



## **SAFER RECRUITMENT POLICY**

### **Policy Statement**

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of the children in education. The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

This school recognises the value of people from different backgrounds with different skills and abilities. The school is committed to ensuring that the recruitment and selection of all who work within the school is conducted in a manner that is systematic, efficient, effective and promotes equality and opportunity. The school will uphold its obligations under law and national collective agreements to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or creed. This document provides a good practice framework to comply with the principles set down in the school's Equality Policy.

All posts within school are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and have an Enhanced Criminal Records Disclosure.

The school is committed to ensuring people who have been convicted are treated fairly and given every opportunity to establish their suitability for position.

The school will:

1. ensure that appropriate staff who undertake recruitment have received accredited safer recruitment training
2. ensure that every appointment panel includes one member who has received safe recruitment training.
3. implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that reasonable steps are taken not to appoint a person who is unsuitable to work with children, or who is disqualified from working with children, or does not have the suitable skills and experience for the intended role.
4. keep and maintain a single central record of recruitment and vetting checks in line with DFE (Statutory guidance Keeping Children Safe in Education) requirements.

5. ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure. The school will monitor the compliance with these measures.
6. require staff who are convicted or cautioned for any offence during their employment with the school to notify the school, in writing of the offence and the penalty.

The following pre-employment checks will be undertaken:

- Receipt of at least two satisfactory references, one of which will be from the former or most recent employer
- Verification of the candidate's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006
- Verification of right to work in the UK (GOV.UK website)
- A satisfactory enhanced DBS clearance with a barred list information check where the person will be engaging in regulated activity (and/or Certificate of Good Conduct Embassy checks for those who have resided outside of the UK)
- Verification of the candidate's (mental and physical fitness) medical fitness
- Verification of (professional) qualifications as appropriate
- Verification that the candidate is not subject to a Prohibition order issued by the Secretary of State, for teaching staff
- Verification of professional registration as required by law for teachers
- Verification of successful completion of induction period (for those who obtained QTS after 7 May 1999)

### **Roles and responsibilities**

It is the responsibility of the governing body to:

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

It is the responsibility of the Headteacher 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
- To monitor contractors' and agencies' compliance with this document
- Promote safeguarding of children and young people at every stage of the procedure

It is the responsibility of all potential and existing workers, including volunteers to comply with this document.

It is the responsibility of all contractors and agencies to comply with safe recruitment pre-employment checks.

It is the responsibility of the school's HR provider to:

Deal with the administration of the disclosure system for the school

In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the Headteacher to lead in all appointments outside of the leadership group.

School governors may be involved in staff appointments, but the final decision will rest with the Headteacher. The Headteacher may delegate the selection process of staff outside of the leadership group to other managers in the school, but remains responsible for the decision to appoint.

## **The Procedure**

### **Advertising**

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

However, where there is a reasonable expectation that there are sufficient qualified internal candidates or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

### **Applications**

The form – The school uses Cumbria County Council application form. CVs will not be accepted.

The school requires candidates to account for any gaps or discrepancies in employment history on this application form. Where an applicant is shortlisted, these gaps will be discussed at interview.

Applicants should be 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 possible referral to the police and other professional regulatory bodies.

### **References**

References for shortlisted candidates will be sent for immediately after shortlisting. The only exception to this is where candidates have indicated on their application forms that they do not wish their current employer to be contacted. In such cases, this reference will be taken up immediately after interview and prior to any offer of employment being made. One reference will be sought prior to interview wherever possible.

References must be in writing and be specific to the job for which the candidate has applied – open references or testimonials are not acceptable. The school will not accept references from relatives or people writing solely in the capacity as a friend. Wherever possible, only

reference from a trusted authoritative source will be acceptable. Reference requests will specifically ask:

- About the referee's relationship with the candidate
- Whether the referee is completely satisfied that the candidate is suitable to work with children and, if not, for specific details of the concerns and the reasons why the referee believes that the person might be unsuitable.

Referees will also be asked to confirm details of:

- The applicant's current post, salary and attendance record
- Performance history and conduct
- Any disciplinary procedures in which the sanction is current
- Any disciplinary procedures involving issues related to the safety and welfare of children, including any in which the sanction has expired and the outcome of those
- Details of any allegations or concerns that have been raised that relate to the safeguarding of children children and the outcome of these concerns.

References will be compared to the application form to ensure that the information provided is consistent. Any discrepancies will be taken up with the applicant at interview.

