

The Priory CE VA Primary School



Safer Recruitment Policy & Procedures

Safer Recruitment Policy			
Approval	Board of Governors	Chairman	Sue Solly
Headteacher	Paul Ruffle	Date of ratification	20.11.2019
Date of last review	-	Date of this review	Sept 2019
Date of next review	3 Yearly – Sept 2022	Maintenance	Headteacher

1. Introduction

Safe recruitment is central to the safeguarding of children and young people. All organisations which employ staff or volunteers to work with children and young people have a duty to safeguard and promote their welfare. This includes ensuring that the organisation adopts safe recruitment and selection procedures which prevent unsuitable persons from gaining access to children.

'**Staff or Volunteers**' refers to any adult who is employed, commissioned or contracted to work with or on behalf of children, in either a paid or unpaid capacity.

2. Scope

This guidance applies to all adults who have contact with children, young people and Adults at Risk through their work whether in a paid or voluntary capacity. It applies to permanent, temporary and agency staff and to those recruited from overseas. It also applies to staff who do not have direct responsibility for children, but who will have contact with children within the organisation and will be seen as safe and trustworthy and/or have access to confidential and sensitive information e.g. administrative staff, receptionists, caretakers, maintenance workers.

The principles of safe recruitment should also be included in the terms of any contract or service level agreements drawn up between the organisation and contractors or agencies that provide services for, or staff to work with, children and young people. Any service level agreement or contract should contain a safeguarding statement, which makes explicit the standards expected. The agreement should be regularly reviewed.

3. Policy Statement

Safeguarding is Everyone's Responsibility

Section 11, Children Act 2004, sets out the arrangements for safeguarding and promoting the welfare of children and applies to all key local bodies named under section 11(1) of the Act. One of the key features of these arrangements is ensuring safe recruitment procedures are in place.

4. Elements of Safe Practice

Safer practice in recruitment means giving consideration to safeguarding arrangements at every step of the process.

4.1 Planning and Advertising

It is important to be clear about the mix of qualities, qualifications and experience a successful candidate will need to demonstrate, and whether there are any particular matters that need to be stated in the advertisement for the post, in order to prevent

unwanted applications. The recruitment process needs to be planned, including who will be involved, responsibilities and timescales.

The advertisement should include a statement about the employer's commitment to safeguarding and promoting the welfare of children and reference to the need for the successful applicant to undertake an enhanced criminal record check where appropriate.

4.2 Job Description

Once a post becomes vacant or a new post is created the job description and person specification need to be reviewed/agreed to ensure compliance with safe recruitment guidance.

This should clearly state:

- The main duties of the post;
- The extent of contact/responsibility for children and young people;
- The individual's responsibility for promoting and safeguarding the welfare of the children

4.3 Person Specification

This should include:

- The essential and desirable qualifications and experience;
- Other requirements needed to perform the role in relation to working with children and young people;
- The competencies and qualities that the successful candidate should be able to demonstrate.

4.4 Information Pack to Candidates

All information given to interested applicants should highlight the importance of the rigorous selection processes and the duty to safeguard and promote the welfare of children. It should be clear that proof of identity will be required, as well as a Disclosure and Barring Service check where appropriate.

The pack should include a copy of:

- The application form, and explanatory notes about completing the form;
- The job description and person specification;
- Relevant information about the organisation and the recruitment process;
- The organisation's Safeguarding and Child Protection Policy Statement;
- A statement of the terms and conditions relating to the post.

