



# Tany's Dell Community Primary School & Nursery

## Safer Recruitment Policy

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## **SAFER RECRUITMENT POLICY**

*The Governing Body is committed to safeguarding and promoting the welfare of children and young people, and expects all staff and volunteers to share this commitment. We follow government guidelines set out in the 'Keeping Children Safe in Education 2015' document to ensure all our practices and procedures prioritise the safety of children.*

### **1. INTRODUCTION**

This document sets out the safer recruitment and selection procedures which will be followed at Tany's Dell Community School & Nursery and provides employees who have responsibility for recruitment and selection with guidance on legal requirements and best practice.

### **2. POLICY STATEMENT**

The School's Recruitment & Selection Policy Statement is at **Appendix A**.

As part of its commitment to safeguarding and promoting the welfare of children and young people, a range of pre-employment checks will be undertaken on employees and volunteers and there is a requirement on external organisations providing workers to do the same. These requirements are summarised in the Recruitment & Selection Policy Statement and more detail can be found at Appendix A.

### **3. SCOPE**

Children are likely to perceive all adults in the school as safe and trustworthy adults. The principles described in this policy will therefore be applied in relation to everyone who applies to work in the school including:

- staff employed on a permanent basis,
- temporary and casual staff
- unpaid volunteers (see Section 6)
- overseas workers (guidance available from UK Border Agency [www.ukba.homeoffice.gov.uk](http://www.ukba.homeoffice.gov.uk))
- those employed by external organisations such as supply agencies (see Section 7)
- where appropriate contractors and self-employed persons.

### **4. ROLES AND RESPONSIBILITIES**

**4.1** It is the responsibility of the **governing body** to:

- ensure there are effective policies and procedures in place for the safe recruitment of all staff and volunteers and for the engagement of other adults in accordance with DfE guidance and legal requirements;
- monitor compliance with those policies and procedure;
- elect a selection panel of at least three of its members for the appointment of headteachers and deputy headteachers. The panel will, in the case of deputy headteacher appointments, include the headteacher.

- 4.2.1** It is the responsibility of the **headteacher, and other managers** involved in recruitment to:
- ensure that safe recruitment procedures are in operation and make sure all appropriate checks are carried out on all staff, volunteers and others engaged to work;
  - ensure contractors' and agencies' compliance with this document;
  - secure and promote the welfare of children at every stage of the process.
- 4.3** It is the responsibility of all **potential and existing workers, including volunteers** to comply with this document.
- 4.4** It is the responsibility of all **contractors and agencies** to comply with safe recruitment pre-employment checks.
- 4.5** It is the responsibility of the **Essex County Council eCRB service** to:
- deal with the administration of the disclosure system for all ECC and umbrella body disclosures\*
  - maintain the internal List and Indices.

\*The Council acts as a DBS umbrella body for a large number of external organisations including Foundation and Voluntary Aided Schools and Academies. There are separate Guidelines covering the Council's responsibilities in this area and these are available from the eCRB service.

## **4.6 Delegated Authority**

The Governing Body has delegated authority to the headteacher to lead in all staff appointments (other than that of the headteacher and the deputy headteacher). Senior Staff and/or governors may be involved in staff appointments but the final decision will rest with the headteacher. The headteacher may delegate the selection process of staff outside of the leadership group to other managers, but remains responsible for the decision to appoint.

## **5. THE RECRUITMENT PROCEDURE**

### **5.1. Pre-advertisement**

#### **5.1.1 Identifying a vacancy**

The recruitment process starts as soon as a vacancy has been identified. Before any action is initiated, careful consideration will be given to the necessity for filling the post, the tasks to be undertaken and the skills, attributes and behaviours required to do the job.

#### **5.1.2 Job Descriptions/Person Specifications**

A job description and person specification will be drawn up for all posts. The job description will provide a framework of expectations and will define the purpose, scope and the principal duties and responsibilities of the role. The person specification will enable applicants to assess themselves for the job and provides a benchmark for judging suitability. All work involves some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Job Descriptions and Person Specifications will clearly set out the extent of the

relationships/contact with children and the degree of responsibility for children for each post.

