relating to unsuccessful applicants, whether interviewed or not, to be held by the HR Department for a period of 6 months.

Documents relating to applicants will be treated with the utmost confidentiality and in accordance with GDPR and the Data Protection Act 2018. Applicants may have the right to access any documentation held about them under data protection legislation.

The College is legally required to undertake the above pre-employment checks. Staff and prospective staff will be required to provide certain information to the College to enable the College to carry out the checks that are applicable to their role. The College will also be required to provide certain information to third parties, such as the Disclosure and Barring Service and the Teaching Regulation Agency (previously known as the National College for Teaching and Leadership (NCTL)). Failure to provide requested information may result in the College not being able to meet its employment, safeguarding or legal obligations. The College will process personal information in accordance with its Staff Privacy Notice.

This policy applies to any suitability information obtained about volunteers involved with School activities.

44. Referrals to the DBS, the Teaching Regulation Agency, the Charity Commission and relevant professional bodies.

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. Please note that the School also has a legal duty to make a referral to the DBS in circumstances where an individual: -

- has applied for a position at the School despite being barred from working with children; or
- has been removed by the School 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, the School may also decide to make a referral to the TRA. For other professionals, a referral to their professional body will be made as required. Where required, the College may also make a serious incident report to the Charity Commission.

Please refer to our staff [privacy notice](#) for full details about how your personal data is collected, used and stored.

GY updated September 2020