4.5 Application Form

Employers should use an application form to obtain a common set of core data. It is not good practice to accept curriculum vitae in place of an application form because this will only contain the information the applicant wishes to present and may omit relevant details. The applicant form/information pack should refer to the organisation's commitment to safeguarding children. It should obtain:

- Identifying details of the applicant including current and former names, current address and National Insurance Number;
- **N.B.** To comply with the Equality Act 2010, recruiting bodies may wish to adopt a practice that the **date of birth** should not be included on the main application form, but added to a diversity monitoring form, which can be retained by HR/Personnel and not made available to those involved in the short-listing process;
- A statement of any academic and/ or vocational qualifications with details of awarding body and date of award;
- A full history in chronological order since leaving secondary education, including periods of any post-secondary education/training and part-time and voluntary work as well as full time employment, with start dates, explanations for periods not in employment or education/training and reasons for leaving employment;
- Details of referees. One referee should be the applicant's current or most recent employer/line manager, not a colleague. Normally two referees should be sufficient;
 - Where an applicant is not currently working with children, but has done so in the past, it is important that a reference is also obtained from the employer by whom the person was most recently employed in work with children in addition to the current or most recent employer;
 - References should not be accepted from relatives or friends.
- A statement of the skills and abilities, and competencies/experience that the applicant believes are relevant to his/her suitability for the post and how s/he meets the person specification;
- There should be an explanation that the post is exempt from the Rehabilitation of Offenders Act 1974;
- Information should be requested about any previous - including spent - convictions, cautions, reprimands, warnings or bind-overs.

4.6 Scrutinising and Shortlisting

At least one member of the panel should have undertaken safe recruitment and selection training.

- All application forms should be scrutinised to ensure:
 - They are fully and properly completed;
 - The information is consistent and does not contain any discrepancies;
 - Gaps in employment/training or a history of repeated changes of employment are identified.
- Incomplete applications should not be accepted;
- Any anomalies, discrepancies or gaps in employment and the reasons for this should be noted, so that they can be taken up as part of the consideration of whether to short list the applicant, as well as a history of repeated changes of employment

without any clear career or salary progression or a mid career move from a permanent to temporary post;

- All candidates should be assessed equally against the criteria contained in the person specification.

4.7 References

- The purpose of seeking references is to obtain objective and factual information to support appointment decisions;
- One reference should be from the current or most recent employer/line manager or HR (not from a colleague within the organisation);
- They should always be sought and obtained directly from the referee;
- A copy of the job description and person specification should be included with all requests;
- References or testimonials provided by the candidate, or open references, i.e. To Whom It May Concern should not be accepted. Open references/testimonials may be forged or the result of a 'compromise agreement';
- References should be sought on all short listed candidates, including internal ones. If possible these should be obtained prior to interview so that any issues of concern they raise can be explored further with the referee and taken up with the candidate at interview. *Note that the Equality Act 2010 places strict limitations on the making of enquiries about a person's health before an offer of employment is made. For further information see ['The Equality Act 2010: What do I need to know? A Quick Start Guide to the Ban on Questions about Health and Disability during Recruitment'](#);*
- Where a reference has not been obtained on the preferred candidate before the interview, once received it should be scrutinised and any concerns resolved satisfactorily before the person's appointment is confirmed;
- References should seek objective verifiable information and not subjective opinion. The use of reference proforma can help achieve this.

If an applicant is not currently employed in working with children, but has previously done so, then it is advisable to check with the last relevant employer to confirm details of their employment and reason(s) for leaving.

Requests for references should ask:

- The referee's relationship with the candidate, e.g. did they have a working relationship and how long has the referee known the candidate;
- How they have demonstrated that they meet the person specification;
- Whether the referee is satisfied that the person has the ability and is suitable to undertake the job;
- Whether the applicant has been the subject of any disciplinary sanctions and whether the application has had any allegations made against them or concerns raised, which relate either to the safety and welfare of, or the applicants behaviour towards, children and young people. Details about the outcome of any such concern should be sought;

- Whether the referee is satisfied that the candidate is suitable to work with children/young people/Adults at Risk. If not, for details of the referee's concerns and the reason why the person might be unsuitable.

Requests should remind the referee that they have a responsibility to ensure that the reference is accurate and that relevant factual content of the reference may be discussed with the applicant.

- Requests addressed to a candidate's current employer or a previous employer should also seek:
- Confirmation of details of the applicant's current post, salary and sickness record;
- Specific verifiable comments about the applicant's performance history and conduct;
- Details of any disciplinary procedures the applicant has been subject to which relate to the safety and welfare of children or to the applicant's behaviour towards children, young people or Adults at Risk and the outcome;
- Details of any allegations or concerns about the applicant that relate to the safety and welfare of children or behaviour towards children, young people or Adults at Risk and the outcome of these concerns.

