



Safer Recruitment Policy

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www.paintersashprimary.co.uk



The Procedure

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 an external advertisement. 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 may be considered appropriate. The job advertisement provides potential applicants with their first impression of the organisation. An important part of the message of the advert is to inform anyone viewing it that the organisation is fully committed to safeguarding and protecting the welfare of children and young people.

Applications

The form – the school uses a standard Kent application form. CVs will not be accepted. The school requires candidates to account for any gaps or discrepancies in employment history on this application form. Where an applicant is short-listed, these 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.

References

References for short-listed candidates will be sent for before interview. 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 to employment being made. 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:
- The applicant's current post and salary
- Performance history and conduct including details on any situation where any formal action has been taken using capability procedures within the last 2 years
- Any disciplinary procedures in which the sanction is 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 allegations or concerns that have been raised that relate to the safety and welfare of children or behaviour towards children and the outcome of these concerns

The school uses a standard Reference Request Form to ensure the details outlined above are included.

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.

Declaration of unspent and relevant spent criminal offences

The purpose of requiring a self-disclosure as part of the application is to give candidates an opportunity to share relevant information about any convictions or cautions at an early stage. Disclosed information will not be used as a criterion for short-listing. Fair and objective assessment criteria will be applied. Information on self-disclosures will only be used in relation to short-listed candidates and will not automatically rule someone out. A full DBS check will

still be carried out on making a conditional offer and the two sets of information compared. Note that applicants will only be asked about 'unspent and relevant spent' convictions, cautions, reprimands and warnings and these will be the only ones appearing on Disclosure Certificates. Other minor, older offences will be filtered out after the relevant time period. Those offences to be declared include:

Cautions relating to an offence from a list (see below) agreed by Parliament

Cautions given less than 6 years ago (where the individual was over 18 years old at the time of the caution)

Cautions given less than 2 years ago (where the individual was under 18 years old at the time of the caution)

Convictions relating to an offence from a prescribed list (see below)

Convictions that resulted in a custodial sentence (regardless of whether served)

Convictions given less than 11 years ago (where the individual was over 18 years old at the time of the conviction)

Convictions given less than 5½ years ago (where the individual was under 18 years old at the time of the conviction)

Irrespective of the above list, if individuals have more than one conviction then **ALL convictions must be declared.**

The list referred to above includes a range of offences which are serious and which relate to sexual offending, violent offending and/or safeguarding. It is appropriate to withhold details of offences on this list. A list of offences which must always be declared has been derived from the legislation and can be accessed using the following link:

<https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

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.

Self-declaration of convictions by job applicants

The school's policy requires short-listed applicants for all posts (including volunteers) to declare all non filtered criminal convictions whether "spent" or "unspent" and include any cautions and pending prosecution.

Such declarations will be made on an appropriate form and should be submitted in a sealed envelope, marked strictly private and confidential to the chair of the selection panel/Executive Headteacher, prior to the interview. The chair of the panel/Executive Headteacher will discuss relevant, positive declarations confidentially with the applicant either prior to or on the interview day. The disclosure of convictions, cautions or pending cases will not necessarily prevent employment but will be considered in the same way as positive DBS disclosures.

Childcare (Disqualification) Regulations (See Appendix 1)

In an update to the statutory guidance "Keeping Children Safe" (update issued in October 2014) the Department for Education made it clear that the Childcare (Disqualification) 2009 Regulations apply to school/academy settings as well as to childcare settings.

This means that, in order to comply with the Childcare (Disqualification) Regulations 2009, the school/academy must ensure that staff are not disqualified from working with children who have not yet reached the age of 8.

All relevant staff (including new appointees) must complete the declaration below. This will provide confirmation that staff are not disqualified under the Childcare (Disqualification) 2009 Regulations from working with children.

The school/academy is compelled to ask for the information, which is separate from any other information already provided (e.g. DBS check) and staff must complete the form with accurate information.

