



Safer Recruitment Policy

2023/2024

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## 1. Introduction

**Oxford Online School** is committed to providing the highest quality care and education to its students, while safeguarding and promoting the welfare of children and young people. The school is equally dedicated to offering a supportive and flexible working environment for all staff members. Oxford Online School recognizes that to fulfill its mission, it is essential to attract, recruit, and retain staff of the highest caliber, who are deeply committed to the school's purpose and values.

The aims of the School's Safer Recruitment Policy are as follows:

- To ensure that the best possible staff are recruited based on their merits, abilities, and suitability for the position.
- To deter, identify, and reject prospective applicants who are unsuitable for work with children or young people.
- To ensure that all job applicants are considered equally and consistently.
- To ensure that no job applicant is treated unfairly on any grounds, including race, color, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability, or age.
- To ensure compliance with all relevant UK legislation, recommendations, and guidance, including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), the Prevent Duty, and relevant guidance or codes of practice published by the Disclosure and Barring Service (DBS).
- To ensure that the school meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

### The School's Purpose and Values

Oxford Online School's purpose is to motivate, encourage, and inspire confidence in our students, while nurturing their diverse backgrounds and abilities to best prepare them for the future.

The school upholds several core values:

- **Self-sufficiency:** Encouraging students to develop independence and take ownership of their learning.
- **Collaboration:** Fostering teamwork and the ability to work effectively with others.
- **Problem-solving:** Equipping students with the skills to approach challenges with creativity and resilience.
- **Creative & Critical Thinking:** Promoting innovative thinking and the ability to analyze and evaluate information critically.
- **Leadership:** Cultivating leadership qualities and empowering students to take initiative.

- **Mindfulness:** Encouraging awareness and reflection, promoting mental well-being and emotional intelligence.

## **2. Recruitment and Selection Procedure**

Oxford Online School's purpose and values will be integrated throughout the recruitment process to ensure candidates fully understand the school's culture and can demonstrate how they can individually contribute positively to the overall life of the school.

### **Advertising of Posts**

The aim of advertising is to attract a diverse range of high-quality candidates from various backgrounds. All advertisements for positions, whether in newspapers, journals, or online, will include a statement confirming that Oxford Online School is committed to safeguarding and promoting the welfare of children. Additionally, all candidates who may come into contact with Oxford Online School pupils or prospective pupils, online will be required to undergo an enhanced DBS check.

### **Job Descriptions and Person Specification**

The qualifications, skills, experience, knowledge, aptitudes, and abilities required for each position will be clearly identified in the job description and person specification. The job description will also state that it is the individual's responsibility to promote the welfare of children and young people they are responsible for or come into contact with.

### **Curriculum Vitae**

Oxford Online School will require a detailed CV from every applicant who wishes to apply for a vacancy. Candidates will be informed that all positions at the school involve some degree of responsibility for safeguarding children, though the extent of that responsibility will vary depending on the nature of the post. Any gaps in employment history must be accounted for and will be explored (and noted) during the interview process.

## **3. Interviews**

### **Invitation to Interview**

Oxford Online School will shortlist applicants for interview based on selection criteria that assess the candidate's qualifications, skills, experience, knowledge, aptitudes, and abilities against the job description and person specification. Shortlisted applicants will then be invited to participate in a two-stage interview process, followed by lesson trials under the supervision of the Head of Academics.

During the two formal interviews, the candidate's relevant skills and experience will be discussed in more detail. In addition to technical and competency-based questions, candidates will be asked questions related to their attitude and motivation to work with children and young people, or in an environment where they are present. The lesson trials will further assess the candidate's teaching abilities, interaction with students, and alignment with the school's educational philosophy.

#### **4. CONDITIONAL OFFER OF APPOINTMENT**

If it is decided to make an offer of employment, any such offer will be conditional on the following basis:

- the agreement of a mutually acceptable start date and the signing of a contract incorporating the School's standard terms and conditions of employment;
- verification of the applicant's identity (where that has not previously been verified);
- the receipt of at least two written references (one of which must normally be from the applicant's most recent employer), which the School considers to be satisfactory;
- the receipt of an Enhanced Disclosure from the DBS which the School considers to be satisfactory, and that the enhanced DBS certificate is provided to the School before the first day of employment;
- where the position amounts to "regulated activity" (see section on regulated activity below) confirmation that the applicant is not named on the Children's Barred List administered by the DBS;
- verification of the applicant's medical fitness for the role (see section on medical fitness below);
- for any roles which are based in the UK, verification of the applicant's right to work in the UK;
- any further checks, which are necessary as a result of the applicant having lived or worked outside of the UK;
- verification of professional qualifications which the School deems a requirement for the post, or which the applicant otherwise cites in support of their application (where they have not been previously verified).

