

Malvern Wyche C of E Primary School



Safer Recruitment Policy

1 Introduction

1.1 The safe recruitment of staff in schools is central to the recruitment process and essential for safeguarding and promoting the welfare of children in Education.

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

- a. Place safeguarding at the heart of the recruitment process
- b. attract the best possible applicants to vacancies;
- c. deter prospective applicants who are unsuitable for work with children or young people;
- d. identify and reject applicants who are unsuitable for work with children and young people.

1.3 The contents of this policy reflects the guidance from DfE on Safer Recruitment and reflects training in safer recruitment.

2 Statutory Requirements

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

2.2 This policy is based on guidance given in the document “Keeping Children Safe in Education” Sept 2021.

3 Safer Recruiters

3.1 At least one member of the governing body has successfully received accredited training in Safer Recruitment procedures. Currently training is held by:

Stephen Murphy (Headteacher)
Ellie Wilson (Safer Recruitment Governor)

4 Inviting Applications

4.1 Advertisements for vacancies will include the statement:

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 successful candidate will undertake an enhanced DBS check.

And include

- a. • the safeguarding responsibilities of the post as per the job description and personal specification;

- b. • whether the post is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020

4.2 When drafting an advertisement consideration will be given to:

- a. the skills, abilities, experience, attitude, and behaviours required for the post;
- b. the safeguarding requirements, i.e., to what extent will the role involve contact with children and will they be engaging in regulated activity relevant to children. See page 55 of Keeping Children Safe in Education 2021 for further information about regulated activity.

4.3 Where a role involves engaging in regulated activity relevant to children, we will state on in the application pack that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

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

- job description and person specification;
- the selection procedure for the post;
- the current safeguarding policy and safer working practices guidance
- this policy (Safer Recruitment)
- an application form.

4.5 All prospective applicants must complete, in full, an application form. CVs must not be accepted as part of the application process.

4.6 Prospective candidates must tour the school. This is the first part of the safer recruitment process.

4.7 Applicants should be asked to sign a declaration confirming the information they have provided is true. Where there is an electronic signature, the shortlisted candidate should physically sign a hard copy of the application at point of interview.

5 SHORT-LISTING AND REFERENCES

5.1 Short-listing of candidates will be against the person specification for the post and the job description and will take into account consistency of job history and relevant experience. Gaps or anomalies in job history will be explored at interview by the Headteacher.

5.2 At least one reference will be taken up before the selection stage and scrutinised so that any discrepancies can be probed during the selection stage.

5.3 References will be sought directly from the referee. References or testimonials provided by the candidate will never be accepted. At least one of the references should be an employment reference, preferably within the last three years.

5.4 Where necessary, referees will be contacted by telephone or e-mail in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

5.5 Where necessary, previous employers who have not been named as referees will be contacted in order to clarify any anomalies or discrepancies. A detailed written note will be kept of such exchanges.

5.6 Referees will always be asked specific questions about:

- a. the candidate's suitability for working with children and young people;
- b. any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children;
- c. the candidate's suitability for this post.

5.7 School employees are entitled to see and receive, if requested, copies of their employment references.

6 THE SELECTION PROCESS

6.1 Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require an interview of short-listed candidates.

6.2 Interviews will, always be face-to-face. Ideally this will take place in person but where circumstances (for example the Coronavirus Pandemic) prohibit this an electronic link (Microsoft Teams) will be used.

7 Safe questioning

7.1 At least one question will be posed to deter individuals who may harm children and explore attitudes and knowledge to ensure appointed members of staff are capable of understanding and carrying out their statutory safeguarding duties. This will allow the panel and safer recruiter to explore the candidates reactions, opinions and knowledge of child protection issues.

7.2 The interviews will be used to explore potential areas of concern to determine the applicant's suitability to work with children. Areas that may be concerning and lead to further probing include:

- a. implication that adults and children are equal;
- b. lack of recognition and/or understanding of the vulnerability of children;
- c. inappropriate idealisation of children;
- d. inadequate understanding of appropriate boundaries between adults and children;
and,
- e. indicators of negative safeguarding behaviours.

7.3 Any information about past disciplinary action or allegations should be considered in the circumstances of the individual case.

