

Safer Recruitment Policy

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1. Introduction

Berkshire Maestros, the Berkshire Young Musicians Trust, (referred to hereafter as 'Maestros') will adopt consistent, fair and thorough recruitment and selection procedures and processes to ensure that all personnel recruited are suitable to work with children and young people and to undertake work as outlined in the relevant advertised posts. The same safer recruitment standards apply when appointing anyone who may work in a setting where there is access to children and young people.

This policy covers the recruitment and selection process from the planning and advertising of vacancies through to appointment and induction. It is intended as a guide for all staff involved in the recruitment and selection process and follows best practice guidance from 'Keeping Children Safe in Education' (KCSIE).

Maestros complies with all relevant legislation, recommendations and guidance including the statutory guidance published by the DfE, Safeguarding Children and KCSIE and any guidance or code of practice published by the Disclosure and Barring Service (DBS).

Roles and Responsibilities

- It is the responsibility of the Berkshire Maestros Board of Trustees to ensure that Maestros has effective policies and procedures in place for the safe recruitment of all staff and volunteers. The Board of Trustees has delegated to the Chief Executive officer (CEO) and Senior Management Team (SMT) the responsibility to lead and manage all recruitment and make final decisions on appointments (with the exception of the appointment of the CEO).
- It is the CEO's responsibility and other senior managers involved in recruitment to ensure that Maestros operates safer recruitment procedures and promote the welfare of children and young people at every stage.
- It is the responsibility of all potential and existing workers to comply with this document.

2. Commitment to Safeguarding Principles

Maestros is committed to safeguarding and promoting the welfare of children and young people and expects all staff, contractors and volunteers to share this commitment.

Maestros is committed to providing the best possible care and musical education to its pupils and to providing a supportive working environment to all members of staff.

3. Aims

By carrying out all necessary pre-employment checks, Maestros will:-

3.1 Adopt recruitment procedures that:

- attract the best possible applicants to vacancies
- deter prospective applicants who are unsuitable for work with children or young people
- identify and reject applicants who are unsuitable for work with children and young people

3.2 Ensure that all applicants are treated consistently and equally

3.3 Ensure that no applicant is treated unfairly on any grounds

3.4 Ensure that the recruitment and selection of all who work within Maestros is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity

4. Equality Statement

Maestros is committed to ensuring equality of education and opportunity, fairness and respect for all pupils staff, parents, carers and customers receiving services from Maestros irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.

5. Identification of Recruiters

Subject to the availability of training, Maestros will maintain a position in which at least one recruiter has successfully received accredited training in safe recruitment procedures. A record of staff trained in Safer Recruitment will be maintained by the HR representative.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves and complying with the provisions of this policy.

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant then they are required to declare this as soon as they are aware of the individual's application.

6. Inviting Applicants

6.1 When a vacancy arises, Maestros will take the opportunity to revisit the job requirements, reviewing job and person specifications appropriately. Authorisation for replacement and/or new posts within the organisation is dependent on funding and budgetary requirements.

To ensure equality of opportunity, Maestros will advertise all vacant/new posts to advertise as wide a field of candidates as possible. Normally this will entail an external advertisement. Where there is a reasonable expectation that there are sufficient internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

An ideal start date will be identified and the recruitment timetable will be planned out as far as practicably possible working backwards from this date.

6.2 All vacancies are advertised in a variety of media: the local and national press and on-line. All advertisements published will include the statement:

"Berkshire Maestros is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment. Successful applicants will be subject to an Enhanced Disclosure and Barring Service (DBS) check."

6.3 Prospective applicants will be supplied, as a minimum, with access to relevant policies and background information will either be sent to applicants or be available to download from the Berkshire Maestros website. Candidates' attention will be specifically brought to Maestros Safeguarding and Child Protection Policy.

6.4 All prospective applicants must complete, in full, a formal Berkshire Maestros application form. CVs are initially accepted as expressions of interest but must be followed up with a completed formal application form. If forwarded electronically, the applicant's signature must be obtained subsequently or a scanned signed form requested.

