



Heath Hayes Primary Academy

Safer Recruitment Policy

2018

Date: September 2018

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INTRODUCTION

The safe recruitment of staff in schools is the first step to safeguarding and promoting the welfare of children in education. Heath Hayes Primary Academy 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.

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 all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education - 2018 (KCSIE), 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); and
- 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, qualification, experience and merit as measured against the job description and person specification.

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 2016 and Prevent Duty Guidance).

If a member of staff involved in the recruitment process has a close personal or family 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 Heath Hayes Primary Academy.

ROLES AND RESPONSIBILITIES

It is the responsibility of the governing body to:

- Ensure the school has effective policies and procedures in place for 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 Head teacher, School Business Manager and other members of the Senior Leadership Team with safer recruitment training 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 welfare of children and young people at every stage of the procedure.

The governing body has delegated responsibility to the Head Teacher (teaching staff) and School Business Manager (support staff) to lead in all appointments. School governors may be involved in staff appointments but the final decision will rest with the Head Teacher.

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
- satisfies the "period condition", meaning four times or more in a 30day 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 is not permitted to check the Children's Barred List unless an individual will be engaging in "regulated activity". The School is required to carry out an enhanced DBS check for all staff, supply staff and governors who will be engaging in regulated activity. However, the School can also carry out an enhanced DBS check 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.

RECRUITMENT AND SELECTION PROCEDURE

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 internal & 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). The advert will include the following information:

- Post title
- Salary
- Type of contract-Permanent, Fixed Term, Temporary etc
- Post location
- Hours of work
- Brief description of organisation
- Brief description of the post
- Closing date for application
- How and to whom to apply
- Equal opportunities process
- Contact number for further information
- Standard or Enhanced Criminal Records Check via the Disclosure and Barring Service (DBS)

Information to applicants will always stress the organisations commitment to safeguarding children and should therefore include the following statement to this effect.

'Heath Hayes Primary Academy are committed to safeguarding and promoting the welfare of children and young people, and expects all staff and volunteers to share this commitment. This position is subject to an enhanced DBS Check and satisfactory written references.'

Both the job description and person specification should be completed at the same time and before the job is advertised. Under no circumstances should the person specification be completed or revised after the selection panel has had access to the applications.

Application Forms

Heath Hayes Primary Academy uses its own application form (see appendix) 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). Incomplete application forms will not be shortlisted.

The application form includes the applicant's declaration regarding convictions and working with children, and makes it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974. CV's will not be accepted.

It is unlawful for the School to employ anyone who is barred from working with children. It is a criminal offence for any person who is barred from working with children to apply for a position at the School.

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.

Job Descriptions and Person Specifications

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.

The person specification is of equal importance and informs the selection decision. It details the skills, experience, abilities and expertise that are required to do the job. The person specification will include a specific reference to suitability to work with children.

The job description should be an accurate reflection of the job a person is expected to do although it should not be a list of every task undertaken. The job description should clearly set out the extent of the relationship with, and the degree of responsibility for, children with whom the person will have contact.

Job descriptions must state:

- the main duties and responsibilities of the post; and
- the post holder's responsibility to safeguard and promote the welfare of children with whom s/he has contact or for whom s/he is responsible

The person specification should:

- Include the qualifications, experience and any other requirements needed to perform the role in relation to working with children
- Describe the competencies and qualities that the successful candidate should be able to demonstrate
- Explain that if the applicant is short-listed, any relevant issues arising from the references will be taken up at interview
- Explain how these requirements will be tested and assessed during the selection process including:
 - motivation to work with children;
 - ability to form and maintain appropriate relationships and personal boundaries with children;
 - emotional resilience in working with challenging behaviors; and attitudes to use of authority and maintaining discipline

References

References for short listed applicants will be sent for immediately after short listing. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after interview.

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.

The purpose of seeking reference is to obtain objective and factual information to support the appointment decisions. References must not be accepted except where they have been sought directly from a previous employer or other referee. Open "To whom it may concern" references must never be accepted. A copy of the job description and the person specifications should be included with all reference requests.

The application form will request both professional and character references, one of which should be from the applicant's current or most recent employer. **Additional references may be asked for where appropriate.** For example, where the applicant is not currently working with children, but has done so in the past, a reference from that employer should be asked for in addition to that from the current or most recent employer if this is different. Careful consideration need to be given to applicants who have been working as a locum or with an agency on a series of temporary contracts. The need to ask for additional references i.e. last permanent employer will be considered.

References are requested using the standard REAch2 format (see appendix) with questions relating

- to the candidate's suitability to work with children.
- to confirm whether the applicant has been the subject of any disciplinary sanctions and whether the applicant has had any allegations made against him/her or concerns raised, which relate to either the safety or welfare of children and young people or about the applicant's behaviour towards children or young people.
- details about the outcome of any concerns or allegations should be sought. The references should be checked carefully with the application form to identify any possible discrepancies.

