



RECRUITMENT, SELECTION AND DISCLOSURES POLICY AND PROCEDURE

1. General

ArtsEd is committed to ensuring the best possible environment for the children and young people in its care. Safeguarding and promoting the welfare of children and young people is our highest priority.

ArtsEd aims to recruit staff that share and understand our commitment and to ensure that no job applicant is treated unfairly by reason of a protected characteristic as defined within the [Equality Act 2010](#).

All queries on ArtsEd's application and recruitment process must be directed to the Head of HR.

An entry will be made on the Single Central Register for all current members of staff at ArtsEd, the proprietorial body, and all individuals who work in regular contact with children including volunteers, supply staff and those employed as third parties.

The Board of Trustees govern ArtsEd and are responsible for the management of ArtsEd.

All checks will be made in advance of appointment or as soon as practicable after appointment.

2. Scope of this Policy

The Recruitment, Selection and Disclosures Policy and Procedure herewith refers and applies to staff directly recruited and employed by ArtsEd. In the [Education \(Independent Schools Standards\) \(England\) Regulations 2014](#), staff are defined as:

Any person working at ArtsEd whether under a contract of employment or under a contract for services.

In the case of agency or contract workers, ArtsEd sets out their safeguarding requirements in the contract between the employing organisation and ArtsEd and must obtain written confirmation from the agency or company that it has carried out the appropriate checks. ArtsEd conducts identity checks on agency and contract workers on arrival in School and, in the case of agency workers which includes supply staff, ArtsEd must be provided with a copy of the appropriate level of DBS check for such staff.

ArtsEd will check with the relevant supply agency that the required checks have been carried out: identity; enhanced disclosure – renewed every 3 years; right to work in the UK; barred list; prohibition; qualifications; overseas checks; plus, those checks set out in KCSIE as 'pre-employment' checks. The Single Central Register shows that these checks have been made; and that ArtsEd has carried out its own identity check and has seen a copy of the disclosure (whether or not it discloses any information).

Certain individuals are automatically disqualified from acting in senior management positions within a charity. Whether an individual falls into the category of a senior management position is judged using the following criteria:

- A person who is accountable only to the trustees and who carries overall responsibility for the day-to-day management and control of the charity. At ArtsEd this would be the Principal.
- A person who is accountable only to the Principal and who is responsible for the overall management and control of the charity's finances. At ArtsEd this would be the Finance Director.

Being disqualified means that a person can't take on, or remain, in a senior manager position – even on an interim basis, unless the Charity Commission has removed (or 'waived') the disqualification.

In respect of contractors, unchecked contractors will not be allowed to work unsupervised in ArtsEd under any circumstances. ArtsEd will determine the appropriate level of supervision depending on the circumstances.

3. Application Form

ArtsEd will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted as a substitute for an Application Form.

ArtsEd will make candidates aware that all posts in ArtsEd involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role.

Checks will be made of previous employment history to ascertain satisfactory reasons for any gaps in employment. These checks will then be checked against references and any discrepancies discussed with the candidate.

The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position and, where appropriate, a check of the Barred List will be undertaken. Any offer of employment will be conditional upon obtaining such satisfactory checks. Additionally, successful applicants should be aware that they are required to notify ArtsEd immediately if there are any reasons why they should not be working with children. This includes any staff who are disqualified from childcare or registration.

ArtsEd takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect his/her suitability to work with children must notify the Principal immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings he/she may receive.

ArtsEd has a legal duty under section 26 of the [Counter-Terrorism and Security Act 2015](#) to have 'due regard to the need to prevent people from being drawn into terrorism'. This is known as the [Prevent](#) duty. Schools are required to assess the risk of children or students being drawn into terrorism, including support for extremist ideas that are part of terrorist ideology. References will be requested for all prospective employees and will ask for details of any concerns raised.

If the candidate is currently working with children, on either a paid or voluntary basis, ArtsEd will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.

If the candidate is not currently working with children but has done so in the past, ArtsEd will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, ArtsEd will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, ArtsEd may request character references which may include references from the candidate's school or university.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by ArtsEd if they have been appointed, and a possible referral to the police and/or DBS.

4. Invitation to Interview

ArtsEd will shortlist applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. At least two people will carry out the shortlisting exercise; they will consider any inconsistencies, look for gaps in employment and reasons given for them, and explore any potential areas of concern.

Shortlisted applicants will then be invited to attend a formal interview at which his/her relevant skills and experience will be discussed in more detail. Interviews may include written tasks and a presentation to assess suitability.

