



LEWISHAM MUSIC

SAFER RECRUITMENT POLICY

Lewisham Music

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Introduction

Lewisham Music (LM) is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment in every aspect of their work.

The purpose of this policy is to set out the requirements for the recruitment of teaching, management, administration and support staff to LM. The aim is to:

- 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.

Decisions concerning the need to recruit staff are delegated to the Chief Executive by the Board of Trustees. All decisions will be made with regard to **operational** needs and financial circumstances. Decisions regarding remuneration for posts will be made in accordance with the LM's Pay Policy.

Statutory Requirements

The policy takes into the account the provisions of *Working Together to Safeguard Children in Education* (HM Government, **July 2018**) and *Keeping Children Safe in Education* (DfE, September **2018**). LM will ensure that the statutory requirements for the appointment of staff will be met. Requirements will change from time to time and this policy will be updated accordingly.

Equal Opportunities

The Trustees and Chief Executive will abide by the existing legislation and will not discriminate on the ground of any of the protected characteristics listed in the Equality Act (2010): age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership, and pregnancy and maternity.

The Board of Trustees will promote equality in all aspects of LM's delivery, operation and management, including with regard to the recruitment of staff.

Roles and Responsibilities

The Board of Trustees will:

- ensure LM has effective policies and procedures in place for the safe and fair recruitment and selection of staff and volunteers in accordance with Department for Education guidance and legal requirements
- monitor LM's compliance with them
- ensure that appropriate staff and trustees have completed safer recruitment training.

The Chief Executive will:

- ensure that LM operates safe and fair recruitment and selection procedures which are regularly reviewed and up-dated to reflect any changes to legislation and statutory guidance
- ensure that all appropriate checks on staff and volunteers, including enhanced DBS checks, have been carried out on a regular basis
- ensure that a Single Central Staff Record of permanent and temporary staff is kept in accordance with DfE legislation and guidance.
- monitor any contractors' and agencies' compliance with this document
- promote the safety and well-being of children and young people at every stage of this process.

Delegation of Appointments and Constitution of Selection Panel

The Board of Trustees delegates the power to offer employment for all posts to the Chief Executive. The Chief Executive may not delegate the power to offer employment to any other senior manager or trustee. The Chief Executive will aim to involve at least one trustee in the appointment of all teaching staff and in the appointment of other posts, where possible.

Selection panels will comprise a minimum of two people (normally three). In accordance with the statutory requirement, every selection panel will have at least one member who has undertaken Safer Recruitment Training.

Advertising

All vacant posts will be advertised to ensure equality of opportunity and encourage as wide a field of candidates as possible. This will normally mean placing an advertisement externally as well as on LM's website. However, where there is a reasonable expectation that there are sufficient, suitably qualified internal candidates, or if members of staff are at risk of redundancy, vacancies may be advertised internally before an external advertisement is placed. Any internal recruitment process will follow the procedures set out in this policy.

All advertisements for posts, paid or unpaid, will include the following statements:

"LM is committed to safeguarding and promoting the welfare of children and young people and requires all staff and volunteers to share and demonstrate this commitment"

"The successful candidate will need to meet the requirements of the person specification and will be subject to pre-employment checks including a health check, an enhanced DBS check and satisfactory references."

Advertisements will make clear that all applicants must complete an application form and that LM is an equal opportunities employer.

Information for Applicants

All applicants will be provided with:

- A Job Description, outlining the duties of the post, and a Person Specification
- An Application Form (CVs will not be accepted) – **personal contact details, date of birth, present employment and reason for leaving, full employment history since leaving school, qualifications, two referees, personal statement, signed declaration that all information is true**
- A description of LM's work, relevant to the vacant post

- A safeguarding statement
- An outline of terms of employment including salary and/or rate of pay
- The closing date for the receipt of applications

Prospective applicants must complete and return a signed application form in full. Incomplete application forms will be returned to the applicant where the deadline for completed forms has not passed. Candidates applying online will be asked to sign the form if invited for interview. A CV will not be accepted in place of a completed application form.

Shortlisting

The selection panel will shortlist applicants against the Person Specification for the post. The criteria for selection will be consistently applied to all applicants. The selection panel will agree the applicants to be invited to interview. **At least one member of the shortlisting and interview panel will have completed safer recruitment training.**

Shortlisted candidates will be required to complete a Self-disclosure form prior to interview. The form asks for details of any cautions or convictions that are not 'protected'¹ and needs to be returned in a sealed envelope marked 'Confidential – disclosure'.

If the field of applicants is felt to be weak, the post may be re-advertised.