On receipt of references:

- They should be checked to ensure all questions have been answered satisfactorily;
- Prior to the confirmation of an appointment, referees should be telephoned to confirm their views on the candidate and to ensure information provided by the candidate is accurate;
- **Any information about past disciplinary action or allegations** should be considered in the circumstances of the individual case. Cases in which an issue was satisfactorily resolved some time ago or an allegation determined to be unfounded or did not require formal disciplinary sanctions, and in which no further issues have been raised, are less likely to cause concern than more serious or recent concerns, or issues that were not resolved satisfactorily. A history of repeated concerns or allegations over time should give cause for concern.

4.8 Interviews

- The interview should assess the merits of each candidate against the job description and person specification, and explore their suitability to work with children/young people/Adults at Risk;
- The interview should stress that the identity of the successful candidate will be checked thoroughly and, that where a Disclosure and Barring Service check is appropriate, prior to appointment there will be a requirement to complete an application for a Disclosure and Barring Service disclosure;
- All candidates should bring with them documentary evidence of their right to work in the UK and their identity. Evidence should be as prescribed by UK Visas and Immigration and the Disclosure and Barring Service, and can include a current driving licence or passport including a photograph, or a full birth certificate, and a document such as a utility bill or financial statement that shows the candidate's current name

and address (please note that these latter two are time-limited and must be no more than 3 months old), and where appropriate change of name documentation. Some form of photographic ID must be seen;

- Candidates should bring documents confirming any educational and professional qualification(s). If this is not possible, written confirmation must be obtained from the awarding body. Also documentation of registration with appropriate professional body;
- A copy of the documents used to verify the successful candidate's identity and qualifications must be kept for the personnel file.

4.9 Interview Panel

A panel of at least two people is recommended, allowing one member to observe and assess the candidate and make notes, while the candidate is talking to the other. One member of the panel should be trained in safe recruitment practice.

The members of the panel should:

- Have the necessary authority to make decisions about the appointment;
- Meet before the interview to agree their assessment criteria in accordance with the person specification and to prepare a list of questions they will ask all candidates relating to the requirements of the post;
- Identify any issues they wish to explore with each candidate based on the information provided in their application form and in the references;
- Notes of the applicant's interview answers should be collated by chair of the panel and stored (by HR).

Governing bodies of maintained schools are required to ensure that at least one of the persons who conducts an interview has completed safer recruitment training.

4.10 Scope of the Interview

In addition to assessing and evaluating the applicant's suitability for the post, the panel should explore:

- The candidate's attitude towards children/young people/Adults at Risk;
- Their ability to support the organisation's agenda for safeguarding and promoting welfare;
- Any gaps in the candidate's employment history;
- Concerns or discrepancies arising from the information provided by the candidate and/or referee;
- Whether the candidate wishes to declare anything relating to the requirement for a Disclosure and Barring Service check.

The interview should also explore issues relating to safeguarding, including:

- Motivation to work with children

- Ability to form and maintain appropriate relationships and personal boundaries;
- Emotional resilience in working with challenging behaviours;
- Attitudes to use of authority.

4.11 Participation of Children

Children can make a valuable contribution to the recruitment process and their participation should be considered for key strategic and managerial posts as well as posts where staff will have a high level of responsibility for children's day to day care.

The following considerations should be taken into account in planning children's involvement:

- Clarification of the role children will take in the process, how their views will be taken into account in selection and what weighting these will be given;
- Preparation and/or training;
- Process for debriefing/feedback.

4.12 Conditional Offer of Appointment

Pre-Appointment Checks and References

An offer of appointment to the successful candidate should be conditional upon:

- Receipt of at least two satisfactory written references
- Verification of the candidate's identity;
- A satisfactory Disclosure and Barring Service Disclosure at the appropriate level (unless the Disclosure and Barring Service Update Service applies);
- Evidence of permission to work for those who are not nationals of a European Economic Area (EEA) country;
- Verification of the candidate's medical fitness;
- Verification of qualifications;
- Verification of professional status/registration where required, e.g. the Teaching Regulation Agency (TRA).
- Verification of successful completion of statutory induction / probationary period where appropriate.