The application form will explain:

- that any post with Maestros is exempt from the Rehabilitation of Offenders Act 1974 and that, therefore, all convictions, cautions and bind-overs, including those regarded as 'spent' must be declared. Detail of any criminal record should be submitted in a sealed envelope marked 'Confidential'.
- that providing false information or failure to disclose is an offence and could result in the application being rejected or summary dismissal if the applicant is already in post, and possible referral to the police.
- the pre-employment checks upon which any offer of appointment is conditional.

6.5 Job Description and Person Specification

- In addition to stating the main duties and responsibilities of the post, the job description will also include a statement on the post holder's responsibility for promoting and safeguarding the welfare of children.
- The person specification will detail the qualifications and experience needed for the role as well as the competencies and qualities that the applicant should be able to demonstrate.

7. Short listing and References

7.1 Short-listing of candidates will be against the job description and person specification for the post.

7.2 At least two managers will be involved in the scrutiny of applications and the shortlisting of candidates in order to ensure objectivity and avoid subjective judgements. The CEO will be involved in all shortlisting for leadership positions. The scrutiny must ensure that application forms are fully and properly completed, that the information is consistent and does not contain any discrepancies and that gaps in employment are identified and noted. Incomplete application forms should not be accepted and may be returned for completion. These should be explored further at interview if the applicant is successfully shortlisted.

- 7.3** Where possible, references will be taken up before the selection stage, so that any discrepancies can be probed during the selection stage. Maestros will take up references on all shortlisted candidates, including internal ones, and approach previous referees to verify experience and suitability prior to interview wherever possible.
- 7.4** References will be sought directly from the referee. Open references or testimonials provided by the candidate will not be accepted.
- 7.5** In exceptional circumstances, a verbal reference may be sought but it must always be followed up in writing.
- 7.6** Where necessary, referees will be contacted by telephone or email in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges. If there are issues, an understanding of these will be sent in writing to the referee for confirmation. This is important in cases where the candidate application is not taken further or the issues need to be explored further at interview with the candidate.
- 7.7** A reference will always be sought, where possible/applicable, from the current employer and for teachers, Maestros will aim to seek a reference which relates to a previous post where the candidate worked with children and young people. If the candidate has indicated that s/he does not want a reference sought from a current employer, the reasons for this should be followed up with the candidate and their validity assessed. If there are concerns, further action must be considered e.g. corroborative/additional references, explanation sought from candidate. If the candidate has not previously been employed in any capacity or has been freelance, ensure that referees' names in the application are not friends or family members. An objective reference is required.
- 7.8** Referees will always be asked specific questions about:
- The referee's relationship with the candidate
 - the candidate's suitability for working with children and young people
 - performance history and conduct
 - any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children, any misconduct or unsuitable behaviour relating to children and young people and/or whether the applicant has been the subject of any child protection concerns and if so, the outcome of any enquiry or disciplinary action. Details should be sought in this instance.
 - the candidate's suitability for this post as per the job and person specification
 - the applicant's current post and salary
 - if the applicant is recommended for the position

8. Secretary of State Prohibition Orders (teaching roles)

- 8.1** In all cases where an applicant is to undertake a teaching role of any kind a Prohibition Order check will be made using the Teacher Services System.
- 8.2** A person who is prohibited from teaching must not be appointed to work as a teacher

9. Interviews

9.1 Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

9.2 Telephone interviews may be used at the short-listing stage but will not be a substitute for a formal face-to-face interview. (A visual electronic interview may be used if appropriate but appointment will always be subject to a final face to face interview and for teachers, an observed activity and/or teaching demonstration with one or more young people).

9.3 Interviews will be conducted by a minimum of two people, but a larger panel may be more appropriate. A larger panel will always be required for middle and/or senior leadership posts. For Senior Management, members of the Board of Trustees will be

9.4 At least one person on every interview panel should be aware of safer recruitment practice or have undertaken a safer recruitment training programme. This may include on-line training – best practice etc.