The job description and person specification will be used throughout the recruitment process to develop the shortlisting and selection criteria.

The salary for the job will be evaluated at this point and the actual salary range will be advertised.

### **5.1.3 Setting timescales**

It is essential to plan the recruitment exercise itself, identifying who should be involved, assigning responsibilities, and setting aside sufficient time for the work needed at each stage so that safeguards are not overlooked. For example, it is important to organise the selection process to allow references to be obtained on shortlisted candidates before interview.

The length of the recruitment process varies depending on the type of vacancy (e.g. teaching/support staff), the frequency of the desired publication (e.g. daily, weekly, fortnightly, monthly), whether it is necessary to advertise both internally and externally, the requirement for a work permit, availability of staff and the length of the individual's notice period.

### **5.1.4 Recruitment pack**

The recruitment pack will vary according to the post but will consist, as a minimum, of:

- Application form
- Job Description
- Person Specification
- The Recruitment and Selection Policy statement.

The pack may also include other relevant information i.e. covering letter, prospectus, map etc.

### **5.1.5 Visits**

Informal discussions and visits prior to application are welcomed by prior arrangement.

## **5.2. Advertising**

To ensure equality of opportunity, all vacant posts will be advertised to encourage as wide a field of candidates as possible, normally this will entail an external advertisement.

However, where there is a reasonable expectation that there are sufficient qualified and experienced internal candidates, or where staff are at risk of redundancy, an internal advertisement may be considered appropriate.

Headteacher and Deputy Headteacher posts will be advertised in the manner considered appropriate by the Governing Body. In order to ensure the widest possible field of candidates advertising will usually be national for these roles, unless there is a good reason not to do so.

## **5.3. Application**

### **5.3.1 Application Form**

A standard application form is used for all vacancies. Alternate format application forms will be accepted from disabled applicants, but such applicants must provide all of the information required by the standard application form. Curriculum vitae's will not be accepted in isolation.

All parts of the application form must be completed and the form signed by the candidate. Where applicants submit an on-line application they will be asked to sign a paper copy. A completed application form will provide the basis for necessary pre-employment checks. Incomplete application forms will not be accepted and will be returned for completion or checked with the candidate. Where an applicant is shortlisted, any discrepancies or gaps in employment 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, in summary dismissal if the applicant has been selected and possible referral to the police.

### **5.3.2 Recruitment Monitoring Form**

There is a requirement to monitor certain aspects of employment practices including monitoring the ethnicity, disability and gender of employees and applicants. As part of the application process therefore, individuals will be asked to complete a Recruitment Monitoring Information form. Completion of the form will ensure that policy and procedures are effective in avoiding discrimination and promoting equal opportunities in recruitment. However the completion of the form is voluntary and therefore candidates are not obliged to complete it.

The recruitment monitoring information does not form part of the selection process and will be detached from the application form prior to shortlisting. The information provided will be used for monitoring and statistical data purposes only. Required reporting of this data will be on an anonymous basis.

### **5.3.3 Acknowledgement**

Due to the large number of applications often received, the school is only required to notify shortlisted candidates of the outcome of their application, however, we will endeavour to respond to all applicant, including those not shortlisted.

## **5.4. Shortlisting**

Shortlisting will take place as soon as possible after the closing date. Shortlisting will be undertaken by the selection panel normally consisting of at least two individuals (three in the case of headteacher and deputy headteacher panels). At least one member of all selection panels will have undertaken the required Safer Recruitment Assessment.

### **5.4.1 Invitation to interview**

Once the shortlist has been decided the shortlisted candidates will be notified as soon as possible. Invitation to interview will be confirmed in writing. Adequate time should be allowed between invitation and interview to allow for pre-employment checks to take place and to allow candidates adequate time to prepare for their interview.