Shortlisted candidates are required to complete a self-declaration form in relation to their criminal record or information that would make them unsuitable to work with children. Self-declaration is subject to Ministry of Justice guidance on the disclosure of criminal records. Applicants will be asked to sign a declaration confirming that the information they have provided is true. Where there is an electronic signature, the shortlisted candidate must physically sign a hard copy of the application at the point of interview.

ArtsEd will obtain references prior to interview where time allows. This permits any concerns raised to be explored further with the referee and can be taken up with the shortlisted candidate at interview.

All formal interviews will have a panel of at least two people, normally chaired by either the Head, the Principal, the Head of HR or another designated senior member of staff. At least one person on the appointment panel will have undertaken Safer Recruitment in Education training. The Chair of Trustees should chair the panel for the Principal's appointment. The interviewers involved will be required to state any prior personal relationship or knowledge of any of the candidates and a judgement will be made by the Chair as to whether or not an interviewer should withdraw from the panel. Should the Chair have a conflict of interest, the Vice Chair shall decide whether the Chair should withdraw from the panel.

The interview will be conducted in person when possible and the areas which it will explore will include suitability to work with children or young people including, where appropriate, any discussion of information shared by a candidate in their self-declaration form.

All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g., the original or certified copy of certificates, diplomas etc). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.

Candidates with a disability who are invited to interview should inform ArtsEd of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

5. Conditional Offer of Appointment: Pre-Appointment Checks

Any offer to a successful candidate will be conditional upon:

1. Receipt of at least two satisfactory references (if these have not already been received);
2. Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK (if not already received);
3. A satisfactory enhanced DBS check and, if appropriate, a check of the Barred List maintained by the DBS;
4. For a candidate to be employed as a teacher, a check that that the candidate is not subject to a prohibition order issued by the Secretary of State or any sanction or restriction imposed (that remains current) by the historic General Teaching Council for England before its abolition in March 2012. Teaching work is defined in The Teachers' Disciplinary (England) Regulations 2012 to encompass:
 - a. Planning and preparing lessons and courses for pupils;
 - b. Delivering lessons to pupils;
 - c. Assessing the development, progress and attainment of pupils;
 - d. Reporting on the development, progress and attainment of pupils;
5. Verification of professional qualifications, including Qualified Teacher Status, where appropriate;
6. Verification of successful completion of statutory induction period (for teaching posts – applies to those who obtained QTS / ECT after 7 May 1999);
7. Where the successful candidate has worked or been resident overseas: Such further checks and confirmations as ArtsEd may consider appropriate so that any relevant events that occurred outside the UK can be considered. This shall include the candidate providing ArtsEd with proof of his/her past conduct as a teacher in

the form of a letter of professional standing from the professional regulating authority in the country in which they have worked;

8. Evidence of satisfactory mental and physical medical fitness;
9. For a candidate to be employed into a senior management position as set out above under “Scope of this Policy”, receipt of a signed “senior charity manager positions: automatic disqualification declaration” confirming that the candidate is not disqualified from acting in a senior management position for a charity in accordance with the automatic disqualification rules for charities;
10. Where the successful candidate will be taking part in the management of ArtsEd, a check will be carried out under section 128 of the [Independent Educational Provision in England \(Prohibition on Participation in Management\) Regulations 2014](#). This applies to all Governors, Senior Management Team and teaching Head’s of Department.

It is ArtsEd's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by ArtsEd in strictest confidence and processed in accordance with the Recruitment Privacy Notice and [Data Protection Policy](#). This information will be reviewed against the Job Description and the Person Specification for the role, together with details of any other physical or mental requirements of the role i.e., proposed workload, extra-curricular activities, and/or layout of ArtsEd. ArtsEd is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

6. References

ArtsEd will seek the references referred to in section 5 above for shortlisted candidates and will approach previous employers for information to verify experience or qualifications, before interview where possible. One of the references must be from the applicant’s current or most recent employer. References must be provided by a Head or Principal if coming from another educational establishment, or a senior person with overall authority if not a school, college or University. If the candidate does not wish ArtsEd to take up references in advance of the interview, they should notify ArtsEd at the time of applying.

ArtsEd will ask all referees if the candidate is suitable to work with children.

ArtsEd 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.

Where references are received electronically, ArtsEd will ensure they originate from a legitimate source.

ArtsEd will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate during their interview.

7. Criminal Records Policy

ArtsEd will refer to the Department for Education (“DfE”) document, ‘Keeping Children Safe in Education’ and any amended version in carrying out the necessary required DBS checks.

ArtsEd complies with the provisions of the DBS Code of Practice, a copy of which may be obtained on request, or accessed here:

<https://www.gov.uk/government/publications/dbs-code-of-practice>.

