

# Policy on Safer Recruitment



**Next review: Spring 2025**

Bussage Primary School is a Church of England Voluntary Aided Primary School and this policy is written within the context of the Christian faith, practice and values which underpin our ethos, and which are in keeping with our Trust Deed.

Our school's Christian ethos is that all pupils, whatever their ability or talents, are created in the image of God, and are loved equally by him.

Our school's mission is to provide a learning and development environment in which all pupils and staff can make the most of their God given potential and aspire to "be the best that they can be."

Our school vision is built upon the four cornerstones of WISDOM, HOPE, COMMUNITY and DIGNITY.

For children to be able to learn effectively and to live life to it fullness they must be safe and secure and they must feel safe and secure. In our school, Child Protection and Safeguarding is always our top priority.

Statutory	<b>No</b>
Web-Site	Optional
Owner	Headteacher
Principle Author	Headteacher
Committee	Resources (S)

Delegation and Review	
Max. Permitted	Not specified
Determined	Committee
Review	Not specified
Frequency	3 Years

## Related Policies

Safeguarding and Child Protection

Equality

Staff Code of Conduct (Staff Behaviour Policy)

Policy for Dignity and Respect (Anti-Bullying, Anti-Harassment etc.)

Volunteer Helpers

## Policy statement

Bussage Church of England (Aided) Primary school considers that all roles to which we recruit within our school, whether carried out by paid employees or volunteer helpers should be treated as Regulated Activities within our Regulated Establishment. For more detailed definitions of what these terms mean refer to the relevant UK Government Guidance which can be found here:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

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. It is recognised that this can only be achieved through sound procedures, good inter-agency cooperation and the recruitment and retention of competent, motivated employees who are suited to, and fulfilled in the roles they undertake.

This 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 of 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, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation (ref: Equality Act 2010 Protected Characteristics) nor those with criminal records although, to be clear, the school will not recruit individuals who have a disclosed conviction which the school considers would place its pupils or staff at risk.

This document provides a good practice framework to comply with the principles set down in the school's Equality Policy.

All posts within the school are considered to be exceptions under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. More information can be found here:

<https://www.legislation.gov.uk/ukxi/1975/1023/schedule/1/made>

Therefore all applicants for paid or voluntary positions will be required to declare spent and unspent convictions, cautions and bind-overs, including those regarded as spent and will be required have an Enhanced Disclosure and Barring Service (DBS) check as part of the recruitment process.

Our school complies fully with the Disclosure and Barring Service (DBS) [code of practice](#). We undertake to treat all applicants for positions fairly, not to discriminate unfairly against any subject

of a criminal record check on the basis of a conviction or other information revealed and to handle all data received in accordance with the Data Protection Act 1998.

The school will provide applicants with a copy of the DBS code of practice on request.

This policy includes our policy on the recruitment of ex-offenders.

A copy of this policy will be made available to all applicants **as part of the application pack.**

The school is committed to ensuring people who have been convicted of a criminal offence are treated fairly and given every opportunity to establish their suitability for positions. Having a criminal record will not necessarily be a bar to obtaining a position at our school.

The school will:

1. ensure that appropriate staff who undertake recruitment have received safer recruitment training and successfully completed the accredited safe recruitment training assessment
2. ensure that every appointment panel includes at least 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 requirements
5. ensure the terms of any contract with a contractor or agency requires them to adopt and implement measures described in or equivalent to those described in this procedure. The school will monitor the compliance in this regard.
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
- a list 99 check (teachers only)
- a satisfactory Enhanced DBS clearance (see above)
- verification of the candidate's medical fitness
- verification of qualifications
- 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
- monitor contractors' and agencies' compliance with this document or ascertain that they have an equivalent policy of their own
- promote welfare 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.

The school's Senior Business Manager maintains the Single Central Record and organises all necessary DBS checks, providing the outcomes to the Headteacher for review.

In accordance with the School Staffing Regulations, the governing body has delegated responsibility to the Headteacher to lead in all appointments other than for the posts of Headteacher and Deputy Headteacher.

