



British School
of Bucharest

SAFER RECRUITMENT POLICY

Reviewed & Approved by HR & SLT

Last reviewed on October 2018

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Early Years Foundation Stage / Primary / Secondary
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1. INTRODUCTION

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. British School of Bucharest (BSB) is committed to safeguarding and promoting the welfare of all pupils in its care. As an employer, the school expects all staff and volunteers to share this commitment.

2. AIMS AND OBJECTIVES

The aims of the Safer Recruitment policy are to help deter, reject or identify people who might abuse pupils or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

The aims of the School's recruitment policy are as follows:

- to ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- 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, colour, 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 the 2017 British Schools Overseas Standards and all relevant legislation, recommendations and guidance including the statutory guidance published within the UK by the Department for Education (DfE), the Prevent Duty Guidance for England and Wales 2015 (the Prevent Duty Guidance) and any guidance or code 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.

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

The School has a principle of open competition in its approach to recruitment and will seek to recruit the best applicant for the job. The recruitment and selection process should ensure the identification of the person best suited to the job at the school based on the applicant's abilities, qualifications, experience and merit as measured against the job description and person specification. The School does not discriminate on the grounds of age.

The recruitment and selection of staff will be conducted in a professional, timely and responsive manner and in compliance with current employment legislation, and relevant safeguarding legislation and statutory guidance (including KCSIE 2018 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant they must declare it as soon as they are aware of the individual's application and avoid any involvement in the recruitment and selection decision-making process.

The school aims to operate this procedure consistently and thoroughly while obtaining, collating, analysing and evaluating information from and about applicants applying for job vacancies at the BSB.

3. ROLES AND RESPONSIBILITIES

It is the responsibility of the proprietor to:

- ensure the school has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with BSO guidance and legal requirements.
- monitor the school's compliance with them.

It is the responsibility of the Headmaster, HR Director and other managers involved in recruitment to:

- ensure that the school operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school.



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- to monitor contractors' and agencies' compliance with this document.
- promote welfare of children and young people at every stage of the procedure.

The proprietor has delegated responsibility to the Headmaster and HR Director to lead in all appointments.

3.1 DEFINITION OF REGULATED ACTIVITY AND FREQUENCY

Any position undertaken at, or on behalf of the School will amount to “regulated activity” if it is carried out:

- frequently, meaning once a week or more; or
- overnight, meaning between 2.00 am and 6.00 am; or
- satisfies the “period condition”, meaning four times or more in a 30-day period; and
- provides the opportunity for contact with children.

Roles which are carried out on an unpaid / voluntary basis will only amount to regulated activity if, in addition to the above, they are carried out on an unsupervised basis.

The School will check the Children’s Barred List and many other checks whenever an individual will be engaging in “regulated activity”. However, the School will also carry out such checks on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

4. RECRUITMENT AND SELECTION PROCEDURE

4.1 ADVERTISING

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of applicant as possible, normally this entails an external advertisement.

Any advertisement will make clear the school’s commitment to safeguarding and promoting the welfare of children.

All documentation relating to applicants will be treated confidentially in accordance with the Data Protection Act (DPA).

4.2 USE OF APPLICATION FORMS FOR TEACHING STAFF

BSB uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role (in addition all applicants are required to account for any gaps or discrepancies in employment history).

The application form will include the applicant’s declaration regarding convictions and working with children, and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CV’s will not be accepted alone; an application form must be completed.

The School will not employ anyone who is barred from working with children. All applicants will be made aware that providing false information is an offence and could result in the application being rejected or summary dismissal if the applicant has been selected, and referral to the police and/or the DBS.

4.3 JOB DESCRIPTIONS

A job description is a key document in the recruitment process, and must be finalised prior to taking any other steps in the recruitment process. It will clearly and accurately set out the duties and responsibilities of the job role.

4.4 REFERENCES

References are taken up either before or immediately after initial interviews.



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4.5 TEACHERS AND TAS REFERENCES

All offers of employment for teaching staff and other management roles will be subject to the receipt of appropriate written references which are considered satisfactory by the School. One of the references must be from the applicant's current or most recent employer. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. The referee should not be a relative. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

All referees will be contacted verbally and 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. This conversation will be recorded on a Telephone Reference Check Form.

Please note that no questions will be asked about health or medical fitness prior to any offer of employment being made.

Any discrepancies or anomalies will be followed up. Direct contact by phone will be undertaken with at least one referee to verify the reference. This is the headteacher at the applicant's current school wherever possible.

The School does not accept open references, testimonials or references from relatives.

4.6 INTERVIEWS

There will be a face-to-face interview wherever possible and at least via Skype with video connection. A minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification. It will enable the panel to explore any anomalies or gaps have been identified in order to satisfy themselves that the chosen applicant can meet the safeguarding criteria (in line with Safer Recruitment Training).

