

# Gorse Hall Primary & Nursery School



## Safer Recruitment Policy

## **Statement of intent**

Gorse Hall has implemented this policy to assist with recruitment and employee selection. It outlines the school's recruitment procedure and how the school ensures safer recruitment is considered at all levels of the recruitment process.

The safety and protection of the school's pupils is always at the forefront of the school's concerns, which is why this policy aims to embed a robust safeguarding culture into the recruitment practices of the school.

The purpose of this policy is to set out the minimum requirements of a recruitment process that aims 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.

## **1. LEGAL FRAMEWORK**

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Children Act 1989
- Children Act 2004
- Safeguarding Vulnerable Groups Act 2006
- The Education (School Teachers' Appraisal) (England) Regulations 2012 (as amended)
- Sexual Offences Act 2003
- The School Staffing (England) Regulations 2009
- Rehabilitation of Offenders Act 1974
- Education and Skills Act 2008
- Data Protection Act 2018
- Education Act 2002
- Equality Act 2010

This policy has due regard to guidance including, but not limited to, the following:

- DfE (2018) 'Keeping children safe in education'
- DfE (2017) 'Staffing and employment advice for schools'

This policy operates in conjunction with the following school policies:

- Child Protection and Safeguarding Policy
- GDPR Policy
- Equal Opportunities Policy

## **2. STATUTORY REQUIREMENTS**

There are some statutory requirements for the appointment of some staff in schools – notably headteachers and deputy headteachers. These requirements change from time-to-time and must be met.

### 3. DEFINITIONS

Regulated activity – includes:

- Teaching, training instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children;
- Working for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

The above definitions are classified as regulated activity if they done regularly.

Some activities are always regulated activities, regardless of frequency or whether they are supervised or not. This includes:

- Relevant personal care, or health care provided by or provided under the supervision of a health care professional. Personal care includes helping a child with eating or drinking for reasons of illness or disability or in connection with toileting, washing bathing and dressing for reasons of age, illness or disability. Health care means care for children provided by, or under the direction or supervision of, a regulated health care professional.

A supervised volunteer who regularly teaches or looks after children is **not** in regulated activity.

- **Teaching role** – refers to a role involving planning and preparing lessons and courses for pupils; delivering lessons to pupils; assessing the development, progress and attainment of pupils; and reporting on the development, progress and attainment of pupils. These activities are **not teaching work** for the purposes of Keeping Children Safe in Education (KCSIE) 2018 if the person carrying out the activity does so (other than for the purposes of induction) subject to the direction and supervision of a qualified teacher or other person nominated by the headteacher to provide such direction and supervision.
- **Standard DBS** – this provides information about convictions, cautions, reprimands and warnings held on the Police National Computer, regardless of not of whether they are spent under the Rehabilitations of Offenders Act 1974.
- **Enhanced DBS** – this provides the same information as the standard check, and any additional information held by the police, which a chief officer reasonably believes to be relevant and considers, ought to be disclosed.
- **Enhanced with barred list check** – this check is required for when people are working or seeking to work in regulated activity with children. This check allows additional checks to be made as to whether the person appears on the children's barred list.
- **Children's barred list** – the DBS maintains a 'barred list' of individuals who are unsuitable to work with children and vulnerable adults. In addition, where an enhanced certificate is obtained, and this includes a barred list check, the certificate will also detail whether the applicant is subject to a direction under section 128 of the Education and Skills Act 2008 or section 167A of the Education Act 2002 prohibiting that individual from taking part in the management of independent educational institutions.
- **Section 128 check** – this provides for the Secretary of State to direct that a person may be prohibited or restricted from participating in the management of an independent school (which includes academies and free schools).

- **Safer recruitment** – this is the safeguarding and protection of pupils during the recruitment and selection process – its overall purpose is to help identify and deter or reject individuals who are deemed to be at risk of abusing children

#### 4. IDENTIFICATION OF RECRUITERS

Subject to the availability of training, the school will move towards a position in which at least one recruiter has successfully received accredited training in safe recruitment procedures.