For the posts of Headteacher and Deputy Headteacher the Chair of Governors will lead the process but the final decision to appoint rests with the Full Governing Body, corporately (voted on if necessary in accordance with the Standing Orders of the Governing Body).

Other than for the posts of Headteacher and Deputy Headteacher the final decision will rest with the Headteacher. The Headteacher may further 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**

### **Panel Selection**

A lead recruiter will be named either by the Headteacher or by the Chair of Governors (in the cases of the Headteacher or Deputy Headteacher). The lead recruiter who will also take the role of panel chair will be responsible for identifying the most suitable panel and for managing the recruitment process.

Prior to the recruitment process commencing, a suitable panel will be identified.

It is preferable, if at all possible, that the lead recruiter has themselves been SAFER RECRUITMENT trained either within the past 3 years or will have a certificate with a validity date which will remain current until the expected end of the recruitment process.

The most suitable panel will depend solely on the role to which the school is recruiting but any interview panel at this school will ALWAYS comprise:

- Not less than three persons
- At least one member will have been trained in SAFER RECRUITMENT either within the past 3 years or will have a certificate with a validity date which will remain current until the expected end of the recruitment process. It is preferable that more than one person involved in the process holds current SAFER RECRUITMENT training certification
- Permanent employees of the school, governors or professional advisors to the school
- At least one member to be a member of the Senior Leadership Team
- At least one school governor
- For recruitment of the post of Deputy Headteacher, the Headteacher must be on the panel
- For recruitment to the post of Headteacher, the Deputy Headteacher will normally be on the panel unless there is good reason for them not to be (for example, they are about to retire)

### **Job Description and Person Specification**

Prior to advertising the post, the lead recruiter will ensure that an up to date Job Description and Person Specification is prepared for the post. It is good practice to review these documents whenever an existing post becomes vacant to ensure they continue to meet the needs of the school.

The lead recruiter should agree these documents with the other members of the panel (and if necessary with the Governing Body - e.g. for the post of Headteacher).

### **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 both internal and external advertisements.

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 (only) at least initially may be considered appropriate. All adverts will lay out the school's commitment to equality of opportunity (including for ex-offenders) and safer recruitment. They will also state that any offer of employment will be subject to satisfactory outcomes to appropriate pre-employment checks and, where applicable to the post, that a probationary period will apply.

### **Applications**

The school uses a standard application form which must be fully completed. 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 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 (e.g. General Teaching Council for England).

### **Short-listing**

Short-listing should be carried out by the panel, not by any one individual.

Short-listing should be carried out against the criteria set out in the Person Specification **only**. Care should be taken to short-list using anonymised applications and to avoid any possibility of discrimination. If there is a huge number of applications for a post such that it is not considered practical to shortlist every single application against the Person Specification then professional HR advice should be sought to advise how to handle this situation.

Any applications that are incomplete, should be rejected or, exceptionally, returned to applicants for proper completion (where, for example, there may be only a few applicants for a post and it looks as if an applicant may just have missed completing a section or item on the form in oversight).

Every application form to be shortlisted must be afforded equal consideration during the shortlisting process.

All shortlisted candidates will be invited for interview UNLESS it is considered that there are too many to interview. In this case, once again professional HR advice should be sought but, for example, it may be necessary to carry out a second shortlisting process (perhaps immediately after or even in parallel with the first) to assess applications against the Job Description to better identify the most suitable candidates to invite for interview.

### **References**

A minimum of two references for candidates invited for interview 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. At least 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.

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:

- (from the current or most recent employer reference) the applicant's current (or most recent) post, salary and attendance record
- performance history and conduct

- any disciplinary procedures for which a sanction is still 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 known allegations or concerns that have been raised at any time in the past 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 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.

When references are received, the school administrator will confirm the authenticity of the reference by telephoning the referee.

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

Following the implementation of the General Data Protection Regulation (GDPR), it is no longer acceptable to request that candidates self-declare convictions as part of the selection process. Nor is it legal to have a tick box or similar on the Application Form asking about spent and/or unspent convictions. The only process that can be used to review such matters is the DBS checking process. See later.