If the school setting and post are covered by the Childcare (Disqualification) Regulations 2009, all shortlisted candidates should be asked to complete a Disqualification Declaration form at this stage in addition to the other pre-employment checks. The completed form should be kept in a sealed envelope and passed to the Headteacher or Chair of the Selection panel prior to the interview.

The invitation to interview letter should include asking whether the candidate has any special requirements to enable them to participate in the process.

#### **5.4.2 Requesting references**

References will be taken up on all short-listed candidates, prior to interview.

### **5.5 Selection process**

The selection process will, as a minimum, consist of a face to face interview even where there is only one candidate and including for internal appointments and promotions and volunteers.

Where appropriate, the selection process may include additional activities such as in-tray exercises, group activities, presentations, pupil panels or observed assemblies/teaching.

The table at Appendix H outlines exercises that could be used as part of a selection process. Candidates will be informed which of the exercises will be used in the selection process.

The process will assess the merits of each candidate against the job requirements (i.e. job description and person specification), and explore their suitability to work with children. In accordance with the Equality Act 2010, the interview panel should not ask general questions about the individual's sickness and attendance record but may ask relevant questions to establish whether the applicant will be able to carry out a function that is intrinsic (e.g majority of the work involves manual handling) to the work concerned once reasonable adjustments are in place where appropriate.

Full details of the selection process (i.e. details of the interview and any additional selection exercises) will be notified to the applicant in the invitation to interview letter. Applicants will also be notified of the need to bring appropriate documentary identification to the interview which is required for the pre-employment checks.

Where the school setting and post are covered by the Childcare (Disqualification) Regulations, if an individual declares information on a Disqualification Declaration Form the school will need to establish whether the information declared meets one of the disqualification criteria (see section 13 of the Pre-Employment checks procedure).

If the information does meet the disqualification criteria, the selection panel may decide

- a) to discontinue the recruitment process in respect of that candidate
- b) discuss the declaration with the individual at interview and decide whether the application can proceed.

If the individual is subsequently selected as the preferred candidate following the interview process and consideration of the information declared on the Disqualification Declaration Form, a conditional offer can be made. It must be made clear that a firm offer of employment will not be made until satisfactory pre-employment checks (DBS, medical clearance and references) have been completed and a waiver obtained from Ofsted. Further information on applying for a disqualification waiver can be found in the Pre-Employment checks procedure.

## **5.6. Employment Offer**

The choice of candidate will be determined by the majority view from the interview panel. The panel may identify a first and second choice candidate.

The successful applicant will be advised that they are the preferred candidate. A firm offer cannot be made until all pre-employment checks have been completed. A conditional offer may be made pending DBS clearance (and/or a disqualification waiver being provided by Ofsted where relevant).

The preferred candidate should sign a DBS consent form which informs them of the requirement to produce the original DBS certificate if they have a DBS certificate which meets the portability criteria (see 10.3.1 in the Pre-Employment Checks Procedure) or in the event of a positive DBS disclosure where the school is carrying out a new check. This consent form also gives consent for the DBS certificate to be copied and shared (within strict guidelines) for the purposes of considering suitability for employment.

The consent form also seeks consent for an online status check to be carried out in the event that the preferred candidate subscribes to the DBS update service

The DBS consent form is in the Pre-Employment Checks Procedure.

If the preferred candidate accepts the offer/conditional offer verbally a contract or conditional contract is formed and a provisional start date can be agreed. Offers will be confirmed in writing.

Once all pre-employment checks have been satisfactorily received, a firm offer of employment will be made and the contract of employment will be issued. The contract will be issued as soon as possible but in all circumstances within 8 weeks of employment commencing.

Full guidance on pre-employment checks, including assessing suitability in the event of a positive DBS disclosure or a positive disclosure on the Disqualification Declaration Form (where relevant), is contained in the Pre-employment Checks Procedure.

If the preferred candidate does not accept the post, the panel will consider the option of contacting the second choice candidate. This will only be done where this candidate meets the criteria for the role.

Unsuccessful candidates will be advised accordingly. All candidates will be offered feedback on their interview/selection.