If a member of staff is disqualified, there may be an impact on their ability to remain working with the relevant age group. A disqualified person is not permitted to continue to work in a setting providing care for children under age 8, unless they apply for and are granted a waiver from OFSTED.

A person may be disqualified through

- having certain orders or other restrictions placed upon them
- having committed certain offences
- living in the same household as someone who is disqualified by virtue of 1 or 2 above (this is known as disqualification by association)

Interviews

The selection process will always include the following:

- Face to face professional interview including a question related to safeguarding children (in line with NCSL/DfE Safer Recruitment Training)
- Young people panel / activity with children – where relevant
- Proof of Identity and Right to Work in the U.K. and Verification of Qualifications and/or Professional Status

Short-listed applicants for all posts will be required to provide proof of identity by producing documents in line with those set out in The Immigration, Asylum and Nationality Act 2006. Similar information is also required to underwrite a DBS check on the preferred candidate.

Short-listed candidates will also be required to provide proof of their qualifications and professional status by producing documentation on the day of the 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 / Executive Headteacher.

The school will also use the Employer Access online service to verify the teacher's qualified status, successful completion of induction year and confirmation that the teacher is not subject to a prohibition order prior to making an offer of employment.

Employer Offer

It may be possible to negotiate a provisional start date with the preferred candidate, however, with the exception of the DBS disclosure (unless the BDS Online Update Registration service is available), the checks detailed above must all be completed BEFORE a person's appointment is confirmed. In the case of DBS disclosures, the certificate must be obtained / verified before or as soon as practicable after the appointment is made. In any case DBS clearance must be received prior to commencement of work.

Once all pre-employment checks have been satisfactorily completed / received, an offer of employment will be made 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.

Record Retention / Data Protection

The school will retain all interview notes on all applicants. This will allow the school to deal with any data access requests, recruitment complaints or to respond to any complaints made to the 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 panel / Executive Headteacher within 6 months of the interview date.

Personal File Records

The school (from 2008) 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 academic qualifications
- Evidence that the Employer Access online checks have been made – teaching qualification, successful completion of induction year and no prohibition orders in place
- Evidence of medical clearance from Occupational Health (where applicable)
- Evidence of the DBS clearance (i.e. the notification form from EPM or the CRB certificate reference number, NOT the actual DBS form or certificate)
- Certificate of Good Conduct (where applicable to DBS checks)
- Positive Disclosure Review sheet (maintained if applicable / agreed)

Single Central Record of Recruitment Vetting Checks

In line with DfE requirements, the school will keep and maintain a single central record of recruitment and vetting checks. The central list will record all staff who are employed at the school, including casual staff, volunteers, supply agency staff whether employed directly or through an agency, and those who provide additional teaching or instruction for pupils but who are not staff members, e.g. specialist sports coach or artist.

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

- Identity checks
- Qualification checks for any qualifications legally required for the job
- Additional for those applying for teaching posts, check with DfE Access Online Service against three lists highlighted above
- Checks of right to work in the United Kingdom
- DBS Enhance Disclosure and Children’s Barred List check

- 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 and third party organisations on the record, the school will require written confirmation from the supply agency / company 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. However, identity checks must be carried out by the school to check the person arriving is the person the agency intends to refer to them.

Probation periods

Newly appointed teachers who are new to the employment of the governing body will be subject to the school's probationary period. School staff will be given a copy of the DfE guidance on Safe Working Practice and asked to sign a declaration that they have read and understood the document and will follow the guidelines required to maintain professional boundaries at all times. The school has a specific safeguarding related whistle blowing policy which has been disseminated to all staff and volunteers. The school adopts a culture of vigilance where all concerns are listened to and taken seriously. The school will follow DfE and Local Authority Safeguarding Children Board Allegations Procedures and refer any allegation for initial consultation with the Local Authority Designated Officer.

A safe culture and on-going vigilance

It is never sufficient to assume that a safer recruitment and selection process and robust induction arrangements are enough to ensure that the pupils are safe and that there is no risk to them within the educational environment. Creation of a safe culture, with on-going vigilance is essential.