#### **Interviews**

The selection process will always include the following:

- face to face professional interview
- at least one interview question related to Safeguarding Children (in line with NCSL Safer Recruitment Training)
- at interview, or in a separate discussion (if for some reason this is not possible at interview), the school will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position applied for. Failure to reveal information that is directly relevant to the position sought could lead to the subsequent withdrawal of any offer of employment
- the school will not ask candidates about protected convictions (i.e. any conviction which does not appear on the DBS check).

#### **Proof of Identity, Right to Work & Verification of Qualifications and/or Professional Status.**

Shortlisted applicants for all posts will be required to provide proof of identity and, where appropriate, right to work, 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 any candidate to whom a job offer is made.

Short-listed candidates will also be required to provide 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.

Information about criminal records or convictions will **not** be requested (other than via the DBS Checking process).

### **DBS Checking**

Governors require that all staff are DBS checked to the appropriate level appropriate to their role and in accordance with relevant guidance PRIOR to commencing employment. For the vast majority of positions in the school this will be an Enhanced DBS check.

In very, exceptional circumstances the Headteacher (but then only with the agreement of the Chair of Governors) may permit the commencement of employment prior to receiving a DBS check. However, as a minimum a List 99 check and risk assessment **MUST ALWAYS** be completed by the Headteacher prior to commencement of employment.

In the event that a DBS check results in anything other than a completely clear (i.e. positive) outcome. The DBS check will be reviewed by the lead recruiter supported if necessary by the panel. A written risk assessment will be carried out which will involve discussion with the candidate to clarify any matters appearing on the DBS check so that the school is making a fully informed, fair decision as to whether or not to proceed with the offer of employment or withdraw it. Prior to withdrawing a conditional offer of employment on grounds of the DBS outcome the school will discuss with the candidate. An offer of employment, once made, may not be withdrawn without clear, recorded reasons for doing so which are agreed by the panel and without the reasons being clearly set down in writing to the candidate to whom the offer was made.

The revelation of convictions, cautions or pending cases will not necessarily prevent employment but will be clarified and risk assessed as above.

The school will comply fully with the Disclosure and Barring Service (DBS) [code of practice](#). We undertake to treat all applicants for positions fairly, not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed and to handle all data received in accordance with the Data Protection Act 1998.

### **Employment Offer (Conditional Offer)**

Any offer of employment must only be made in writing and "subject to the satisfactory outcome of all necessary pre-employment checks."

If a period of probation applies to the post, then this must set out clearly in the conditional offer.



It may be possible to negotiate a provisional start date with the preferred candidate, however, with the possible exception of DBS disclosures, the checks detailed above **MUST ALL BE COMPLETED BEFORE** an appointment is confirmed. In the case of DBS disclosures, the certificate must be obtained before or as soon as practicable after appointment (but only in very exceptional circumstances - see above).

### **Confirmation of Offer, Acceptance and Commencement of Employment**

Once all pre-employment checks have been satisfactorily completed / received, a confirmatory offer of employment will be made, the candidate's final acceptance sought and the contract of employment issued. The contract will be issued as soon as possible but in all circumstances within 8 weeks of employment commencing.

All staff will undergo Induction Training and familiarisation school's policy on Staff Induction (including Newly Qualified Teachers). Some staff may be required to serve a probation period (normally 6 months).

### **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 as confidential waste). The 6 month retention period will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints which might be made under Employment Law.

Under the Data Protection Act 1998, applicants have a right to request access to any 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
- proof of identification
- proof of right to work (if appropriate)
- 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

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

In line with DFE requirements, the school will keep and maintain a Single Central Record (SCR) 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, e.g. specialist sports coach or artist.

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

- identity checks
- qualification checks for any qualifications legally required for the job registration check with the GTC where appropriate for those applying for teaching posts,
- checks of right to work in the United Kingdom
- list 99 checks (teachers only)
- DBS Enhanced disclosure
- any 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.

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 when, unless the agency withdraws their offered member of staff, it is the school's responsibility to risk assess the information received (see section on DBS checking).

However identity checks must ALWAYS be carried out by the school to check the person arriving is the person the agency intended to refer to them.

### **Review**

This policy will be reviewed every three years or earlier if necessary