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has been disclosed on the application form.

At least one member of any interviewing panel will have undertaken safer recruitment training or refresher training as applicable.

5. OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS

In accordance with the recommendations set out in KCSIE and the requirements of the 2017 British Schools Overseas Standards, the School carries out a number of pre-employment checks in respect of all prospective employees.

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

- 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;
- the receipt of appropriate references (one of which must be from the applicant's most recent employer) which the School considers to be satisfactory;
- 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)
- for positions which involve "teaching work":
 - » I. where the position amounts to "regulated activity" confirmation that the applicant is not named on the Children's Barred List before commencement of employment (this is obtained via the Teachers' Pensions online service);
 - » II. the School being satisfied that the applicant is not, and has never been: - the subject of a sanction, restriction or prohibition issued by Teaching Regulation Agency (TRA), or any predecessor or successor body - and is not listed as a teacher that has failed their statutory induction or probation period - and is not listed as subject of a sanction by the GTCE - and is not identified to the Teaching Regulation Agency (TRA) as having current European Economic Area member state restrictions or sanctions imposed upon them, which would prevent the applicant working at the School or which, in the School's opinion, renders the applicant unsuitable to work at the School - and confirmation that the applicant is not subject to a direction under section 128



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of the Education and Skills Act 2008 which prohibits, disqualifies or restricts them from being involved in the management of an independent school including academies and free schools (these checks are conducted through liaison with COBIS); and

- » III. where the position amounts to “regulated activity” an Enhanced Disclosure from the DBS was previously sought via COBIS and checked as soon as is practicable. However British Schools Overseas are currently unable to legally access Enhanced DBS Checks. These are only available when a recruitment decision is made in England or Wales. Following consultation with COBIS we utilise the ICPC.

The International Child Protection Certificate (ICPC) check is requested via ACRO. This is relevant for all British citizens or those from other nationalities who have lived and/or worked in the UK. This is used as a primary check as it is a more thorough criminal record check than the Basic DBS, which details convictions that are not spent. [Prior to October 2018, we had asked new staff members to obtain the Basic DBS as well as the ICPC where possible.] Both ICPC and DBS can only be obtained by the individual themselves and not by the employer. HR keep a scanned copy on file.

We reimburse the costs of this to each individual upon commencement of employment.

We recognise that the ICPC is “not a substitute for criminal record checks through the UK DBS...and not a product endorsed by the UK government within the statutory disclosure regime”. However, we are assured that the ICPC “can be a useful alternative source of information when BSOs experience difficulty obtaining information through the DBS.” (taken from Commentary on the BSO Standards September 2017 p44)

- » IV. any further checks which are necessary as a result of the applicant having lived or worked in other countries; applicants who have lived/travelled abroad for more than 3 months should obtain a criminal record check from the relevant country. We will seek to check criminal records overseas for those who have lived or worked overseas for this timeframe over at least the last ten years. We will seek to be as stringent and extensive as feasible, bearing in mind any other assurances that we have been able to obtain such as an ICPC. Where a previous police check is missing from the records of a prospective employee it will be expected that the applicant will make all reasonable attempts to obtain a copy of the check and demonstrate evidence of such efforts. Locally hired employees provide a local police check.
- verification of the applicant’s physical and mental medical fitness for the role is made on the first day of the contract after arrival in Romania following a self-disclosure of medical fitness as part of the application form;
- verification of the applicant’s right to work in Romania as soon as is practicable.

Whether a position amounts to “regulated activity” must therefore be considered by the School in order to decide which checks are appropriate. In nearly all cases of overseas recruitment, the School will be able to carry out the Children’s Barred List check and the further checks detailed above. Children’s Barred List checks will be made via the Teachers’ Pension online service prior to the commencement of employment.

Members of staff at BSB are aware of their obligation to inform the Headmaster or the HR Department of any cautions or convictions that arise between these checks taking place.

A personal file checklist will be used to track and audit paperwork obtained in accordance with Safer Recruitment Training. The checklist will be retained on personal files.

5.1 THE REHABILITATION OF OFFENDERS ACT 1974

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to pupils. Therefore, any convictions and cautions that would normally be considered ‘SPENT’ must be declared when applying for any position at BSB.

5.2 DEALING WITH CONVICTIONS

The school operates a formal procedure if an ICPC or DBS Certificate or police check is returned with details of convictions.

Consideration will be given to the Rehabilitation of Offenders Act 1974 and also:

- the nature, seriousness and relevance of the offence;
- how long ago the offence occurred;



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- one-off or history of offences;
- changes in circumstances;
- decriminalisation and remorse.

A formal meeting will take place face-to-face to establish the facts with the Human Resources Director. A decision will be made following this meeting. In the event that 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, the Human Resources Director will evaluate all of the risk factors above before a position is offered or confirmed.