Any information about past disciplinary action or allegations will be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago, or an allegation was determined to be unfounded or did not require formal disciplinary sanctions, and which no further issues have been raised, are not likely to cause concern. More serious or recent concerns or issues are more likely to cause concern. A history of repeated concerns or allegations over time is also likely to give cause for concern.

### **Self-declaration of convictions by job applicants**

The school's policy requires shortlisted applicants for all posts (including volunteers) to declare all criminal convictions whether "spent" or "unspent" and include any cautions and pending prosecution.

The chair of the panel/Headteacher will discuss relevant, positive declarations confidentially with the applicant at interview.

The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

### **Interviews**

The selection process will always include the following:

- Face to face professional interview including questions related to safeguarding children (in line with Safer Recruitment Training)

## **Proof of Identity and Right to Work in the UK & Verification of Qualifications and/or Professional Status**

Shortlisted applicants for all posts will be required to provide proof of identity by producing documents on the day of interview in line with those set out in The Immigration, Asylum and Nationality Act 2006. Similar information is also required to undertake a Criminal Records Bureau check on the preferred candidate.

Short-listed candidates will also be required to provide original proof of their qualifications and professional status by producing documentation on the day of interview. The school will verify that candidates have actually obtained any qualifications legally required or deemed essential for the job and claimed in their application by asking to see the relevant certificate, or a letter of confirmation from the awarding body/institution. If the original documents are not available, the school will require sight of a properly certified copy. Where candidates have obtained qualifications abroad, a certified comparability check by NARIC will also be required.

Proof of identity and other documentation will be verified by the chair of the panel/Headteacher.

## **Commencement of Employment prior to DBS check being received**

In exceptional circumstances it is permitted to commence employment prior to receiving a DBS check. However a Barred List check and risk assessment must be completed by the Head teacher.

## **Employment Offer**

It may be possible to negotiate a provisional start date with the preferred candidate, however, with the exception of DBS disclosures, the checks details above must all be completed BEFORE a person's appointment is confirmed. In the case of DBS disclosures, the certificate must be obtained before or as soon as practicable after appointment. All employees and volunteers are required to complete a Childcare Disqualification Declaration in accordance with the DfE advice in 'Keeping Children Safe in Education.'

Once all pre-employment checks have been satisfactorily completed/received, an offer of employment will be made and the contract of employment issued within a reasonable timescales as in accordance with employment legislation.

## **Record Retention/Data Protection**

The school will retain all interview notes on all applicants for a 6 month period, after which time the notes will be destroyed (i.e shredded). The 6 month retention period will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints or to respond to any complaints made to the Employment tribunal.

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 chair of the panel/Headteacher within 6 months of the interview date.

### **Personal file records**

The school will retain the following information which will make up part of the personal file, for the successful candidate:

- Application form
- References
- Disclosure of convictions form
- Proof of identification
- Proof of academic qualifications
- Proof of registration with General Teaching Council (for teaching staff)
- Certificate of Good Conduct (where applicable)
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance
- Completed KCSIE form

### **Single Central Record of Barring and Recruitment Vetting Checks**

In line with DFE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, supply agency staff whether employed directly or through an agency, volunteers, governors who also work as volunteers, and those who provide additional teaching or instruction for pupils but who are not staff members, eg: specialist sports coach or artist.

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

- Identity checks
- Qualification checks for any qualifications legally required for the job
- Prohibition from teaching check
- Checks of right to work in the United Kingdom
- Barred List checks
- DBS Enhanced Disclosure and/or Certificate of Good Conduct Embassy checks for those who have resided outside of the UK
- Further overseas records where appropriate
- Keeping Children Safe in Education

It shall also indicate who undertook the check and the date on which the check was completed or the relevant certificate obtained.

In order to record supply staff provided through an agency on the record, the school will require written confirmation from the supply agency that it has satisfactorily completed the checks described above. The school does not need to carry out checks itself except where there is information contained within the disclosure. However, identity checks must be

carried out by the school to check the person arriving is the person the agency intends to refer to them.

School staff will be given a copy of the DFE guidance on Safe Working Practice and asked to sign a declaration that they have read and understood the document and will follow the guidelines required to maintain professional boundaries at all time.

The school has a specific safeguarding related whistle blowing policy which has been disseminated to all staff and volunteers.

The school adopts a culture of vigilance where all concerns are listened to and taken seriously.

The school will follow DFE and Cumbria Safeguarding Children Board allegations procedures and refer any allegation for initial consultation to the Designated Officer.