Carwarden House School

Safer Recruitment Policy

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SAFER RECRUITMENT POLICY

Introduction

In line with the Academy's statutory duties under the Safeguarding Vulnerable Groups Act 2006, the DfE Keeping Children Safe in Education guidance and the Protection of Freedoms Act 2012 to safeguard children, we are required to carry out a number of checks on all staff, whether they are permanent, temporary, casual, voluntary, Academy-based supply or agency-based supply.

This policy does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Academy who are required to familiarise themselves and comply with its contents. We reserve the right to amend this policy at any time.

Aims of this Policy

The aims of our Safeguarding in Recruitment Policy are as follows, to:

- ensure that the best possible staff are recruited on the basis of their merits, abilities and suitability for the position;
- ensure safeguarding and promoting the welfare of children and young people is an integral factor at each stage of the recruitment and selection process;
- adopt a safer recruitment process, which helps to promote a safe culture and complements other 'safety' elements such as health and safety and Academy security.
- attract and recruit suitably skilled and motivated staff to help raise standards and reduce the risk to children and young people;
- ensure that those that are responsible for each stage of the recruitment process demonstrate a professional approach by dealing honestly, efficiently and fairly with all applicants;
- ensure that no job applicant is treated unfairly on any grounds including sex, sexual orientation, marital or civil partner status, pregnancy or maternity, gender reassignment, race, religion or belief, disability or age;
- ensure compliance with all relevant recommendations and guidance including the recommendations of the DfE in the "Keeping Children Safe in Education" guidance and the Code of Practice published by the Disclosure and Barring Service (DBS);
- ensure that we meet our commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves, and complying with, the provisions of this policy.

The measures described in this policy will be applied to all who are employed to work at the Academy and incorporated within the scope of this policy are staff employed by contractors, supply staff, volunteers and the like who work at the Academy.

Personal Data – Single Central Record

We hold a central record incorporating all employed staff (and others) that have contact with children. The record is available to the Senior Leadership Team, the Chair of Trustees, and the Trustee responsible for Safeguarding.

The record details a range of checks as set out by the DfE, and the responsibility for the maintenance of this record is with the Headteacher, but this function has been delegated to the School Business Manager.

Equal Opportunities

Fairness in how we recruit and select our staff plays a significant part in creating an equal opportunities environment. Our aim is that every internal and external applicant who applies for a position within the Academy is considered against criteria, which relates only to the requirements of the job.

The Recruitment and Selection Procedure - Prior to the Recruitment Process

1. **Advertising**

Adverts for vacancies will demonstrate our commitment to safeguarding in recruitment, promoting the welfare of children and vetting procedures, protecting every potential applicant from unfair practice and ultimately safeguarding children as much as possible. Promoting commitment to safeguarding and child protection can act as a deterrent to would-be abusers. Thought will be given to wording, pictures and images used to ensure that they could not be considered discriminatory.

The following information will usually be included within the text of the advert:

- name of the Academy
- post title
- hours of work
- grade or scale
- salary (actual salary for part time)
- permanent or fixed term (stating duration if fixed term).
- brief details about what the job entails and the type of skills and experience required, including responsibility for safeguarding children.
- confirmation that an Enhanced DBS Disclosure will be required.
- confirmation of whether the post is exempt from the Rehabilitation of Offenders Act 1974.
- contact details
- closing date

2. **Job Descriptions & Person Specification**

Job descriptions and/or person specifications will define the purpose, duties and responsibilities of the post, as well as the qualifications, skills, abilities, attitude, behaviours and experience needed to perform the job, with particular attention to working with vulnerable groups. The Job Description and Person Specification will make reference

to our commitment to the safeguarding of students and include the extent that the role will involve contact with children and whether it engages in regulated activity.

All posts at the Academy will require an **Enhanced** DBS Disclosure where an individual is likely to come into direct contact with pupils.

3. Application Pack

The importance of safeguarding and protecting children at the Academy will be promoted throughout the recruitment process in order to deter unsuitable candidates and make it clear that where the role involves regulated activity, it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children.

Our Application Pack will normally include the following:

- Application Form;
- Job Description and Person Specification;
- Information Sheet;
- Equal Opportunities Policy;
- Child Protection Policy Statement and information on an Enhanced DBS check; and
- Recruitment of Applicants with a Criminal Record Policy.

The Recruitment and Selection Procedure - During the Recruitment Process

1. Identification Documents during Interview

Candidates invited to interview will be required to present photo identification, regardless of whether that interview is to be conducted face-to-face or remotely. If the interview is held remotely via video conference, photo identification must be shown on screen. The successful candidate will then be required to provide us with that photo identification as well as a number of other documents, as part of the pre-employment checks, we are required to complete.

Please see the section below titled, Pre-employment Checks for further information.

2. Interview

The interview will assess the merits of each candidate against the job requirements and will explore their suitability to work with children. A face-to-face interview will always be carried out as part of the recruitment process unless exceptional circumstances apply.