The school will continue to strive to create and maintain a safer culture by:

- Having in place, and putting into practice, clear policies and procedures and ensuring that all employees and workers are aware of and understand them
- Setting acceptable standards of behaviour

- Having in place clear procedures for reporting concerns, ensuring that all employees and workers know what the procedures are and their responsibility for following them
- Taking concerns seriously and providing support to individuals raising them
- Taking appropriate action in relation to concerns raised
- Having in place, and putting into practice, clear policies and procedures and ensuring that all employees and workers are aware of and understand them
- Setting acceptable standards of behaviour
- Having in place clear procedures for reporting concerns, ensuring that all employees and workers know what the procedures are and their responsibility for following them
- Taking concerns seriously and providing support to individuals raising them
- Taking appropriate action in relation to concerns raised
- Having in place robust and appropriate induction arrangements
- Ensuring that all employees and workers undertake child protection and other relevant training on a regular basis
- Keeping the commitment to safeguarding and child protection on the agenda through regular discussion and / or reminders at staff meetings, training sessions etc.
- Learning from experience
- Never thinking that enough has been done to ensure a safe culture

Appendix 1 – Safer Recruitment Procedure

Name	Post
Please circle one option for every question	
Section 1-orders and restrictions	
	Yes/no
Have any orders or other determinations related to childcare been made in respect of you?	Yes/no
Have any orders or other determinations related to childcare been made in respect of a child in your care?	Yes/no
Are there any other relevant orders, restrictions or prohibitions in respect of you as set out in the Schedule 1 of the Regulations? A full list is available from the schools office or at legislation.gov.uk under Childcare (Disqualification) 2009	Yes/no
Have any orders or other determinations been made which prevents you from being registered in relation to child care, children's homes or fostering?	Yes/no
Are you barred from working with Children (Disclosure and Barring (DBS)?	Yes/no
Are you prohibited from Teaching?	Yes/no
Section 2 – Specified and Statutory Offences (including overseas offences)	
Have you received a Police caution (including a reprimand or warning) since 6 April 2007	Yes/no
Have you ever been convicted of:	
Any offence against or involving a child? (A child is a person under the age of 18)?	Yes/no
any violent* or sexual offence against an adult?	Yes/no

a violent offence in this context is murder, manslaughter, kidnapping, false imprisonment, ABH, GBH	Yes/no
any offence under the Sexual Offences Act?	Yes/no
Any other relevant offence? (Full lists are available from the school or at legislation.gov.uk under Childcare (Disqualification) 2009 Schedule 2 and Childcare (Disqualification) 2009 Schedule 3	Yes/no
Have you ever been cautioned, reprimanded, given a warning for or convicted of any similar offence in another country?	Yes/no
Section 3 – Disqualification by association	
To the best of your knowledge, does anyone in your household (including family, lodgers, house- sharers, household employees) have an Order or Restriction against them as set out in Section 1 or have they been cautioned, reprimanded, given a warning for or convicted of any offence in Section 2?	Yes/no
Section 4 – Provision of Information	
If you have answered YES to any of the questions above you should provide details the below in respect of yourself, or where relevant the member of your household. You may supply this information separately if you so wish, but you must do so without delay.	
Details of the order, restriction, conviction, caution etc.	
The date(s) of these	
The relevant court(s) or body(ies)	
You should also provide a copy of the relevant order, caution, conviction etc. In relation to cautions/convictions a DBS Certificate may be provided.	

Section 5 – Declaration Please be aware that it is a criminal offence to provide a false or misleading statement

In signing this form, I confirm that the information provided is true to the best of my knowledge and that:

- I understand my responsibilities to safeguard children.
- I understand that I must notify my Headteacher or Chair of Governors immediately of anything that affects my suitability including any pending court appearances, cautions, warnings, convictions, orders or other determinations made in respect of me or a member of my household that may render me disqualified from working with children
- I confirm that I have read the schedules referred to in this form

Signed

Print Name

Date