Reference Requests

Two references, one of which must be from the candidate's current or most recent employer, will be taken up before the selection stage so that any discrepancies may be probed during this stage of the selection process. Candidates are entitled to see and receive copies of their employment references and should request these from their referees.

Written references will be sought directly from the referee and, where necessary, s/he will be contacted to clarify any anomalies or discrepancies. Detailed written records will be kept of such exchanges.

Where necessary, previous employers who have not been named as referees may be contacted to clarify any such anomalies or discrepancies. Detailed written records will be kept of such exchanges.

If a candidate for a post working with children is not currently employed in a post working with children, a reference will be sought from the most recent employment in which the candidate has worked with children to confirm details of the candidate's employment and his/her reasons for leaving.

Reference requests will ask the referee to confirm, in writing:

- The referee's relationship to the candidate

¹ A caution or conviction will NOT be protected if it is for a 'listed offence' under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Listed offences include serious violent and sexual offences and offences which are of specific relevance to the safeguarding of children and vulnerable adults. A caution or conviction for a listed offence must always be disclosed to us.

- Details of the candidate's current post and salary **and period of employment**
- The candidate's performance history and conduct
- The candidate's suitability for the post with explicit reference to the job description and person specification
- Whether the candidate has been subject to capability procedures and the outcome of this
- Whether the candidate has been subject to disciplinary action relating to the safety and welfare of children, including where the sanction has expired, and the outcome of this
- Details of any substantiated allegations or concerns about the candidate relating to the safety and welfare of children
- Whether the referee has any reservations as to the candidate's suitability to work with children and young people (if so, the school will ask for specific details of the concerns and the reasons why the referee believes the candidate may be unsuitable to work with children)

Open references are not acceptable. References will only be accepted if they are validated with a company stamp or equivalent.

References are the "property" of the selection panel and strict confidentiality will be observed. Employer testimonials i.e. those provided by the candidate and/or marked 'to whom it may concern' will not be accepted. References must be in writing and be specific to the job for which the candidate has applied. The selection panel will not accept references from relatives or people writing solely in the capacity as a friend of the candidate, for any post. References will be verified and any discrepancies or areas of potential concern will be discussed with the candidate at interview.

Interviews

Before the interview, the selection panel will agree on the interview format.

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. Teaching posts may include the requirement for candidates to deliver a demonstration lesson.

Interviews will always be face-to-face. Telephone interviews may be used at the short-listing stage but will not be a substitute for a face-to-face interview.

Candidates invited to interview will receive:

- A letter or email confirming the interview and any other selection techniques
- Details of the interview day including details of the panel members
- Details of any tasks to be undertaken as part of the interview process
- The opportunity to discuss the process prior to the interview.

The questions asked will be aimed at obtaining evidence of how each candidate meets the requirement of the Job Description and the Person Specification and each candidate will be assessed against all criteria for the post. **For teaching posts, candidates will be asked to perform a short vocal or instrumental piece and, where possible, lead a short demonstration lesson with a group of children. Administration posts may include a written or IT task.**

The same areas of questioning will be covered for each applicant and no questions which would discriminate directly or indirectly on protected characteristics under the Equality Act will be asked.

The selection process for every post will include exploration of the candidate's understanding of child safeguarding issues.

Candidates will always be required:

- To bring photo ID
- To explain satisfactorily any gaps in employment
- To explain satisfactorily any anomalies or discrepancies in the information available to the selection panel
- To declare any information that is likely to appear on a DBS disclosure
- To demonstrate their capacity to safeguard and protect the welfare of children and young people
- To bring a musical instrument if appropriate to the application.

The interview will also include a discussion of any convictions, cautions or pending prosecutions, other than those protected, that the candidate has declared and are relevant to the prospective employment. Candidates will also be asked to declare any conflicts of interest and/or any family or personal connections with LM, its staff members, stakeholders or Board members.

The recruitment documentation will be retained. Under the Data Protection Act, applicants have the right to request access to notes written about them during the recruitment process. After 6 months, all information about unsuccessful candidates will be securely destroyed.