In the case of both Headteacher and Deputy Headteacher appointments, it is a statutory requirement for the full governing body to approve the recommendation of the selection panel that their chosen candidate be appointed.



## **5.7. Induction and Probation**

### **5.7.1 Induction**

All Teaching Staff in maintained schools who qualified after 7<sup>th</sup> May 1999 are required to have satisfactorily completed their statutory induction period, or, if they are a Newly Qualified Teacher, are subject to the requirement to complete the statutory induction period.

All new employees, internally promoted staff and volunteers will be provided with an induction program, which will seek to ensure that they are clear about their job and feel secure about what they should be doing. Any training and development needs will be identified and supported appropriately.

### **5.7.2 Probation**

A probationary period applies to all newly appointed staff, except those Newly Qualified Teachers to whom the Teachers' Statutory Induction Period is applied.

- In Community and Voluntary Controlled schools, a new employee is an employee who is new to the employment of the County Council. An employee moving between one Community/Controlled school and another will not be subject to a probationary period at the second school.

See the Probation Procedure for more detail.

## **5.8 Record Retention/Data Protection**

### **5.8.1 Selection Records**

Interview notes on all applicants will be retained for a 6 month period, after which time, these records will be destroyed (i.e. shredded). The 6 month retention period will allow the school to deal with any data access requests and respond to any complaints raised at an Employment Tribunal.

Under the Data Protection Act 1998, applicants have a right to request access to notes written about them during the recruitment process. Applicants who wish to access their interview notes must make a subject access request in writing to the chair of the interview panel/Headteacher within 6 months from the date of interview.

### **5.8.2 Personal File Records**

For the successful candidate, the following information will be retained and will make up part of the employee's personal file:

- Application form
- SD2 (until DBS clearance is received, at which point SD2 should be removed and destroyed)
- Proof of identity
- Evidence of right to work in the UK and any supporting documents
- Proof of academic qualifications
- Certificate of good conduct (if applicable)
- Evidence of medical clearance (from the Occupational Health Centre)
- DBS consent form (until DBS clearance is received, at which point form should be removed and destroyed)

- Evidence of the DBS or online status check (eg DBS certificate number and date but not details of the content on the certificate)
- Evidence of Teachers' barred List check (staff teaching only)
- Evidence of Completion of Statutory Induction (Teachers only where applicable)
- Disqualification risk assessment form and any disqualification waiver documentation (where applicable)

## 6. ENGAGING VOLUNTEERS

The school values the contribution that volunteers make to its community and recognises the positive impact they can have on pupils' learning, experiences and wellbeing.

Volunteers are seen by children as safe and trustworthy adults and the same high standards of safer recruitment principles and processes are applied to volunteers as are applied to paid staff.

New volunteers undertaking Regulated Activity must be DBS checked - details of what constitutes Regulated Activity and guidance on what is not a Regulated Activity because it is done on a voluntary basis **and** is supervised are in the Pre-employment Checks Procedure. It is important to refer to this guidance as there is specific DfE Statutory Guidance on supervision.

Schools can choose to DBS check volunteers who are not undertaking Regulated Activity (in such cases a Barring List check will not be done). We recommend that all volunteers complete an SD2 form regardless of whether they will be undertaking Regulated Activity – see section 6.4 below.

In school settings covered by the Childcare (Disqualification) Regulations 2009 volunteers who will be engaged by the school to carry out any duties covered by the Regulations should also be asked to complete a Disqualification Declaration Form. Further information can be found below and in section 13.3.4 the Pre-Employment Checks Procedure.

### 6.1 Interviewing Volunteers

Volunteers will be asked to have a discussion with the headteacher or other managers prior to commencing their role. This will not be a formal interview but will provide:

#### The school with:

- an opportunity to explain the workings of the school and how volunteers fit into that;
- time to ask volunteers for the factual information needed to make a successful placement including any safeguard checks;
- the opportunity to explore their suitability to work with children, including their motivation to work with children and their ability to form and maintain appropriate relationships and personal boundaries;
- an opportunity to determine whether any special health, safety and welfare criteria need to be met.