The Interview panel will consist of a minimum of **two** interviewers, one of whom will be the safeguarding representative who will have completed their safer recruitment training. Where the interview is for a teaching post, the Headteacher, Deputy Headteacher or an Assistant Headteacher will form part of the interview panel. Where the interview is for a support staff post, the Headteacher or a Deputy Headteacher will form part of the selection panel.

3. Interviews Conducted by Video Conference:

In exceptional circumstances, interviews via video conferencing may take place. Such interviews should not be recorded or stored. The interviewee should be informed of this in the invitation to interview.

Candidates should be sent a request for ID (including photo ID) prior to the video interview to ensure that the person who is applying is the person who is interviewed.

4. English Fluency

Employees working in any role that requires them to communicate with pupils, parents, guardians, staff and / or members of the community, must be able to speak fluent English to enable the effective performance of the role and to ensure that they are able to abide by their safeguarding responsibilities.

The fluency duty does not create a higher standard than already required for Teachers at the Academy who are already annually appraised against the Teachers Standards.

The Recruitment and Selection Procedure - Short-listing Checks (pre-interview)

1. References

The purpose of obtaining a reference is to ensure that we have objective and factual information to support appointment decisions. References will normally be taken up on shortlisted candidates prior to interview, particularly for teaching staff and many support staff roles, including staff who may already be employed by the Academy. In all other cases, references will be obtained shortly thereafter.

All offers of employment will be subject to the receipt of a minimum of two references which we deem satisfactory, one of which must be from the applicant's current or most recent employer. If the current/most recent employment does/did not involve work with children, then the second referee should be from the employer with whom the applicant most recently worked with children. Neither referee should be a relative or someone known to the applicant solely as a friend.

All referees will be asked whether they believe the applicant is suitable for the job for which they have applied and whether they have any reason to believe that the applicant is unsuitable to work with children. All referees will be sent a copy of the Job Description and Person Specification for the role that the applicant has applied for. If the referee is a current or previous employer, they will also be asked to confirm the following:

- the applicant's dates of employment, salary, job title/duties, the reason for leaving, performance, sickness and disciplinary record;
- whether the applicant has ever been the subject of disciplinary procedures involving issues related to the safety and welfare of children (including any in which the disciplinary sanction has expired);
- the facts of any substantiated safeguarding allegations or concerns that meet the harm threshold

- whether any allegations or concerns have been raised about the applicant that relate to the safety and welfare of children or young people or behaviour towards children or young people;
- We will only accept references obtained directly from the referee and it will not rely on references or testimonials provided by the applicant or on open references or testimonials;
- we will ensure the person providing the reference is sufficiently senior and has appropriate authority to provide it;
- We will compare all references with any information given on the application form. Any discrepancies or inconsistencies in the information will be taken up with the applicant before any appointment is confirmed.

2. Online Searches

If you are shortlisted for the position you are applying for, we will carry out an online search against you, for information that is publicly available online and usually before interview. This will include social media accounts you may hold.

3. Declaration of Offences

If you are shortlisted for the position you are applying for, you will be required to complete a Declaration giving details of any relevant criminal offences and other relevant information relating to our safeguarding duty. Further information will be provided on that form.

Any offer of employment will be made conditional upon a satisfactory Enhanced DBS check and barred list check (where applicable to the role in question).

We will also undertake checks, where applicable to the post, to ensure the individual has not been disqualified.

Conditional Offer of Employment

Any offer of employment with the Academy will be conditional on the satisfactory completion of the following:

- the receipt of at least two satisfactory references;
- satisfactory Enhanced DBS Disclosure and where the appointee has lived outside the United Kingdom, a certificate of good conduct (or equivalent) if applicable;
- where applicable, satisfactory DBS checks in respect of the Children's and Adult's Barred List;
- confirmation of the candidate's medical fitness (through a pre-employment health check);
- verification of qualifications by the individual by providing original certificates;
- verification of professional status where required;
- verification that the candidate has not been prohibited from teaching or carrying out teaching work and has no sanctions or restrictions against them, by the Teaching Regulation Agency where relevant.
- verification that the candidate has not been prohibited from carrying out management work where relevant.

- a satisfactory self-declaration of your criminal record and suitability to work with children in line with the requirements of Keeping Children Safe in Education;
- a satisfactory online search including social media made against you in line with the requirements of Keeping Children Safe in Education.
- verification that the candidate has not been disqualified under the Childcare Disqualification Regulations 2018, where applicable to their role;
- letter of professional standing from the overseas professional regulating authority where relevant;
- verification of the candidate's identity;
- verification of the candidate's right to work in the UK.

A record will be kept to show that the above checks have been carried out for all employees.