References will be verified for authenticity. Email references will be checked to ensure they are from an official employer email address. The email will be printed and retained alongside the reference in the personnel file. Written references will be sent with a self-addressed envelope. Any discrepancies in references will be followed up by email or telephone call.

If the applicant claims to have specific qualifications or experience relevant to working with children which may not be verified by a reference, attempts will be made during the interview process to obtain the information and fill any gaps including employment history.

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

The Selection Process

Shortlisting

The same selection panel should both short list and interview candidates. Members of the panel should not stand to gain from the appointment or have a personal relationship with any of the applicants (any personal interests should be declared to the Head teacher). At least one-member of

the panel must have safer recruitment training. When shortlisting all applicants must be assessed equally using the shortlisting grid (appendix).

When offering an interview to shortlisted candidates they should be instructed to bring with them documentary evidence of their identity, either a full birth certificate, passport or photo card driving licence (some form of photograph identification) and additionally, a document such as a utility bill that verifies the candidate's name and address within the last 3 months. Where appropriate, change of name documentation must also be brought to the interview. Candidates should also be asked to bring original or certified copies of documents confirming any necessary or relevant educational and professional qualifications. If the successful candidate cannot produce original documents or certified copies written confirmation of his/her relevant qualifications should be obtained from the awarding body.

Interviews

There will be a face-to-face interview, and a minimum of two interviewers. The selection interview is a matching process: the apparent attributes of the candidate against the declared requirements of the job as listed on the person specification. All questions must be prepared in advance and must not be discriminatory with regards to gender, marital status, race or ethnic origin, disability, religion, age, sexual orientation or political belief.

Where staff will have direct and unsupervised contact with children, the candidate's attitude toward children and young people in general should be tested and also their commitment to safeguarding and promoting the welfare of children in particular. The following areas should be explored where possible with applicants in the interview:

- Their motivation and reasons for working with children.
- Their attitudes and behaviour about control and punishment.
- Their perceptions about the boundaries of acceptable behaviour towards children.
- Their ability to form and maintain professional relationships.
- Their understanding of safeguarding children.

Any gaps and changes in employment history should be fully explored during the interview, as should any discrepancies arising from information supplied by the candidate or by the referee or prior to the offer of employment where this is not possible.

Notes of questions asked and answers given at the interview will be retained for the successful candidate and stored in the personnel file. Unsuccessful applicants interview notes will be retained for 6 months and then destroyed.

Children's Participation in Selection

For the recruitment of teachers and learning supports assistants, candidates will be set an exercise with children as part of the selection process. Usually candidates will be asked to prepare an activity so that the selection panel can assess their interaction with children. This will be scored as part of the selection process. The panel will ask the children opinions and score accordingly.

After the Interview

After the interview, panel members will separately score the candidates. They should then share their scores and discuss their reasons for reaching the scores. This discussion should result in a joint agreed score for each candidate.

A decision as to whether to appoint an individual to a role working with children must be based upon an evaluation of the information obtained from all of the above stages. Appointments must be made on the basis of a person's experiences, ability and suitability to perform the role rather than on the urgency of the need or the availability of the applicant.

OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS

An offer of appointment should be conditional upon pre-employment checks being satisfactorily completed, including:

- A DBS check appropriate to the role and to ensure an individual is not the subject of Barring
- A check of the Teaching Agency's list of Barred Teachers (where appropriate).
- Verification of the candidate's medical fitness. The School is legally required to verify the medical fitness of anyone to be appointed to a post at the School, after an offer of employment has been made but before the appointment can be confirmed. All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role. The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, obtaining medical evidence and considering reasonable adjustments.
- Verification of any relevant professional status and whether any restrictions have been imposed by a regulatory body such as the General Teaching Council (GTC) and the General Medical Council (GMC).
- Evidence of permission to work for those who are not nationals of a European Economic Area country.
- Receipt of two satisfactory written references, if references were not obtained prior to the interview

It is recommended that staff should not commence work with children until the DBS check has been returned. In specific circumstances where the service will be at risk without the required staffing levels (e.g. schools/day care) senior managers may undertake a full risk assessment to enable staff to work until such checks have been returned. This should always include ensuring the worker does not have any unsupervised contact with children.

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 Heath Hayes Primary Academy.

DBS (Disclosure and Barring Service) Check (formerly known as CRB Disclosure)

The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the School which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. All Senior Leaders are also subject to the Section 128 check a part of the recruitment process.

It is the Schools policy that the DBS disclosure must be obtained before the commencement of employment of any new employee.

It is not the School's policy to re-check employee's DBS Certificates however the following measures are in place to ensure the continued suitability of employees and volunteers.

- Completion of an annual declaration and disqualification document.

Members of staff at Heath Hayes Primary Academy are aware of their obligation to inform the Head Teacher of any incident that arises that could affect their continued suitability. This is reinforced in performance reviews and annual declarations via the disqualification checklist.

DBS checks will still be requested for applicants with recent periods of overseas residence and those with little or no previous UK residence. Alongside Good conduct information from overseas.