#### The volunteer with:

- the opportunity to find out more about the nature of the work;
- information to decide how best they can make a contribution, using their skills and experience;
- how much time they want to commit.

## 6.2 Application Forms

Volunteers will be asked to complete a basic application form. This provides the information necessary to undertake safeguard checks and to give a picture of the skills and experience the volunteers brings to maximise their contribution and the volunteers own fulfilment in the assigned activities.

## 6.3 Role Profiles

Volunteers will be given clear and simple description of the roles and boundaries of the voluntary activity.

It is acknowledged that by its very nature, volunteering does not place the same obligations on an individual in terms of attendance etc. as a paid employee. However, it is very much hoped that volunteers will fulfil their commitment as agreed between themselves and the school - this includes consistent attendance and undertaking the agreed tasks. Volunteers will be provided with an information sheet and may be asked to sign a voluntary agreement as clarification of the commitment they are making to the school and visa versa.

## 6.4 Safeguarding checks

Certain safeguard checks must be undertaken on volunteers. These vary according to the frequency of the work.

More details on safeguarding checks and what constitutes Regulated Activity can be found at Appendix 6 of the Pre-Employment Checks Procedure.

- 6.4.1 Self-Disclosure form(SD2) and Disclosure and Barring (DBS) checks  
All volunteers will be required to complete a self-disclosure of criminal records and those undertaking Regulated Activity will also be required to have a DBS and Barring List check and complete a DBS consent form.

Where no DBS check is undertaken (for volunteers not undertaking Regulated Activity) it will clearly not be possible to check the information given against a DBS check outcome. In these cases the SD2 should be scrutinised using the guidelines for making a decision to engage (in the Pre-employment Check Procedure). Once this has been done a note should be made that an SD2 was checked and the SD2 form destroyed.

***NB It is illegal for anyone who is barred from working with children to apply for, or work (including volunteering) in a school to undertake Regulated Activity.***

### 6.4.2 References

At least one reference will be required for all new volunteers undertaking Regulated Activity.

### 6.4.3 Disqualification Declaration Forms

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In school settings covered by the Childcare (Disqualification) Regulations 2009 volunteers who will be engaged by the school to carry out any duties covered by the Regulations should also be asked to complete a Disqualification Declaration Form. There is guidance in the Pre-Employment Checks procedure in the event that a volunteer makes a positive declaration.

## **6.5 Induction, information and training**

All new volunteers will undertake a suitable induction programme. This may involve discussions with staff and some reading – for which assistance can be provided as necessary. It is essential that volunteers are familiar with key policies including the Code of Conduct, behaviour management, safeguarding and health and safety policies. On-going guidance and training will be provided for volunteers that are relevant to the voluntary activity in which they are engaged, including the safe use of any work equipment, safe working environment etc.

## **7. Agency and other workers**

It is expected that the same standards of safer recruitment will be applied by external bodies providing workers or volunteers to the school.

External bodies will be required to provide written confirmation that relevant safer recruitment and other relevant pre-employment checks have been undertaken and this will be recorded on the Single Central Record.

More details on safeguarding checks can be found at Appendix 6 of the Pre-Employment Checks Procedure.

All workers and volunteers will be required to provide evidence of their identity when first arriving on the premises and to sign in on each visit.

All workers and volunteers will be provided with an induction into key policies and procedures and expects everyone to comply with these.

## Appendix A

# Recruitment and Selection Policy Statement

1. The Governing Body is committed to:
  - safeguarding and promoting the welfare and safety, and the spiritual, moral, social and cultural development, of children and young people;
  - promoting equality of opportunity and community cohesion where the diversity of different backgrounds and circumstances is appreciated and positively valued;
  - promoting the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance for those with different faiths and beliefs.

and expects all staff, volunteers and other workers to share this commitment. It is recognised that this can only be achieved through sound procedures, good inter-agency co-operation and the recruitment and retention of competent, motivated employees who are suited to, and fulfilled in the roles they undertake.