9.5 The interview panel members should:

- Meet before the interview to agree a common set of questions for all candidates.
- Agree additional questions covering issues arising from application forms or references
- Consider asking candidates whether they wish to declare anything in light of the requirement for a DBS disclosure
- Consider activities that will enable the panel to assess how the candidate interacts with children and/or other colleagues.
- Ask safeguarding questions to draw out candidates' experience of working with children. Evidence of this will be included on each interview form.
- Assess the merits of each candidate against the job specification and explore their suitability to work with children.
- Ensure that the terms and conditions of the role are fully explained to and understood by the candidates and that confirmation of this understanding is noted on the interview form.
- All candidates should be assessed equally against the criteria contained in the person specification without exception or variation. All gaps or discrepancies in applications or references should be fully explored. If the answers given cause any concern, an appointment should not be made.
- At the end of the interview process, interview notes will be collated along with any feedback from other teachers/colleagues who have met the candidates. The panel should be in a position to be able to make the right recruitment decision. Candidates should be advised that they will be informed about the decision later by a senior manager, or delegated person. The successful applicant will be contacted by telephone and unsuccessful applicants will generally be advised by email but may be contacted by phone if deemed more appropriate. Any unsuccessful applicant who requests feedback will be given verbal feedback.
- Have the necessary authority to propose decisions about appointments.
- The decision to appoint will be confirmed by the CEO before any offer of work is made (if the CEO is not part of the panel).

9.6 Candidates will always be required:

- to explain satisfactorily any gaps in employment
- to explain satisfactorily any anomalies or discrepancies in the information available to recruiters
- to declare any information that is likely to appear on a DBS check
- to demonstrate their capacity to safeguard and protect the welfare of children and young people
- to demonstrate their ability to successfully undertake the role as outlined in the job and person specification

9.7 All candidates will be asked to bring with them proof of their identity, current DBS is appropriate, right to work in the UK and their qualifications and only original documents are accepted. Photocopies will be taken and retained by Maestros. Such documents for subsequently unsuccessful applicants will be destroyed at the end of the recruitment process. (See Data Protection section.)

10. Pre-Appointment Checks and Offer of Appointment

In accordance with the recommendations set out in the KCSIE guidance, Maestros will carry out a number of pre-appointment checks in respect of all prospective employees and self-employed staff.

10.1 An offer of appointment will be conditional on all checks having been completed to Maestros satisfaction.

10.2 An offer may be verbal but must be followed up and accepted in writing. Any contracts will be issued as soon as possible but in all circumstances within 8 weeks of commencing employment.

10.3 All checks must be:

- confirmed in writing
- documented with relevant copies placed on individual personnel files

10.4 Pre-Appointment Checks - All successful applicants are required:

- To provide proof of identity – these must be verified from current photographic ID and proof of address
- To apply for and obtain an enhanced DBS certificate (including barred list information, for those who will be engaging in regulated activity). A current DBS dated in the last 3 years may be accepted
- Obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available
- To pass a 'prohibition from teaching' check (where relevant to the applicant)
- To provide actual certificates of professional and/or academic qualifications
- To provide proof of their right to work in the United Kingdom - for overseas candidates, the same processes and checks will apply and further checks may be appropriate
- To complete a childcare 'Declaration of Disqualification' form
- To confirm in writing that they have read the appropriate KCSIE documentation
- To produce at least two satisfactory references, one of which should be from the applicant's most recent employer
- To agree a mutually acceptable start date and sign a contract (or service level agreement for Self-Employed staff) incorporating Maestros standard terms and conditions of employment/work

Where concerning information emerges from any check, an appointment should not be made and these should be acted upon.

10.5 Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status.