Pre-appointment checks

All appointments are subject to the receipt of at least two satisfactory references, DBS clearance and satisfactory completion of pre-employment checks. When appointing new staff, we will:

- Verify a candidate's identity from current photo ID (originals), **date of birth** and proof of address (originals) except where, for exceptional reasons, none is available; the advice of an HR consultant will be sought if necessary
- Obtain a certificate for an enhanced DBS check with a barred list information where the candidate will be engaging in regulated activity
- **Check that the candidate is not subject to a prohibition order made under section 141B of the Education Act 2002**
- Obtain a separate barred list check if, after carrying out a risk assessment, an individual will be judged as suitable to start work in regulated activity before the DBS enhanced disclosure is available
- **Obtain a Section 128 check for any member of staff engaged in a trustee or senior management role**
- **Check for any prohibitions, sanctions or restrictions by logging on to the Secure Access Portal for candidates with DBS portability**
- **Use the [Teacher Services web page](#) to verify any award of Qualified Teacher Status (QTS) and the completion of teacher induction or probation**
- Verify the candidate's mental and physical fitness to carry out their work responsibilities (a job applicant can be asked relevant questions about disability and health to establish whether they have the physical and mental capacity for the specific role)
- Verify the candidate's right to work in the UK (if there is uncertainty about whether an individual needs permission to work in the UK, then we will follow advice on the GOV.UK website)

- Check with relevant country of residence if the candidate has lived and worked outside the UK for 3 months or more in the last 5 years including information on sanctions or restrictions imposed by EEA professional regulating authorities
- Verify professional qualifications (original certificates)
- Make any further checks that we consider appropriate and in accordance with DfE recommendations
- Carry out all relevant checks for internal staff members as if the person were a new member of staff if a person were moving from a post that involved non-regulated activity to one that involved regulated activity.

All checks will be:

- Documented and retained on the personnel file
- Recorded on LM's Single Central Record
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received.

Offer of Employment by the Selection Panel

The offer of employment by the selection panel and acceptance by the candidate is binding on both parties, subject to satisfactory completion of the pre-employment checks and satisfactory references and DBS enhanced clearance. The successful candidate will be informed, normally by offer letter, that the appointment is subject to satisfactory completion of these checks.

Personnel file and Single Central Record

Recruitment and selection information for the successful candidate will be retained securely and confidentially for the duration of his/her employment with LM including:

- Application form – signed by the applicant
- Interview notes – including explanation of any gaps in the employment history
- References – minimum of two
- Proof of identity
- Proof of right to work in the UK
- Proof of relevant academic qualifications
- Evidence of medical clearance from the Occupational Health service (if required)
- Evidence of DBS clearance, Barred List (where applicable) and Teacher Prohibition checks
- Offer of employment letter and signed contract of employment
- Overseas checks (if applicable)

LM will maintain a Single Central Record of employment checks in accordance with DfE guidance.

Start of Employment and Induction

The pre-employment checks listed above must be completed before the employee starts work. Exceptions will only be made in circumstances where a risk assessment has been undertaken. Exceptions will never be made in the case of the Barred List and Teacher Prohibition checks.

All new employees will be provided with an induction programme which will cover all relevant matters of LM policy including our expectations regarding acceptable conduct between adults and children, safeguarding and promoting the welfare of children, whistleblowing, line management and support, performance management arrangements, and guidance on safe working practices.

Safeguarding information and training provided in the induction session will be equivalent to Level 1 Safeguarding Training. New employees will be required to read the Staff Code of Conduct, the Safeguarding section of the current LM Staff Handbook, LM's Safeguarding Policy and Part 1 of *Keeping Children Safe in Education*. Staff will need to sign a declaration that they have read and understood these documents.

Persons working with children who are not employed directly by LM

Staff from external organisations

We will only use those agencies which operate a Safer Recruitment Policy and supply written confirmation that all relevant checks have been satisfactorily completed. We will carry out identity checks when a cover staff member arrives at a school or music centre.

Freelance staff

We will carry out identity, professional recommendation and enhanced and barred list DBS checks for all staff engaged for teaching cover or other regulated short-term activities such as music teaching, leading and coaching in workshops, performances and projects, and examination accompaniment.

Volunteers

Volunteers involved in regulated (unsupervised) activity require an enhanced DBS with barred list information and need to provide details of two referees. Volunteers who help on an occasional basis (e.g. trips, concert events, provision of refreshments) are supervised, in accordance with legislation. LM managers will undertake a risk assessment and use their professional judgement and experience when deciding whether to obtain an enhanced DBS certificate for any volunteer not engaging in regulated activity.

Students on placement

When students are working with LM staff as part of a recognised training course (such as PGCE, NVQ etc.), references and completion of an application form will not be required. However, we will require proof of DBS enhanced clearance with barred list check and will carry out identity checks when the student arrives at school.

Students on work experience

Students on work experience will always be supervised.

Trustees

Trustees complete a declaration that they have read and understood LM and Charity Commission safeguarding policies and procedures. Enhanced DBS and Section 128 checks will be carried out for all trustees every three years.

This policy will be regularly reviewed and updated to reflect any changes to legislation and statutory guidance.