The DBS service no longer issue Disclosure Certificates to employers, therefore employees/applicants should bring their original Certificate to the School Office, (for employees within 7 days of issue or applicants before they commence work or any project involving regulated activity).

Dealing with convictions

The school operates a formal procedure if a DBS Certificate is returned with details of convictions. Consideration will be given to the Rehabilitation of Offenders Act 1974.

In deciding the relevance of disclosure information, the following should be considered:

- The nature of the appointment
- The nature and circumstances of the offence
- The age at which the offence took place
- The frequency of the offence

A formal meeting will take place face-to-face to establish the facts with the Head Teacher and Regional HR advisor. A decision will be made following this meeting in regards to continuing with the recruitment process. 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 Head Teacher and Regional HR advisor will evaluate all of the risk factors and complete a risk assessment (see appendix) 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 the DBS service. 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.

Checks on Overseas Staff

The same checks should be made on overseas staff as for all other staff, including DBS checks.

Where an applicant has worked or been resident overseas in the previous 5 years, the employer should where possible obtain a check of the applicant's criminal record from the relevant authority in that country. Not all countries provide this service and advice can be sought from the DBS Overseas Information Service.

Recording

All documentation relating to the recruitment of staff must be retained on file. Any check completed should be confirmed in writing and retained on the candidate's personnel file, together with photocopies of the documents used to verify his/her identity and qualifications. Under DBS regulations, DBS disclosures will be checked but not retained, but a record should be kept of the date the disclosure was obtained and who by, the level of the disclosure and the unique reference number.

The SCR is a record of evidence to demonstrate that checks have been carried out in respect of staff, supply staff/contractors/ volunteers alongside service level agreements retained on site.

All regular volunteers will be treated as participating in regulated activity and as such will have an Enhanced DBS. All volunteers will have a personnel file. They will sign an induction.

On occasion ad-hoc volunteers may support activities such as school trips/sports days. These volunteers will never be left unsupervised or given any tasks that would be considered as regulated activity. Ad-hoc volunteers must complete a personal information form which includes their full name address and contact details. They will also sign in/out at the school and treated as a non DBS visitor.

For students over the age of 16 on a regular placement they must complete a student placement information form and sign a student agreement. The DBS must be obtained in advance of their start from their college, this will be checked and information kept on the volunteer tab on the SCR.

Satisfactory references must be kept on the candidate's personnel file or, in the case of supply staff or volunteers not recruited through an agency, on a central record within their organisation.

Induction Programme

All new employees will be given an induction programme which will clearly identify the school policies and procedures, including the Child Protection Policy, the Code of Conduct, whistleblowing, E safety & Social media and Part One of KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities. The delegated senior leader will go through the induction pack with all new employees/volunteers/students (see appendix) within the first week of their start date. Following this interim reviews will take place as per the timescales in the induction. The documentation needs to be signed by the new employee and their line manager.

Single Central Record -

In addition to the various staff records kept in school and on individual personnel files, a single central record of recruitment and vetting checks is kept in accordance with the KCSIE 2018. This is kept up-to-date and retained by the SBM. 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 supply staff 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, governors, 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.

A designated Governor will be responsible for auditing the Single Central Record and reporting his/her findings to the full Governing Body at each meeting.

Record Retention / Data Protection

The School is legally required to undertake the above pre-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 UK, 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 School Office in a locked and secure cabinet.

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

Heath Hayes Primary Academy will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed (ie: shredded). The 6-month retention period is in accordance with GDPR May 2018.

Ongoing Employment

Heath Hayes Primary Academy 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 Review/appraisal procedure.

Leaving Employment at Heath Hayes Primary Academy

Despite the best efforts to recruit safely there will be 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 National College for Teaching and Leadership.

Contractors and agency staff

Contractors engaged by the School must complete the same checks 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.

Agencies who supply staff to the School must also complete the pre-employment checks which the School would otherwise complete for its staff. Again, the School requires confirmation that these checks have been completed before an individual can commence work at the School.

The School will independently verify the identity of staff supplied by contractors or an agency in and will require the provision of the original DBS certificate or confirmation that their employer has checked this and is satisfied with the content prior to contractors or agency staff commencing work at the School.

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 is not permitted to obtain a DBS disclosure or Children's Barred List information on any visiting speaker who does not engage in regulated activity at the School or perform 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 visitor's 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.

Volunteers

The School will request an enhanced DBS disclosure and Children's Barred List information 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.

It is the School's policy that a new DBS certificate is required for volunteers who will engage in regulated activity but who have not been involved in any activities with the School for three consecutive months or more. Those volunteers who are likely to be involved in activities with the School on a regular basis may be required to sign up to the DBS update service as this permits the School to obtain up to date criminal records information without delay prior to each new activity in which a volunteer participates.

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.

Monitoring and Evaluation

The Head Teacher & School Business Manager will be responsible for ensuring that this policy is monitored and evaluated throughout the school. This will be undertaken through formal audits of job vacancies and frequent SCR audits which will be presented to the Head Teacher/School Business Manager to report to the governing body. (See appendix)