#### **5. Medical Fitness**

Oxford Online School is legally required to verify the mental and physical fitness of any individual to be appointed to a post at the school after an offer of employment has been made but before the appointment can be confirmed.

It is the school's practice that all applicants who receive a job offer must complete a Health Questionnaire. The information provided in the questionnaire will be held in the strictest confidence and processed in accordance with the school's Privacy Policy. This information will be reviewed against the Job Description and Person Specification for the specific role. If the school has any concerns about an applicant's fitness, reasonable adjustments will be considered in consultation with the applicant. The school may also seek further medical opinion from a specialist or request that the applicant undergoes a full medical assessment.



Oxford Online School is fully aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence, and considering reasonable adjustments.

## **6. Pre-Employment Checks**

As an online school, Oxford Online School is not eligible for registration with the Department of Education. However, under our founding principles, we commit that even where English law and regulation do not directly apply to Oxford Online School, the school shall be operated as if the laws and regulations for an independent, physical school in England do apply. Any references to laws, regulations, or legal and regulatory requirements should be understood as applying in this context.

In accordance with the recommendations set out in statutory guidance and Keeping Children Safe in Education (KCSIE), the school conducts a series of pre-employment checks for all prospective employees.

In addition to the checks listed below, the school reserves the right to gather formal or informal background information about an applicant, as reasonably necessary, to determine their suitability for employment at the school. This may include internet and social media searches. We will explicitly inform job applicants that online searches will be conducted as part of our due diligence checks ahead of their interview, to identify any public incidents or issues that might need to be discussed. This will also help candidates prepare to address any questions regarding their public history.

## **7. Verification of Identity**

Oxford Online School complies with the DBS identity-checking guidelines. As part of the recruitment process, applicants will be informed of the original documents they are required to provide.

If an applicant has changed their name by deed poll or any other means (e.g., marriage, adoption, statutory declaration), they will be required to provide documentary evidence of the change.

The school requests the date of birth of all applicants (and proof of this) in accordance with the Guidance and KCSIE. Proof of date of birth is necessary to verify the identity of all applicants and to check for any unexplained discrepancies in employment and education history. The school does not discriminate on the grounds of age.

## 8. References

A reference will be taken up once an offer of employment is made unless it has been received previously.

All offers of employment will be subject to the receipt of a reference that is considered satisfactory by the school. This reference must normally be from the applicant's head or deputy head at their current or most recent employer. If the current or most recent employment did not involve working with children, then the reference should be from the employer with whom the applicant most recently worked with children. The referee should not be a relative or someone known to the applicant solely as a friend.

The school may, at its discretion, require further references, as appropriate, to ensure that the preferred candidate is both suitable and appointable.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. Referees will typically be provided with a copy of the job description and person specification for the role for which the applicant has applied. If the referee is a current or previous employer, they will also be asked to confirm the following:

- The applicant's dates of employment, job title/duties, reason for leaving, performance, and disciplinary record.
- Whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired), except where the issues were deemed to have resulted from allegations that were found to be false, unsubstantiated, unfounded, or malicious.
- Whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behavior towards children or young people, except where the allegations or concerns were found to be false, unsubstantiated, unfounded, or malicious.

The school will only accept references obtained directly from the referee. It will not rely on references or testimonials provided by the applicant or on open references or testimonials.

The school will compare all references with the information provided on the applicant's CV. Any discrepancies or inconsistencies in the information will be addressed with the applicant and the relevant referee before any appointment is confirmed. The school will contact referees upon receipt of references to verify that they have indeed supplied the reference.

## **9. Prohibition Checks**

Individuals who are prohibited from teaching and/or management roles will not be appointed to work at Oxford Online School. Any offer of employment will be subject to these checks and will not be confirmed until the school is satisfied that the individual is not prohibited from teaching and/or management.

## **10. Prohibition from Teaching Orders, Including EEA Authority Restrictions**

Prohibition orders prevent individuals from carrying out teaching work in schools and other settings. If an individual is prohibited, their details will appear on the Prohibited List (Teaching). Oxford Online School will check the Prohibited List (Teaching) and any restrictions imposed by another EEA authority before confirming an applicant's employment. The school ensures that successful applicants are not subject to a prohibition or interim prohibition order.

## **11. Prohibition from Management Directions (Section 128 Directions)**

Oxford Online School checks for the existence of directions made by the Secretary of State under Section 128 of the Education and Skills Act 2008, which bar individuals from taking part in the management of an independent school. The scope of these barring directions includes membership of proprietor bodies (including Governors) and any staff management position involving regulated activity (which encompasses all teaching posts above teacher level and all non-teaching posts where the person is a member of the Senior Management Team). All members of staff employed by the school are regarded as being in "regulated activity" for the purposes of this check.