If an applicant wishes to dispute any information contained in a disclosure, they may do so by contacting ACRO, the DBS or local police. In cases where the applicant would otherwise be offered a position were it not for the disputed information, the School may, where practicable and at its discretion, defer a final decision about the appointment until the applicant has had a reasonable opportunity to challenge the disclosure information.

5.3 MEDICAL FITNESS

The School is legally required to verify the medical fitness of anyone appointed to a post at the School annually and this is carried out within the first two days of employment. A self-disclosure of medical fitness is made as part of the application process.

5.4 INDUCTION PROGRAMME

All new employees will be given an induction programme which will clearly identify the school policies and procedures, including the Safeguarding and Child Protection Policy, Whistleblowing Policy and the Code of Conduct and makes clear the expectations which will govern how staff carry out their roles and responsibilities.

5.5 SINGLE CENTRAL REGISTER OF APPOINTMENTS

In addition to the various staff records kept in school and on individual personnel files, a single central register of appointments and vetting checks is kept in accordance with the 2017 British Schools Overseas Standards. This is kept up-to-date and retained by the Human Resources Office. The single central register will contain details of the following:

- all employees who are employed to work at the school;
- all employees who are employed as contractors to the school whether employed directly or through an agency;
- all others who have been chosen by the school to work in regular contact with children. This will cover volunteers, proprietor, peripatetic staff and people brought into the school to provide additional teaching or instruction for pupils but who are not staff members eg: sports coaches etc.

5.6 RECORD RETENTION / DATA PROTECTION

The School is committed to undertake the above employment checks. Therefore, if an applicant is successful in their application, the School will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the Romania, medical fitness and qualifications. Medical information may be used to help the School to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

This documentation will be retained by the School for the duration of the successful applicant's employment with the School. All information retained on employees is kept centrally in the Human Resources Office in a locked and secure cabinet.

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

5.7 ONGOING EMPLOYMENT

BSB 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. The school will therefore provide ongoing training and support for all staff, as identified through the Annual performance management procedures.



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5.8 LEAVING EMPLOYMENT AT BSB

As a result of the best efforts to recruit safely there should only be very rare occasions when allegations of serious misconduct or abuse against children and young people are raised. 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. Whilst these are pre-employment checks 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 and other appropriate international agencies.

5.9 CONTRACTORS AND AGENCY STAFF

Contractors engaged by the School must complete the same checks, to the extent possible, for their employees that the School is required to complete for its staff. The School requires confirmation that these checks have been completed before employees of the Contractor can commence work at the School.

The School will independently verify the identity of staff supplied by contractors and where relevant, will require the provision of the original ICPC or DBS certificate before contractors can commence work at the School.

5.10 VISITING SPEAKERS (AND PREVENT DUTY)

The Prevent Duty Guidance requires the School to have clear protocols for ensuring that any visiting speakers, whether invited by staff or by pupils, are suitable and appropriately supervised.

The School will obtain an ICPC or DBS disclosure or check Children's Barred List information on any visiting speaker who engages in regulated activity at the School or performs any other regular duties for or on behalf of the School.

All visiting speakers will be subject to the School's usual visitors signing in protocol. This will include signing in and out at Reception, the wearing of a visitors' badge at all times and being escorted by a fully vetted member of staff between appointments.

The School will also obtain such formal or informal background information about a visiting speaker as is reasonable in the circumstances to decide whether to invite and/or permit a speaker to attend the School. In doing so the School will always have regard to the Visitors and Security Policy, the Prevent Duty Guidance and the definition of "extremism" set out in KCSIE which states:

"Extremism" is vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. We also include in our definition of extremism calls for the death of members of our armed forces, whether in this country or overseas. Terrorist groups very often draw on extremist ideas developed by extremist organisations."

In fulfilling its Prevent Duty obligations the School does not discriminate on the grounds of race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age.

5.11 VOLUNTEERS

The School will request an ICPC and Children's Barred List information, if relevant, and/or relevant overseas criminal records check on all volunteers undertaking regulated activity with pupils at or on behalf of the School (the definition of regulated activity set out above will be applied to all volunteers).

Under no circumstances will the School permit an unchecked volunteer to have unsupervised contact with pupils.

In addition, the School will seek to obtain such further suitability information about a volunteer as it considers appropriate in the circumstances. This may include (but is not limited to the following):

- formal or informal information provided by staff, parents and other volunteers;
- character references from the volunteer's place of work or any other relevant source;
- and an informal safer recruitment interview.



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5.12 MONITORING AND EVALUATION

The Human Resources Director in conjunction with the Proprietor, Headmaster and Designated Safeguarding Lead will be responsible for monitoring and evaluating the implementation of this policy throughout the school.



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