All applicants invited to attend an interview with Maestros will be required to bring their identification documentation with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS Code of Practice Regulations.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/773780/An_employer_s_guide_to_right_to_work_checks_-_January_2019.pdf

One document from:

Group 1- primary trusted identity documents

- current valid passport
- biometric residence permit (UK)
- current driving licence (full or provisional) (UK / Isle of Man / Channel Islands; photo card with the associated counterpart licence; except Jersey)
- birth certificate (UK & Channel Islands) - issued at the time of birth (within 42 days of date of birth); Full or short form acceptable including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces

Two documents from:

Group 2i: trusted government / state issued documents

- current UK driving licence (old style paper version)
- current non-UK driving licence (valid for up to 12 months from the date the applicant entered the UK)
- birth certificate (UK and Channel Islands) – issued at any time after the date of birth by the General Registrar Office / relevant authority i.e. Registrars)
- marriage / civil partnership certificate (UK and Channel Islands)
- adoption certificate (UK and Channel Islands)
- HM Forces ID card (UK) fire arms licence (UK and Channel Islands)

Group 2ii: Financial / social history documents

- mortgage statement (UK or EEA)**
- bank / building society statement (UK and Channel Islands or EEA)*
- bank / building society account opening confirmation letter (UK)
- credit card statement (UK or EEA)*
- financial statement ** - e.g. pension, endowment, ISA (UK)
- P45 / P60 statement **(UK and Channel Islands)
- council tax statement (UK and Channel Islands) **
- work permit / visa (UK) (UK Residence Permit) **
- letter of sponsorship from future employment provider (non UK / non EEA only valid for applicants residing outside the UK at the time of application)
- utility bill (UK)* – not mobile telephone
- benefit statement* - e.g. child benefit, pension
- a document from central / local government/ government agency / local authority giving entitlement (UK and Channel Islands)*- e.g. from the

Department for Work and Pensions, the Employment Service HM Revenue & Customs (HMRC), Job Centre, Job Centre Plus, Social Security

- EU national ID card
- cards carrying the PASS accreditation logo (UK)
- Less than three months old
- ** Less than 12 months old

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification required for the position and claimed in their application form. Where possible, diplomas, certificates, vocational and professional qualification etc will be verified with the awarding body.

Applicants who have changed their name by deed poll or any other means, will be required to provide documentary evidence of the change.

10.6 Individuals who have lived or worked outside the UK

Maestros ensures that individuals who have lived or worked outside the UK undergo the same checks as all other staff as well as any other further checks that may be appropriate e.g. teacher sanctions that an EEAA professional regulating authority has imposed.

10.7 Childcare Disqualification by Association Declaration

In line with 'Disqualification by Association' Guidance February 2015, all successful applicants must complete a self-declaration form provided by Maestros. This to cover circumstances where the individual lives or works in the same household as someone who is barred from working with children even if they would not be disqualified themselves. In the event of information leading to disqualification by association being obtained, Maestros will follow guidance set out in DfE Disqualification under the Childcare Act 2006.

If a member of staff is disqualified, a form may be requested from Ofsted to waive the disqualification: disqualification@ofsted.gov.uk

The HR representative will maintain a single central record (SCR) detailing the outcomes of the self-certification.

11. Criminal Records Check

Maestros applies for an enhanced disclosure from the DBS in respect of all prospective staff members, and volunteers. Maestros does not apply for enhanced disclosures for individual members of the Board of Trustees as agreed by the Board October 2016.

Under the Prevent Duty, Maestros ensures that all visiting teachers, professional musicians etc are suitable and appropriately supervised. All visiting professionals should be briefed on Maestros safeguarding and child protection procedures as deemed appropriate by the manager responsible for the event and supervised accordingly.

All staff who are new to Maestros will receive induction training that will include

safeguarding policies and guidance on safe working practices. Newly appointed staff will

not start to work with children or young people until all appropriate checks and vetting procedures have been satisfactorily completed. It should only be in an exceptional circumstance when this is not the case e.g if there is a pressing need for the appointee to take up the post but one aspect of vetting has not been able to be completed for a valid and accepted reason and all other checks indicate there is no known reason why the person is not suitable to work with children. In such a case, a risk assessment must be agreed with a member of the SMT and the new appointee should not have unsupervised contact with children until such time as the vetting process is completed. A copy of the risk assessment should be placed on the individual's personnel file.