## **12. Criminal Records Check**

Due to the nature of the work, most positions at Oxford Online School are exempt from the Rehabilitation of Offenders Act 1974, as outlined in the Rehabilitation of Offenders Act (Exceptions) Order 1975. This means that applicants applying for positions at the school must declare all convictions, cautions, and bind-overs, including those regarded as 'spent'. Applicants who have been convicted of a criminal offense will be asked to provide details, in confidence, to a member of the HR team. These details will be handled with confidentiality and subsequently destroyed.

Oxford Online School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) for all positions at the school, including volunteers, that involve "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to determine whether an applicant is barred from working with children by being included on the Children's Barred List maintained by the DBS.



Any position at or on behalf of the school (whether paid or unpaid) will amount to "regulated activity" if it is carried out:

- Frequently, meaning once a week or more; or
- Regularly, meaning three times or more in a 30-day period; and
- Provides the opportunity for contact with children.

This definition will cover nearly all positions at the school.

It is the responsibility of Oxford Online School to determine whether a role constitutes "regulated activity," taking into account all relevant circumstances.

The DBS issues a DBS disclosure certificate directly to the subject of the check, not to the school. It is a condition of employment with the school that the original disclosure certificate is provided to the school before the new employee's start date. Original certificates should not be sent by regular post. Employment will remain conditional upon the original certificate being provided and deemed satisfactory by the school.

If there is a delay in receiving a DBS disclosure and the position requires an urgent start, the school may allow an individual to begin work pending receipt of the disclosure, but only if:

- All other checks, including a clear Children's Barred List check (where the position involves regulated activity), have been completed;
- Appropriate supervision is in place;
- A new starter DBS risk assessment is completed and reviewed every two weeks until the enhanced DBS check is received.

No employee will be able to work unsupervised and will be subject to a DBS risk assessment (incorporating the appropriate level of supervision) until a satisfactory DBS disclosure certificate is received by the school. The risk assessment will be reviewed on a fortnightly basis until the disclosure is received.

### **13. Disclosure Update Service**

The Disclosure Update Service allows individuals to register their DBS details online and pay an annual fee to keep their DBS certificate details updated. This enables future employers to quickly verify the certificate online, avoiding unnecessary repeat applications. Employees must subscribe to this service within 30 days of their certificate being issued. Further information on this service is available from the Oxford Online School management team or online.

### **14. Overseas Criminal Record Check**

If Oxford Online School does not consider the DBS certificate alone sufficient (because it would not cover offenses committed abroad), the school will require whatever evidence of checks is available from the person's country of origin (or any other countries in which they have lived) before the appointment is confirmed.

An overseas check will be required where the applicant has lived and/or worked abroad for three months or more in the last five years. The Home Office has published updated guides on what checks are available from different countries. A UK national returning after working in a foreign country is required to obtain a certificate of good conduct or equivalent from the country or countries in question. The school will request additional references from countries that do not provide criminal record checks or if the overseas criminal record check is delayed. If an employee needs to start before receipt of the overseas police check, the school will confirm a start date provided that a risk assessment and all other pre-employment checks, including DBS and reference checks, are in place.

### **15. Prevention of Illegal Working – Document Checks**

All candidates who are offered employment will be required to produce proof of identity, right to work in the UK, and proof of address documents. Further details on the specific documents required will be sent to candidates once an offer has been made.

### **16. Data Protection and Retention of Records**

Candidates will be required to provide certain information to enable Oxford Online School to carry out the necessary checks for their role. The school may also be required to share certain information with third parties, such as the Disclosure and Barring Service (DBS). Failure to provide the requested information may result in the school being unable to fulfill its employment, safeguarding, or legal obligations. Oxford Online School complies with its legal obligations under the Data Protection Act 2018 and the EU General Data Protection Regulation (GDPR) and will process pre-employment information in accordance with the school's Privacy Policy.

If the applicant is successful, personal data gathered during the recruitment process (with the exception of DBS information) will be transferred to the new employee's personnel file and retained during their employment. DBS certificate information will not be kept any longer than necessary, allowing for the consideration and resolution of any disputes or complaints or for the purpose of completing safeguarding audits. Once the retention period has elapsed, the school will ensure that any DBS certificate information is immediately destroyed.

### **17. Referrals to the DBS and Teaching Regulation Agency**

This policy primarily focuses on promoting safer recruitment and outlines the pre-employment checks that will be undertaken before employment is confirmed. Although these are pre-employment checks, Oxford Online 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 redeployed to another area of work that is not regulated activity (whether paid or unpaid), or has been suspended or has resigned prior to being redeployed, because they have harmed, or pose a risk of harm, to a child (the harm test).

If the individual referred to the DBS is a teacher, the school may also decide to make a referral to the Teaching Regulation Agency.