The details of checks will be reported to the police and/or the DBS if:

- the DBS disclosure shows that an applicant has been disqualified from working with children;
- an applicant has provided false information in, or in support of, their application; or
- there are serious concerns about an applicant's suitability to work with children gained from other legitimate information sources (e.g., references).

The Recruitment and Selection Procedure - Pre-employment Checks

1. **Documents confirming Identification**

In accordance with the recommendations of the DfE, we carry out a number of pre-employment checks in respect of all prospective employees to ensure effective safeguarding.

All offers of employment are conditional on the prospective employee bringing the necessary evidence of identity to enable us to verify their name (through the full birth certificate where available), date of birth and current address. Where an applicant claims to have changed their name by deed poll or any other mechanism (e.g., marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change. In all cases original documents (not photocopies) must be provided.

These identification documents may also be used to enable a Disclosure and Barring Service (DBS) check to be carried out (see below).

2. **Criminal Record Check**

Due to the nature of the work, we apply for criminal record certificates from the DBS in respect of all prospective staff members and volunteers.

The type of check that may be requested from the DBS will depend on the nature of the position. If the individual is applying for a position that may provide them with an opportunity to engage in regulated activity with children, then an Enhanced Check with Barred List will be required. This check will contain details of all convictions, adult cautions,

reprimands or warnings (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020) held on the Police National Computer.

The Enhanced Check with Barred List will also reveal whether the individual is barred from working with children by virtue their inclusion on the lists of those considered unsuitable to work with children.

An Enhanced Check may also contain non-conviction information from local police records and/or protected information (as defined above) which the police consider may be relevant to the work the individual will be undertaking.

Applicants with recent periods of overseas residence and those with little or no previous UK residence may also be asked to apply for the equivalent of a Disclosure if one is available in the relevant jurisdiction(s).

Should DBS clearance be delayed and employment commence before it is received, we may agree to the individual commencing work but before doing so shall obtain a barred list check (where required), undertake a Risk Assessment on the prospective member of staff concerned, ensure all other checks are completed and make arrangements as appropriate for the member of staff to be paired with or supervised by another member staff who has received DBS clearance.

Contractors, Volunteers, Agencies and Agency Staff

We expect supply, temporary worker agencies, and contractors that are used by the Academy, to register with the Enhanced DBS Disclosure on their own account and to follow this policy or their own comparable policy. **Proof of registration will be required before we will commission services from any such organisation.**

The agency must provide evidence of the checks carried out on their central record so we can satisfy itself that they have carried out the checks on the individual that we would otherwise perform.

The agency or contractor must also ensure that the individual is aware that they have to bring in their DBS Certificate, proof of qualifications (e.g., QTS Certificate) and identification documents (proving their name, date of birth and address) on the first day of their supply work for us. A Barred List check (where applicable) must be obtained before the individual is appointed.

We reserve the right to terminate the contract with the agency or contractor and send home the individual without notice should these terms of safer recruitment practice be breached. In this instance, we will not be liable for any charges connected to the booking.

All Volunteers who have direct contact with children on a regular basis will be required to have a DBS check and a Barred List check, where applicable. The academy requires all volunteers to have an enhanced DBS before they start volunteering.

Rehabilitation of Offenders Disclosure

We will not unfairly discriminate against any applicant for employment on the basis of conviction or other details revealed. We make appointment decisions on the basis of merit and ability. If an applicant has a criminal record this will not automatically debar them from employment within the Academy. Instead, each case will be decided on its merits in accordance with the objective assessment criteria.

In view of the fact that all positions within the Academy will amount to "regulated positions", all applicants for employment must declare all previous convictions and adult cautions (except those which are "protected" as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 and amended in 2020). A failure to disclose a previous conviction or adult caution may lead to an application being rejected or, if the failure is discovered after employment has started, may lead to summary dismissal on the grounds of gross misconduct. A failure to disclose a previous conviction may also amount to a criminal offence.

Under the relevant legislation, it is unlawful for us to employ anyone who is included on the lists, maintained by the DfE and the Department of Health, of individuals who are considered unsuitable to work with children. In addition, it will also be unlawful for us to employ anyone who is the subject of a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm or other serious acts of violence.

It is a criminal offence for any person who is disqualified from working with children to attempt to apply for a position within the Academy. If:

- we receive an application from a disqualified person;
- is provided with false information in, or in support of an applicant's application; or
- we have serious concerns about an applicant's suitability to work with children,

we will report the matter to the Police, DBS and/or the DfE.

Please refer to our Recruitment of Applicants with a Criminal Records Policy for further details about our obligations regarding the fair evaluation about any information disclosed.

Retention of Records

If an applicant is appointed, we will retain any relevant information provided on their application form (together with any attachments) on their personnel file. This file will be stored by us for up to 6 years following termination of employment.

If the application is unsuccessful, all documentation relating to the application will normally be confidentially destroyed after 6 months, unless the applicant specifically requests us to keep their details on file.

Any queries relating to the policy above should be directed to the School Business Manager.