All checks should be:

- Confirmed in writing;
- Documented and retained on the personnel file (subject to restrictions on the retention of information imposed by Disclosure and Barring Service regulations);
- Followed up where they are unsatisfactory or where there are discrepancies in the information provided.

Where:

- The candidate is found to be on the Barred Lists, or the Disclosure and Barring Service Disclosure shows they have been disqualified from working with children by a Court;
- The applicant has provided false information in, or in support of, their application;
- There are serious concerns about an applicant's suitability to work with children.

These facts should be reported to the police and/or Disclosure and Barring Service (if they are not already aware). Anyone who is barred from work with children is committing an offence if they apply for, offer to do, accept or do any work which constitutes Regulated Activity. It is also an offence for an employer knowingly to offer work in a regulated position, or to procure work in a regulated position for an individual who is disqualified from working with children, or fail to remove such an individual from such work.

4.13 Disclosure and Barring Service Checks

See also: [Section 4.15, Disclosure and Barring Service Update Service](#).

The level of disclosure requested, i.e. Standard or Enhanced, should reflect the nature of the duties of the post and degree of contact with children.

In considering asking a person to apply for a standard or enhanced DBS check, an employer is legally responsible for making sure the job role is eligible. This should be done before countersigning each DBS application form.

To determine which level of check a role is eligible for, refer to the [DBS Eligibility Guidance](#).

[Statutory Guidance: Keeping Children Safe in Education](#) sets out detailed provisions on checks and levels of supervision for staff, volunteers, contractors and visitors in educational establishments.

A record should be kept of the date when the disclosure was obtained, by whom, level of disclosure and unique reference number. Disclosure and Barring Service checks should be:

- Treated as confidential;
- Kept secure;
- Destroyed as soon as no longer required (not normally longer than 6 months after decision to appoint; however, note that it may be necessary to retain them for longer for inspection regimes).

Criminal Record

Employers must make a judgement about suitability, taking into account only those offences which may be relevant to the post in question. In deciding the relevance the following should be considered:

- The nature of the appointment;
- The nature of the offence;
- The age at which the offence took place;

- The frequency of the offence.

Anyone who is barred from work with children is committing an offence if they apply for, offer to do, accept or do any work constituting Regulated Activity. It is also an offence for an employer knowingly to offer work in a regulated position, or to procure work in a regulated position for an individual who is disqualified from working with children, or fail to remove such an individual from such work.

4.14 Disclosure and Barring Service Update Service

The Disclosure and Barring Service (DBS), operate an optional Update Service which is designed to reduce the number of DBS checks requested.

Instead of a new criminal records/Barred Lists check being necessary whenever an individual applies for a new paid or voluntary role working with children/Adults at Risk, individuals can opt to subscribe to the online Update Service. This will allow them to keep their criminal record certificate up to date, so that they can take it with them from role to role, within the same workforce.

Employers do not need to register, but can carry out free, instant, online status checks of a registered individual's status. A new DBS check will only be necessary if the status check indicates a change in the individual's status (because new information has been added).

4.16 Childcare Disqualification

For staff who work in childcare provision or who are directly concerned with the management of such provision, appropriate checks must be carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. Further information on the staff to whom these Regulations apply, the checks that should be carried out, and the recording of those checks can be found in [Statutory Guidance: Disqualification under the Childcare Act 2006](#).

These 2018 Regulations remove 'disqualification by association' (living in the same household where another person who is disqualified lives or is employed) for individuals working in childcare in **non-domestic** settings (e.g. schools and nurseries). Disqualification by association continues to apply for individuals providing and working in childcare in domestic settings (e.g. where childcare is provided in a childminder's home).

The arrangements continue to disqualify individuals working in domestic and non-domestic settings if they themselves have been found to have committed a relevant offence.