12. Recruitment of ex-offenders

Maestros will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. If an applicant has a criminal record, this will not automatically bar him / her from employment within Maestros. Instead, each case will be decided on its merits in accordance with the objective assessment criteria set out below. All positions within Maestros are exempt from the provisions of the Rehabilitation of Offenders Act 1974. All applicants must therefore declare all previous convictions and cautions, including those which would normally be considered "spent" except for those to which the DBS filtering rules apply (See DBS Filtering Guide 2013) A failure to disclose a previous conviction (which should be declared) may lead to an application being rejected or, if the failure to disclose 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. It is unlawful for Maestros to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to attempt to apply for a position at Maestros. Maestros will make a report to the Police and / or the DBS if:

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

13. Data Protection and Record Retention

If an applicant is successful in their application, Maestros will retain on his / her personnel file any relevant information provided as part of the application process. This will include:

- Application form and CV
- References
- Proof of ID
- Proof of qualifications
- Right to work in the UK
- Evidence of DBS clearance
- Positive Disclosures

Medical information may be used to help Maestros to discharge its obligations as an employer e.g. so that Maestros may consider reasonable adjustments if an employee has declared they suffer from a disability or to assist with any other workplace issue.

This documentation will be retained by Maestros for the duration of the successful applicant's employment with Maestros. It will be retained for a period of six years after

employment terminates after which it will be securely destroyed.

Maestros will retain all interview notes on unsuccessful applicants for a 6 month period, after which time the notes will be confidentially destroyed. Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the CEO within 6 months of the interview date.

14. Single Central Record

In line with DfE requirements, Maestros will keep and maintain a single central record (SCR) of recruitment and vetting checks. The SCR will record all staff who are employed at Maestros as well as self-employed colleagues and volunteers, and those who provide regular additional teaching or instruction for pupils but who are not staff members (e.g. workshop leaders).

The SCR will indicate whether or not the following have been completed:

- Identity checks
- Qualification checks
- Prohibition from Teaching (teachers only)
- Right to work in the UK checks
- DBS enhanced Disclosures including Children's Barred list checks
- Declaration of Childcare Disqualification checks
- Staff safeguarding training checks
- Section 128 checks for management positions if appropriate
- Further overseas criminal records where appropriate

The SCR shall also indicate who undertook the check and the date on which the check was completed or the relevant certificate obtained. The HR representative completes the SCR and regularly updates SMT with a termly statement available for the Chair of Trustees.

15. Post-Appointment Induction

15.1 Maestros recognises that safer recruitment and selection is not just about the start of employment, but should be part of a larger policy framework for all staff. Maestros will therefore provide ongoing training and support for all staff.

15.2 All newly appointed staff will be subject to Maestros probationary period.

15.3 All staff will be referred to the Safeguarding and Child Protection Policies and Procedures. Maestros has a specific safeguarding-related Whistle Blowing Policy and will follow Local Authority Safeguarding Children Board Allegations Against Staff Procedures. All new staff will undertake face to face or online Child Protection training within their probationary period and for teachers within the first two weeks of taking up their post.

15.4 All new employees will be subject to Maestros Induction Policy and Procedures and an induction programme will be appropriate to the role and responsibility of the post and regardless of the previous experience of the new member of staff.

15.5 The purpose of induction is to:

- Provide information about Maestros structure, policies and procedures
- Confirm the expectations of staff conduct

- Identify any support or training the new appointee may require to undertake and develop their new role
- Provide opportunities for the new appointee to discuss any issues queries or concerns they may have about their role
- Enable their line manager to identify and address any issues that may arise

16. Monitoring and Review

This policy and procedures and the efficiency with which related duties have been discharged will be reviewed annually by the Board of Trustees. Monitoring may include periodic audits of files and records by the Designated Safeguarding Lead (DSL), CEO or Nominated Trustee as part of Maestros wider Safeguarding remit. Maestros SMT and Board of Trustees will ensure that action is taken to remedy without delay any identified deficiencies and weaknesses.