7.4 Where possible children will be invited to meet candidates, observe them and give feedback. This is considered best practice.

7.5 Candidates will always be required:

- to explain satisfactorily any gaps in employment;
- to explain satisfactorily any anomalies or discrepancies in the information available to recruiters;
- to declare any information that is likely to appear on a DBS disclosure;
- to demonstrate their capacity to safeguard and protect the welfare of children and young people.

8 Roles and Responsibilities

The Headteacher and School secretary are responsible for different elements of the recruitment process. The split of roles and responsibilities is detailed below:

When recruiting a headteacher the local authority's accountable representative will work with the governing board to appoint suitable recruitment officers to carry out these tasks.

Headteacher	School Secretary
Decides that a vacancy has arisen based on resignation or changes in need.	
Decides on the nature of the contract offered based on current finance and existing contracts	
Negotiate advertisement window, closing date interview date and panel.	
	Invites panel
Writes advertisement	
	Drafts a person specification
	Drafts a job description
Finalises a person specification	
Finalises a job description	
Writes shortlisting rubric	
	Places advert externally and sometimes internally with: <ul style="list-style-type: none"> • WM Jobs • The DfE • School website • School noticeboard (internal) • Weekly Briefing (internal) • School newsletter.
	Responds to enquiries, sends out packs and arranges visits
	Collates applications as they arrive
Gives candidate tours	
	Collates candidates and prepares a spreadsheet for HT to populate at shortlisting
Shortlists using internal rubric	
Gives panel application forms to shortlist	

Hold a shortlisting meeting and finalises shortlist	
	Invites candidates to interview
	Checks DBS, qualifications and identity at interview.
Chairs interview panel	
Notifies all candidates of result	
	Makes offer in writing
	Notifies LA
	Carries out new DBS check
Agrees start date	
	Updates SCR
Checks and agrees SCR	
Gives initial safeguarding induction	

The safer recruitment governor is Ellie Wilson who hold the Headteacher to account for the probity and compliance of these procedures.

9 Pre-employment checks

9.1 Schools must:

- a. verify a candidate's identity. Identity checking guidelines can be found on the GOV.UK website,
- b. obtain a certificate for an enhanced DBS check which will include barred list information for those who will be engaging in regulated activity,
- c. obtain a separate barred list check if an individual will start work in regulated activity before the DBS certificate is available. This eventuality will be avoided if possible but where necessary will be subject to risk assessment.
- d. verify the candidates mental and physical fitness to carry out their work responsibilities. A job applicant can be asked relevant questions about disability and health in order to establish whether they have the physical and mental capacity for the specific role,
- e. verify professional qualifications,
- f. ensure candidates complete a confidential health questionnaire,
- g. verify a person's right to work in the UK. If a person has lived or worked outside the UK, the school should make any further checks it feels appropriate. The school should also check for any information about any teacher sanction or restriction that an EEA professional regulating authority has imposed,
- h. for staff who work in childcare provision or who are directly concerned with the management of such provision, the school needs to ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the Childcare (Disqualification) Regulations 2009,
- i. check that a person is not prohibited from teaching. The school can do this by using the Employer Access Online Service. A person who is barred from teaching must not be appointed to work as a teacher in a school or early years setting,
- j. If a qualified teacher is employed in a non-teaching role, the check must also be completed,

- k. All schools must also check that a person taking up a management position is not subject to a section 128 direction which is made by the Secretary of State. Schools can carry out this check by accessing the Department for Education's Secure Access portal.

9.2 N.B. If a school has concerns about an existing staff member's suitability to work with children, the school should carry out all relevant checks as if the person were a new member of staff.

9.3 IF A SCHOOL OR COLLEGE KNOWS OR HAS REASON TO BELIEVE THAT AN INDIVIDUAL IS BARRED, IT COMMITS AN OFFENCE IF IT ALLOWS THE INDIVIDUAL TO CARRY OUT ANY FORM OF REGULATED ACTIVITY.

10 Single Central Record and DBS Checks

10.1 Schools and colleges must keep a single central record, referred to in the regulations (described in the following paragraph) as the SCR. The single central record must cover the staff (including supply staff, and teacher trainees on salaried routes) who work at the school in any capacity.

