



**CHARLESWORTH SCHOOL**

*...from tiny acorns great oaks grow*

# Safer Recruitment Policy



# Purpose

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.

Charlesworth School recognises the value of, and seeks to achieve a diverse workforce which includes 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.

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

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). They will also be required to have an Enhanced DBS Check.

## Aims and Objectives

- To ensure that appropriate staff who undertake recruitment have received accredited safer recruitment training
- To ensure that every appointment panel includes one member who has received safe recruitment training.
- To 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.
- To keep and maintain a single central record of recruitment and vetting checks in line with DFE (Statutory guidance Keeping Children Safe in Education 2016) requirements.
- To 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.
- To 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.

# Principles and Procedures

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)

## 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 a standard 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 nature of relationship with the candidate

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 issues
- Details of any allegations or concerns that have been raised that relate to the safeguarding of 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.

Such declarations will be made on the appropriate section of the Derbyshire County Council application form, which the school administrator will remove prior to the selection panel shortlisting process. 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)
- Young people panel/activity with children (for teaching staff)

### **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 DBS 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

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 or 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 2016.'

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
- 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,
- a Barred List check
- an enhanced DBS check,
- a prohibition from teaching check\*,
- checks to confirm professional qualifications that are a requirement for the post,
- checks to establish the person's right to work in the United Kingdom and
- further checks, where the appointee has lived outside the United Kingdom.
- a check with any staff with the scope of the disqualification regulations under the Childcare Act 2006\*\*

\*for information from the National College for Teaching & Leadership on checking whether the Secretary of State has made a prohibition order in respect of a teacher see <https://www.gov.uk/teacher-status-checks-information-for-employers> **This check should be carried out by the school prior to appointment commencing.**

\*\* the check is conducted by the school with relevant staff, i.e. those who work with reception age children or under and those who work with children between reception age and under 8 years, delivering childcare in after/before school settings. Those who are employed directly in the management of childcare/education to the relevant age groups are also within scope of the disqualification check.

## **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.

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.

## **Monitoring and Evaluating**

The effectiveness of the policy should be monitored and evaluated by the Headteacher and Safeguarding Governor through:-

- Annual checks of the HR files for staff and visitors.
- Termly checks of the SCR

The policy will be reviewed on an annual basis in light of evaluative evidence and recent DfE guidance and all staff will be informed of the outcome of the annual review.





