

SHELTON INFANT SCHOOL
SCHOOL 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.

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, gender, 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 DBS Disclosure.

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

The school will:

1. ensure that staff and governors who undertake recruitment have received safer recruitment training and have successfully completed the safer recruitment training assessment. Training and assessments will be undertaken at least every 5 years by relevant staff and governors.
2. ensure at least one member of every appointment panel has completed safe recruitment training and the relevant assessment.
3. implement robust recruitment procedures and checks for appointing staff and volunteers to ensure that all 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 who 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.
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.

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 all relevant guidance and legal requirements, and to
- 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 safer recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the school
- Monitor contractors' and agencies' compliance with this document
- Promote the welfare of children 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 staffing appointments.

School governors are encouraged to be involved in staff appointments. The final decision to appoint 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.

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. An internal advertisement may also be appropriate for posts of a temporary nature which need to be appointed quickly for the benefit of the pupils, eg. upon receipt of monies to support identified children/targeted groups of pupils.

When advertising roles we will make clear:-

- Our school's commitment to safeguarding and promoting the welfare of children.
- That safeguarding checks will be undertaken.
- The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children.

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Applications

The school uses the standard Local Authority application forms. CVs will not be accepted. The school requires candidates to account for any gaps or discrepancies in employment history on the application form. Where an applicant is shortlisted, any such 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. The application form includes a statement saying that it is an offence to apply for the role if an applicant is barred from engaging in regulated activity relevant to children.

Shortlisting

The shortlisting process will involve at least 2 people and will:-

- Consider any inconsistencies and look for gaps in employment and reasons given for them
- Explore all potential concerns.

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates may be informed that we may carry out these checks as part of our due diligence.

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. Only references from a trusted authoritative source will be acceptable. Open references will not be accepted. One reference must be from the applicant's current or, where the candidate is not currently employed, from their most recent employer.

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 and salary

- 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 these procedures
- Details of any allegations or concerns that have been raised that relate to the safety and welfare of children, or behaviour towards 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 where no further issues have been raised, may not 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.

Once the offer of employment has been verbally accepted by the preferred candidate, the school will seek original signed references and will not rely on references which have been electronically received.

Self-declaration of convictions by job applicants

The school's policy of using Local Authority application forms requires all applicants to self-declare all criminal convictions whether "spent" or "unspent" and any cautions, pending prosecutions, reprimands or final warnings on the application form.

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
- A question during the interview related to safeguarding children to allow candidates to demonstrate their capacity to safeguard and protect the welfare of children
- The candidate to explain satisfactorily any gaps in employment
- The candidate to explain where employment has changed frequently or location of employment has changed frequently
- To explain satisfactorily any anomalies or discrepancies in the information available to the selection panel
- For all posts which involve teaching, an activity with children.
- Telephone interviews will not be undertaken in any circumstances.
- Where restrictions are imposed eg COVID-19 restrictions, interviews may take place virtually.

The candidates' responses to the interview questions will be recorded and held on the successful candidates' personnel file

Pre appointment vetting checks

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We will record all information on the checks carried out in the school's SCR (Single Central Record). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks as set out below.

New staff

- Verify their identity.
- Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below) We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and the recruitment decision made.
- Obtain a separate barred list check if they will start in regulated activity before the DBS certificate is available. Only in exceptional circumstances for certain roles within school, it may be permitted to commence employment prior to receiving a DBS check. This must be agreed with the Headteacher and the Chair of Governors who will undertake an appropriate risk assessment.
- Verify their mental and physical fitness to carry out work responsibilities.
- Verify their right to work in the UK.
- Verify their professional qualifications, as appropriate.
- If they are employed to be teachers, ensure that they are not subject to a prohibition order,
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include undertaking criminal records checks for overseas applicants. For teaching positions, obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not placed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach.

We will also ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside the scope of these regulations and we do not carry out checks, we will retain a record of our assessment on the individual's personnel file.

Originals of all documents or certified copies of documents will only be accepted. Photocopied documents will not be accepted.

Regulated activity means a person who will be:-

- Responsible on a regular basis in a school for teaching, training, instructing, caring for or supervising children: or
- Carrying out paid, or unsupervised unpaid, work regularly in a school where that work provides opportunity for contact with children, or
- Engaging in intimate care or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not.

Existing staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:-

- There are concerns about an existing member of staff's suitability to work with children; or
- An individual moves from a post that is not regulated activity to one that is, or
- There has been a break in service of 12 weeks or more.

We will refer to the DBS service anyone who has harmed or poses a risk of harm, to a child or vulnerable adult where both of the conditions specified in the government guidance 'Making Barring referrals to the DBS' (published March 2016; updated March 2023) document have been met.

Employment Offer

Only after all pre-employment checks have been satisfactorily completed/received will a written offer of employment be made and the contract of employment issued.

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. 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 an employment tribunal.

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.

Personnel file records

The school will retain the following information which will comprise part of the personnel file, for the successful candidate:

- Application form
- References
- Disclosure of convictions form
- Proof of identification
- Proof of academic qualifications
- Proof of registration (for those with QTS – teacher reference number)
- Evidence of medical clearance from Occupational Health (where applicable)
- Interview offer letters and job offer letters
- Record of applicant's responses to interview questions.

Single Central Record of Recruitment Vetting Checks

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 and supply agency staff, volunteers, governors, 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 for all teachers and teaching assistants
- Registration of teachers (teacher registration number)
- Checks of right to work in the United Kingdom
- DBS Enhanced Disclosure and Barred List Check
- Further overseas records where appropriate

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

Agency supply staff

The school will require written confirmation from the supply agency that it has satisfactorily completed the checks described above, ie the checks that we would otherwise perform. 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.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check. An enhanced DBS check with barred list information will be obtained for all contractors engaging in regulated activity. An enhanced DBS check without barred list information, will be obtained for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances,

We will check the identity of all contractors on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Trainee/student teachers

Where applicants for initial teacher training are salaried by the school, the school will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, the school will obtain written confirmation from the training provider that all necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

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Volunteers

We will never leave an unchecked volunteer unsupervised or allow them to work in regulated activity.

The school will obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity.

The school will carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. The school will retain a record of this risk assessment.

The school will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Whistleblowing

The school has a related whistleblowing policy which has been disseminated to all staff.

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

The school will follow Derby & Derbyshire Safeguarding Children Partnership allegations procedures and refer any allegation for initial consultation to the Local Authority Designated Officer.