There are limited circumstances where ArtsEd will accept a check from another educational institution which are as follows:

This is where the new member of staff (“M”) has worked in:

1. A school or a maintained school in England in a position which brought M regularly into contact with children or young persons;
2. A maintained school in England in a position to which M was appointed on or after May 2006 and which did not bring M regularly into contact with children or young persons; or
3. An institution within the further education sector in England or in a 16 to 19 Academy in a position which involved the provision of education, or which brought M regularly into contact with children or young persons during a period which ended not more than three months before M’s appointment at ArtsEd.

In these circumstances ArtsEd may apply for a disclosure but is not required to do so. A new, separate barred list check will be obtained.

DBS Update Service

Where an applicant subscribes to the DBS Update Service the applicant must give consent to ArtsEd to check there have not been changes since the issue of a disclosure certificate. A barred list check will still be required.

If disclosure is delayed

A short period of work is allowed under controlled conditions, at the Head or Principal’s discretion. However, if an ‘enhanced disclosure’ is delayed, a Head may allow the member of staff to commence work:

- Without confirming the appointment;
- After a satisfactory check of the barred list if the person will be working in regulated activity and all other relevant checks (including any appropriate prohibition checks) having been completed satisfactorily;
- Provided that the DBS application has been made in advance;
- With appropriate safeguards taken (for example, loose supervision);
- Safeguards reviewed at least every two weeks by the Head of HR and member of staff;
- The person in question is informed what these safeguards are; and
- It is recommended, but is not a requirement, that a note is added to the single central register and evidence kept of the measures put in place.

8. Retention, Security of Records and Data Protection Obligations

ArtsEd will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its [Data Protection Policy](#). Copies of DBS certificates will not be retained for longer than 6 months.

ArtsEd will comply with its data protection obligations in respect of the processing of criminal records information. More information on this is included in the Recruitment Privacy Notice and the [Data Protection Policy](#).

Appendix

Policy on the Recruitment of Ex-Offenders

ArtsEd will not unfairly discriminate against any candidate for employment based on conviction or other details revealed. ArtsEd makes appointment decisions based on merit and ability. If an individual has a criminal record this will not automatically bar them from employment within ArtsEd. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below.

All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal if they have been appointed, and a possible referral to the police and/or DBS.

Under the relevant legislation, it is unlawful for ArtsEd to employ anyone who is included on the lists maintained by the DBS of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for ArtsEd 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 also unlawful for ArtsEd to knowingly employ someone who works in the relevant childcare setting and is disqualified from providing childcare under the statutory guidance "[Disqualification under the Childcare Act 2006](#)".

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within ArtsEd. ArtsEd will report the matter to the Police and/or the DBS if:

- ArtsEd receives an application from a disqualified person;
- is provided with false information in, or in support of, an applicant's application; or
- ArtsEd has serious concerns about an applicant's suitability to work with children.

If 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, ArtsEd will consider the following factors before reaching a recruitment decision:

- whether the conviction or other matter revealed is relevant to the position in question.
- Whether the conviction or caution is 'protected' as defined by the [Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(Amendment\) \(England and Wales\) Order 2020](#) (if yes, it will not be considered);
- 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;
- in the case of disqualification from providing childcare, whether the applicant has or can obtain an Ofsted waiver from disqualification; 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 ArtsEd's normal policy to consider it a high risk to employ anyone who has been convicted at any time of any of the following offences: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence, serious class A drug-related offences, robbery, burglary, theft, deception, or fraud.

If the post involves access to money or budget responsibility, it is ArtsEd's normal policy to consider it a high risk to employ anyone who has been convicted at any time of bribery, gambling, blackmail, alcoholism, robbery, burglary, theft, deception, or fraud.

If the post involves some driving responsibilities, it is ArtsEd's normal policy to consider it a high risk to employ anyone who has been convicted of drink or drug driving.

The following statement is used in all advertisements:

ArtsEd is committed to safeguarding and promoting the welfare of children and young people. Applicants must undergo child protection screening, including checks with past employers and the Disclosure and Barring Service.

Title of Policy	Recruitment, Selection and Disclosures Policy
Maintained By	Head of HR
Owned By	Head of HR
Approving Committee / Ratifying Body	Board of Trustees
Last Reviewed on	March 2022
Review on	March 2023
Current Version	Version 1
Location of master document	https://teams.microsoft.com/l/channel/19%3aw-ekhrkvUAYf-poCisIpXAtITMpMervHPnfaS0ONC_Y1%40thread.tacv2/General?groupId=fe70d9e8-8216-4003-922e-b9bfe9e5fb9c&tenantId=02f4a62e-6e9d-4607-974c-7de2591c4698
Web location	