10.2 The information that must be recorded in respect of staff members (including teacher trainees on salaried routes) is whether the following checks have been carried out or certificates obtained, and the date on which each check was completed/certificate obtained:

- a. an identity check;
- b. a barred list check;
- c. an enhanced DBS check/certificate if in regulated activity;
- d. a prohibition from teaching check;
- e. further checks on people living or working outside the UK;
- f. Section 128 check for persons in position of management;
- g. a check of professional qualifications; and
- h. a check to establish the person's right to work in the United Kingdom.

10.3 As the majority of staff will be engaging in regulated activity, an enhanced DBS certificate which includes barred list information will be required for most appointments. In summary, a person will be considered to be engaging in regulated activity if, as a result of their work, they:

- a. will be responsible, on a regular basis (in a school or college) for teaching, training instructing, caring for or supervising children; or
- b. will carry out paid, or unsupervised unpaid work regularly in a school or college where that work provides an opportunity for contact with children; or
- c. engage in intimate or personal care, or overnight activity, even if this happens only once.

10.4 Certificate information should be kept securely and hard copies should be placed in lockable, non-portable, storage containers. Access should be strictly controlled and limited to those who are entitled to see it as part of their duties. No copies of disclosure information (in any format) should be made without the prior agreement of the DBS.

10.5 Certificate information must only be handled by those who are authorised in your organisation to receive it in the course of their duties (namely the school secretary and Headteacher). Certificate information must not be shared with any third party without the consent of the applicant. It is a criminal offence to pass disclosure information to anyone who is not entitled to receive it.

10.6 The information about criminal records that is collected and processed during the recruitment process is sensitive personal data. It should be:

- a. Stored securely
- b. Shared only with those who need to know (such as the Headteacher, HR provider, members of the recruitment panel, or the safer recruitment lead)

There is a separate GDPR statement and policy which explains these arrangements in greater detail.

10.7 Information MUST NOT be shared with other colleagues.

10.8 For any records created during the process (for example, notes from disclosure discussions and criminal records assessments) applicants should be informed:

- a. How their information will be handled, stored and destroyed
- b. That they have a right to request: a copy of documents, that any inaccuracies are corrected, and that information is deleted.

11 Positive DBS Disclosures

11.1 In accordance with the Rehabilitation of Offenders Act a criminal conviction does not automatically prevent an individual from working for the school. When assessing whether a positive disclosure is acceptable, the following must be considered:

- a. whether they will be working in regulated activity and they are on the barred list;
- b. whether they will be working with children under 8 and have committed offences that disqualify them from doing so;
- c. the requirements of the role and level of supervision the worker will receive;
- d. how relevant the offence is to the role to be undertaken;
- e. how much time has elapsed since the offence was committed and whether it was a one-off incident or part of a history of offending;
- f. whether the individual's circumstances have changed since the offence was committed, making re-offending less likely;
- g. whether the individual was open and transparent about their past and declared relevant information where required.
- h. Consider the need for a discussion about the disclosure.

11.2 The school may seek advice from the Local Authority HR department.

13 Induction

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

14 Volunteers

14.1 Volunteers are also seen by children as safe and trusted adults. All volunteers will be required to have a DBS check before they start their time in school. They will also have an induction meeting with the Designated Safeguarding Lead and will receive written information including the volunteer information booklet, safeguarding and child protection policy and code of conduct.

14.2 As part of KCSIE 2021, all volunteers/college students/work experience placements will have a risk assessment completed, ID check and safeguarding briefing prior to having any contact with children.

15 Agency and third party staff (supply staff)

15.1 Malvern Wyche C of E Primary School obtains written notification from any supply or relief agency, or third party organisation, that they have carried out the checks on an individual who will be working at the school or college that the school or college would otherwise perform.

15.2 In respect of the enhanced DBS check, we ensure that written notification confirms the certificate has been obtained by either the employment business or another such business.

15.3 Where the agency or organisation has obtained an enhanced DBS certificate before the person is due to begin work at Malvern Wyche C of E Primary School which has disclosed any matter or information, or any information was provided to the employment business, the school or college will comply with guidance and obtain a copy of the certificate from the agency.

Stephen Murphy, September 2021

Approved by the Operations Committee of the Governing Body xxxxx