#### 5. INVITING APPLICATIONS

Advertisements for posts – whether in newspapers, journals or on-line – will include the statement: “The school is committed to safeguarding children and young people. All postholders are subject to a satisfactory enhanced Disclosure Barring Service check.”

Prospective applicants will be supplied, as a minimum, with the following:

- job description and person specification
- the school's child protection policy
- the school's recruitment policy (this document)
- the selection procedure for the post
- an application form
- The closing date for the application.

All prospective applicants must complete, in full, an application form.

#### 6. SHORT-LISTING AND REFERENCES

- At least two members of the recruitment panel will be involved in the shortlisting process.
- Short-listing of candidates will be against the person specification for the post.
- Where possible, references will be taken up before the selection stage, so that any discrepancies can be probed during the selection stage.
- References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted.
- Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- One of the references will be from the candidate's most recent employer.
- Where a candidate is not currently employed, verification of their most recent period of employment and reasons for leaving will be obtained from the employer.
- Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.
- Referees will always be asked specific questions about:
  - The candidate's suitability for working with children and young people;
  - Any disciplinary warnings, including time-expired warnings that relate to the safeguarding of children;
  - The candidate's suitability for this post.
  - References will be from a senior member of staff and not a colleague.
- Open testimonials will not be relied upon, nor will information that has been provided by the candidate without verifying the information.
- Electronic references will be vetted to ensure they originate from a credible source.

- School employees are entitled to see and receive, if requested, copies of their employment references. The school will ensure that the shortlisting process is as systematic as possible, and that the recruitment panel will read through all applications. Each member of the panel will create their own shortlist which will then be collated and discussed.
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- Once a shortlist has been confirmed, the applicants to be invited for interviews will be contacted by the business manager, and a suitable interview time will be decided.

The recruitment panel will ensure that all shortlisted candidates receive information about the interview arrangements, how it will be conducted, the areas that will be explored and what documents they should bring.

## **7. DIGITAL FOOTPRINTS**

The school is committed to ensuring that safeguarding is a top priority; therefore, where appropriate, the school may check candidates' social media or other online activity prior to an interview.

- This process may include a search for the candidate via:
  - Google
  - Facebook
  - LinkedIn
  - Instagram

## **8. THE SELECTION PROCESS**

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.

Interviews will always be face-to-face. Telephone interviews may be used at the shortlisting stage but will not be a substitute for a face-to-face interview (which may be via visual electronic link).

- The recruitment panel will send shortlisted candidates the self-declaration of criminal record form,
- References from internal candidates will also always be scrutinised before interview.
- Permission will be sought from the candidates before the recruitment panel contacts referees.
- Structured questionnaires will be used to question referees and the recruitment panel will determine the questions on a case-by-case basis.
- Information about past disciplinary action or allegations that are disclosed will be considered carefully when assessing the applicant's suitability for the post.

Candidates will always be required:

- To explain satisfactorily any gaps in employment;
- To explain satisfactorily any anomalies or discrepancies in the information available to recruiters;

- 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.

## **9. AFTER THE INTERVIEW**

After the interview has been completed, the recruitment panel will:

- Assess all candidates' performance using the same agreed criteria.
- Ask the successful candidate to provide proof of identification and qualifications, and to complete the DBS check as soon as possible.
- Contact and provide feedback to the unsuccessful candidates.
- Interview notes and assessment materials will be held securely for an appropriate amount of time after the interviews, in case any aspect of the recruitment process is challenged.

After choosing a successful candidate, the school will:

- Make a conditional offer of employment to the candidate.
- Ask the successful candidate to provide identification and proof of qualifications, if this has not already been done.
- Complete the relevant pre-appointment checks.

Any concerns will be addressed during the interview process.

## **10. EMPLOYMENT CHECKS**

All successful applicants are required:

- to provide proof of identity
- to complete a DBS disclosure application and receive satisfactory clearance
- to provide actual certificates of qualifications
- to verify their mental and physical fitness required to carry out their work responsibilities
- to provide proof of eligibility to live and work in the UK

The recruitment panel will ensure any candidate employed to carry out teaching work is not subject to a prohibition order or any sanction, or restriction imposed (that remains current) by the GTCE before its abolition in March 2012.