4.17 Checks on Overseas Staff

The same checks should be made on overseas staff as for all other staff, (although it is not possible to conduct overseas Disclosure and Barring Service checks). A 'Certificate of Good Conduct' or equivalent should be obtained.

Where an applicant has worked or been resident overseas in the previous 5 years, the employer should obtain a check of the applicant's criminal record from the relevant authority in that country and seek additional information about an applicant's conduct. Not all countries provide this service and advice can be sought from the Disclosure and Barring Service. The application process for criminal records checks or 'Certificates of Good Character' for someone from overseas varies from country to country. For further information, see [GOV.UK - Criminal records checks for overseas applicants](#). Applicants from non EEA countries must have a Sponsorship Licence under the UK Visas and Immigration points-based system, and the employer must be registered UK Visas and Immigration to be able to issue such a Licence. For further information, see the [UK Visas and Immigration website](#).

4.18 Employment Agency Staff

Where staff are recruited through an agency, written confirmation should be obtained that the appropriate checks have been undertaken. Similarly, safe recruitment practices need to be observed with sessional staff.

4.19 Staff Records

In relation to each member of staff appointed a record should be kept to show:

- Written references obtained
- Gaps in employment history checked;
- A satisfactory Disclosure and Barring Service / Enhanced Disclosure and Barring Service certificate obtained, with unique reference number and date;
- Reasons/decision to appoint despite criminal convictions (i.e. a Risk Assessment);
- Evidence of proof of identity (this will have been provided for the Disclosure and Barring Service check);
- Evidence of qualifications;
- Details of registration with appropriate professional body;
- Confirmation of right to work in UK;
- Record of interview questions and answers.

Records should be signed and dated by appointing manager/chair of the interview panel.

5. Post Appointment Induction

There should be an induction programme for **all** staff and volunteers. The purpose of the induction is to:

- Provide training and information about the organisation's safeguarding and child protection policies and procedures. This training should be at a level appropriate to the member of staff role and responsibilities with regard to children;
- Support individuals in a way that is appropriate for their role;
- Confirm the conduct expected of staff;

- Provide opportunities for a new member of staff or volunteer to discuss any issues or concerns about their role or responsibilities;
- Enable the line manager or mentor to recognise any concerns or issues about the person's ability or suitability at the outset and address them immediately;
- Ensure that the person receives written statements of:
 - Policies and procedures in relation to safeguarding;
 - The identity and responsibilities of staff with designated safeguarding responsibilities;
 - Safe practice and the standards of conduct and behaviour expected;
 - Other relevant personnel procedures e.g. whistleblowing, disciplinary procedures.

6. Maintaining a Safer Culture

Maintaining an ethos of safeguarding and promoting the welfare of children can be achieved by:

- A clear written statement of the standards of behaviour and the boundaries of appropriate behaviour expected of staff and volunteers (staff code of conduct);
- Appropriate induction and safeguarding training;
- Regular briefing and discussion of relevant issues;
- Effective supervision and staff appraisal processes;
- Clear reporting system if a user, member of staff or other person has concerns about the safety of children.

6.1 Monitoring

Monitoring of both the recruitment process and induction arrangements will allow for future recruitment practices to be better informed. It should cover:

- Staff turnover and reasons for leaving;
- Exit interviews;
- Attendance of new personnel at safeguarding training.

6.2 Supervision and Staff Review and Development

Annual staff reviews are important elements in ensuring safe practice. They should:

- Ensure staff are up to date with current safe practices;
- Identify areas for development;
- Openly address any concerns about behaviour and attitudes;
- Put in place action plan and arrangements for review.

6.3 Disclosure and Barring Service Re-Checking

See also [Section 4.15, Disclosure and Barring Service Update Service](#)

Further Disclosure and Barring Service checks on staff should always be considered when:

- There has been a break from employment of 3 months or more;
- There are grounds for concern about the person's suitability to work with children (note that the employee can decline).