2. The Governing Body recognises the value of, and seeks to achieve a diverse workforce which includes people from different backgrounds, with different skills and abilities. We are committed to ensuring that the recruitment and selection of all is conducted in a manner that is systematic, efficient, effective and promotes equality of opportunity. Selection will be on the basis of merit and ability, assessed against the qualifications, skills and competencies required to do the job. We will uphold obligations under law and national collective agreements to not discriminate against applicants for employment on the grounds of age, sex, sexual orientation, marital status, disability, race, colour, nationality, ethnic origin, religion or belief.
3. We will 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 role.
4. We will ensure that the terms of any contract with a contractor or agency requires them to adopt and implement measures described in this procedure. We will monitor the compliance with these measures and require evidence that relevant checks have been undertaken for all workers deployed.
5. The following pre-employment checks will be required:
  - receipt of satisfactory references\*
  - verification of the candidate's identity
  - a satisfactory DBS disclosure if undertaking Regulated Activity
  - verification that you are not on the DBS Children's barred list and therefore not barred from working with Children (where applicable)
  - verification that you are not prohibited from teaching (where applicable)
  - verification of the candidate's medical fitness
  - verification of qualifications
  - verification of professional status where required e.g. QTS status
  - the production of evidence of the right to work in the UK
  - verification of successful completion of statutory induction period (applies to those who obtained QTS after 7 May 1999)
  - (for applicable school settings and for roles covered by the Regulations only) a declaration that you are not disqualified from working with children by virtue of the Childcare (Disqualification) Regulations 2009 or that you have provided a disqualification waiver from Ofsted.

***NB It is illegal for anyone who is barred from working with children to apply for, or undertake Regulated Activity.***

\*In exceptional circumstances, where you have good reason not to want your referees to be contacted prior to interview, you should set out your reasons with your application form. Where it is agreed to defer, referees will be contacted immediately after interview before an offer of employment is made.

6. We will keep and maintain a single central record of recruitment and vetting checks, in line with the DfE requirements.
7. All posts/voluntary roles that give substantial unsupervised access to children and young people are exempt from the Rehabilitation of Offenders Act 1974 and therefore all applicants will be required to declare spent and unspent convictions, cautions and bind-overs (save for those offences that are subject to filtering by the Police).

Applicants will be required to sign a DBS consent form giving consent for the DBS certificate to be copied and shared (within strict guidelines) for the purposes of considering suitability for employment and consent for an online status check to be carried out in the event that the applicant subscribes to the DBS update service

The Governing Body is committed to ensuring that people who have convictions / cautions / reprimands on their record 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, except in the case of school settings covered by the Childcare (Disqualification) Regulations 2009 where certain convictions, cautions or warnings will mean an individual is disqualified from working in that setting and will prohibit employment at the school (unless a waiver can be obtained from Ofsted).

Positive disclosures will be managed on a case by case basis taking into account the nature, seriousness and relevance to the role. The following factors will be considered in each case:

- The seriousness/level of the disclosed information eg was it a caution or a conviction.
  - How long ago did the incident(s) occur?
  - Whether it was a one-off incident or part of a repeat history/pattern.
  - The circumstances of the offence(s) being committed and any changes in the applicant's personal circumstances since then.
  - The country where the offence/caution occurred.
  - Whether the individual shows or has shown genuine remorse.
  - If the offences were self-disclosed on the SD2 form or not (non-disclosure could, in itself, result in non-confirmation of employment on the grounds of trust, honesty and openness).
- When making a recruitment decision The Governing Body will disregard any filtered convictions/cautions/reprimands which were disclosed in error.
  - A previously issued Disclosure and Barring Service Certificate will only be accepted in certain restricted circumstances or where you subscribe to the DBS update service and the appropriate checks have been satisfactory.
  - The Disclosure and Barring Service has published a Code of Practice and accompanying explanatory guide.
  - This Governing Body is committed to ensuring that it meets the requirements of the Disclosure and Barring Service in relation to the processing, handling and security of Disclosure information.

**This document is issued by:**

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