If the school has reason to believe that an individual is barred, it is an offence, under section 9 of Safeguarding Vulnerable Groups Act 2006, for the school to allow the individual to carry out any form of regulated activity.

### **Agency and third-party staff**

In the case of any employee working at the school who is sourced from an agency or third-party organisation, confirmation must be obtained from the organisation, in writing, that all necessary checks have been completed.

Confirmation will also be obtained that the individual who presents for work is the same person on whom all checks have been completed. A copy of photographic identification will generally be kept, as appropriate.

### **Trainee/student teachers**

The school will ensure that enhanced DBS certificates and barred list checks are obtained on all salaried applicants for initial teacher training who are in regulated activity.

Where trainee teachers are fee-funded it is the responsibility of the initial teacher training provider to carry out the necessary checks.

The school will obtain written confirmation from the agency that the checks have been carried out.

### **Existing staff**

If a member of staff moves from a post that was not regulated activity to one that is, the relevant checks will be carried out.

The recruitment panel will carry out further checks where there is a concern about a member of staff's suitability to work with children.

The school will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- The harm test is satisfied in respect of that harm;
- The individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence;
- The individual has been removed from working in regulated activity, or would have been removed had they not left.

### **Contractors**

The school will ensure that any contractor, or any employee of the contractor, who is to work at the school or college, has been subject to the appropriate level of DBS check. Contractors engaging in regulated activity will require an enhanced DBS certificate (including barred list information).

For all other contractors who are not engaging in regulated activity, but whose work provides them with an opportunity for regular contact with children, an enhanced DBS check (not including barred list information) will be required.

Under no circumstances will a contractor in respect of whom no checks have been obtained be allowed to work unsupervised, or engage in regulated activity

If a contractor working at a school or college is self-employed, the school or college will consider obtaining the DBS check, as self-employed people are not able to make an application

### **Governors**

Governors will have an enhanced criminal records certificate from the DBS. Governance is not a regulated activity and so governors will not need a barred list check unless, in addition to their governance duties, they also engage in regulated activity.

The school will contact the Teaching Regulation Agency Teacher Services to check if a proposed governor is barred as a result of being subject to a section 128 direction.

## **10. SINGLE CENTRAL RECORD (SCR)**

The school will maintain and regularly update our SCR.

All new employees will be added to the record, which will include:

- All staff (including supply staff) who work at the school.

- All others who work in regular contact with children in the school or college, including volunteers.

The bullet points below set out the minimum information that must be recorded in respect of staff members (including teacher trainees on salaried routes). The record will indicate whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- An identity check
- A barred list check
- An enhanced DBS check
- A prohibition from teaching check
- Further checks on people living or working outside the UK
- A check of professional qualifications
- A section 128 check
- A check to establish the person's right to work in the UK

For supply staff, the school will include whether written confirmation has been received that the employment business supplying the member of supply staff has carried out the relevant checks and obtained the appropriate certificates, and the date that confirmation was received and whether any enhanced DBS check certificate has been provided in respect of the member of staff.

If checks are carried out on volunteers, this will be recorded in the SCR.

## **11. SAFER RECRUITMENT TRAINING**

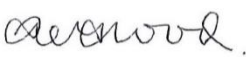
At least one member of the recruitment panel will have completed formal safer recruitment training. As a measure of good practice, the school will ensure that this training is renewed every five years.

## **12. INDUCTION**

All staff who are new to the school will receive induction training that will include the school's safeguarding policies and guidance on safe working practices.

Regular meetings will be held during the first 3 months of employment between the new employee(s) and the appropriate manager(s).

Signed  Date July 2019 (Chair of Governors)

Signed  Date July 2019 (Headteacher)

Reviewed: Nov 2021



## Flowchart of Disclosure and Barring Service