Further Information

[Equality Act 2010](#)

[Keeping children safe in education](#)

[Disclosure and Barring Service \(GOV.UK\)](#)

[Supervision of activity with children \(DfE\) Statutory Guidance](#)

[Care Quality Commission – Disclosure and Barring Service Checks](#)

[Guidance for safer working practice for those working with children and young people in education settings](#)

[Statutory Guidance: Disqualification under the Childcare Act 2006](#)

Appendix 1 Recruitment checklist

Staff employed by the school (including apprentices*)

BEFORE INTERVIEW	DONE? (INCLUDE INITIALS OF PERSON WHO DID THE CHECK AND DATE)	RECORDED ON THE SCR?	COPY PLACED IN PERSONNEL FILE?
<input type="checkbox"/> References should be sought on all shortlisted candidates before interview			
PRE-EMPLOYMENT	DONE?		COPY PLACED IN PERSONNEL FILE?
<input type="checkbox"/> Verification of identity			
<input type="checkbox"/> Enhanced DBS check with barred list information, for those who will be engaged in 'regulated activity'			(Copies should not be kept for more than 6 months)
<input type="checkbox"/> Barred list check if the individual will start work in regulated activity before the DBS certificate is available			
<input type="checkbox"/> Childcare disqualification check if the individual will be working in regulated roles		<i>Not compulsory</i>	
<input type="checkbox"/> Verification of mental and physical		<i>Not compulsory</i>	

<p>fitness to carry out work responsibilities</p>			
<p><input type="checkbox"/> Verification of right to work in the UK</p>			<p><i>(Copies must be kept for duration of employment, and for 2 years afterwards)</i></p>
<p><input type="checkbox"/> Any further checks considered appropriate for people who have lived or worked outside the UK, including a check for information about any teacher sanction or restriction that an EEA professional regulating authority has imposed</p>			
<p><input type="checkbox"/> Professional qualifications, as appropriate</p>			
<p><input type="checkbox"/> (Teachers)</p> <p>Check that they are not subject to a prohibition order issued by the secretary of state</p>			
<p><input type="checkbox"/> (Those taking up management positions in independent schools, including</p>			

<p>academies and free schools)</p> <p>Check that they are not subject to a section 128 direction</p>			
--	--	--	--

* [Forbes Solicitors](#) confirmed that the checks in this section apply to apprentices employed at the school

Agency and third party staff

CHECK?	DONE?	RECORDED ON THE SCR?	COPY PLACED IN PERSONNEL FILE
<input type="checkbox"/> Written notification that checks the school would do have been done by the agency or third-party organisation			
<input type="checkbox"/> The person presenting themselves for work is the same person for whom the checks have been made			

Contractors

CHECK?	DONE?	RECORDED ON THE SCR?	COPY PLACED IN PERSONNEL FILE
<input type="checkbox"/> (Contractors engaging in regulated activity)			<i>(Copies should not be kept for more than 6 months)</i>

Enhanced DBS check with barred list information			
<input type="checkbox"/> (Contractors not engaging in regulated activity, but with the opportunity for regular contact with children) Enhanced DBS check			<i>(Copies should not be kept for more than 6 months)</i>
<input type="checkbox"/> Verification of identity			

Volunteers

CHECK?	DONE?	RECORDED ON THE SCR?	COPY PLACED IN PERSONNEL FILE
<input type="checkbox"/> Enhanced DBS check with barred list information for volunteers who will be in regulated activity			<i>(Copies should not be kept for more than 6 months)</i>

Governors, member & trustees

CHECK?	DONE?	RECORDED ON THE SCR?	COPY PLACED IN PERSONNEL FILE
<input type="checkbox"/> Enhanced DBS check (with barred list information only for governors who will be in regulated activity)			<i>(Copies should not be kept for more than 6 months)</i>
<input type="checkbox"/> (Academies) Confirmation of identity			
<input type="checkbox"/> (Academies) Other checks as appropriate, for those who live or have lived outside the UK			
<input type="checkbox"/> (Academies) Right to work in the UK			
<input type="checkbox"/> (A requirement for trustees, members and local governors in academies, free schools and independent schools. And recommended for maintained school governors)			

Check that they are not subject to a section 128 direction			
--	--	--	--