

## SAFER RECRUITMENT POLICY (INC SUPERVISION OF UNCHECKED STAFF)

<b>NEXT REVIEW DATE:</b>	March 2022
<b>OWNER:</b>	Deputy Head
<b>REGULATORY REQUIREMENTS:</b>	18a and 8c

### Introduction

1. Ockbrook School ("the School") is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people. The School is also committed to providing a supportive and flexible working environment to all its members of staff. The School recognises that, in order to achieve these aims, it is of fundamental importance to attract, recruit and retain staff of the highest calibre and who share this commitment.
2. Safer recruitment is one strand of safeguarding and promoting the welfare of children, a key part of the government's strategy for children and young people that is set out in the publication 'Keeping Children Safe In Education' (KCSIE September 2020). The School aims to comply with the guidance in this and subsequent publications.
3. The aims of the School's 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
  - to ensure that all job applicants are considered equitably and consistently
  - to ensure that no job applicant is treated unfairly by reason of a protected characteristic under the Equality Act 2010
  - to ensure compliance with all relevant recommendations and guidance including the recommendations of the Department for Education (DfE) in KCSIE 2020 and the Code of Practice published by the Disclosure and Barring Service (DBS).
  - to ensure that the School meets its commitment to safeguarding and promoting the welfare of children and young people by carrying out all necessary pre-employment checks.
4. This Policy refers and applies to staff directly recruited and employed by the School. In the Education (Independent Schools Standards) (England) Regulations 2014, staff are defined as: *Any person working at the School whether under a contract of employment, under a contract for services or otherwise than under a contract, but does not include supply staff or a volunteer. (See Safeguarding Checks paragraph 17 re Supply Staff and Recruitment of Volunteers re Governors within this Policy).*
5. In the case of agency or contract workers, the School shall obtain written confirmation from the agency or company that it has carried out the appropriate checks. The School will also carry out identity checks on agency and contract workers on arrival in School and, in the case of agency workers, the School will seek a copy of the DBS certificate from the check carried out by the supplying agency.

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

### **The Recruitment Process**

7. The School will ensure that the following procedures are applied for the recruitment of staff to each and every vacancy and recognises that adequate time must be set aside for both the planning and the structuring of the recruitment process:
  - Clear job description and person specification prepared for each role, setting out the boundaries and expectations of the role including a statement of responsibility and requirements for safeguarding
  - All adverts will incorporate a statement about the School's commitment to safeguarding
  - All applicants will be required to complete the School's application form
  - References will be obtained prior to interview whenever possible (teaching staff)
  - The selection process will always involve a face to face interview, with other activities being included where relevant
  - Vetting and other background checks will be carried out before any applicant is confirmed in post to establish whether that person is subject to a prohibition order and to prevent the employment or engagement of any person who is subject to a prohibition order in such a role
8. Further details on the application of this process are set out below. The process aims to send candidates the clear message, from the outset, that the School is committed to and has a positive culture, of safeguarding. Any queries with regards to the recruitment process should be directed to the Human Resources Manager in the first instance.

### **Application Forms and Short-Listing**

9. The School will only accept applications from candidates completing the relevant Application Form in full. CVs will not be accepted in substitution for completed Application Forms.
10. The School will make candidates aware that all posts in the School involve some degree of responsibility for safeguarding children, although the extent of that responsibility will vary according to the nature of the post. Candidates for employed posts will receive a Job Description and Person Specification for the role applied for.
11. As the position for which candidates are applying involves substantial opportunity for access to children, it is important that applicants provide the School with legally accurate answers. Upfront disclosure of a criminal record may not debar a candidate from appointment as the School shall consider the nature of the offence, how long ago and at what age it was committed and any other relevant factors. Information should be submitted in confidence enclosing details in a separate sealed envelope which will be seen and then destroyed by the Headmaster. If candidates would like

to discuss this beforehand, they are asked to please telephone in confidence to the Business Manager for advice.

12. Any unspent convictions, cautions, reprimands or warnings must be disclosed to the School. However amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account.
13. Guidance and criteria on the filtering of these cautions and convictions can be found at the Disclosure and Barring Service website.
14. All candidates should be aware that provision of false information is an offence and could result in the application being rejected or summary dismissal by the School if they have been appointed, and a possible referral to the police and/or DBS.
15. The School will short list applicants according to the relevance and applicability of their professional attributes and personal qualities to the role. Short-listed applicants will then be invited to attend a formal interview at which their relevant skills and experience will be discussed in more detail. All interviews will be in person.
16. All formal interviews will be undertaken by a panel. At least one person on the appointment panel will have undertaken safer recruitment training and the areas which it will explore will include suitability to work with children.
17. All candidates invited to interview must bring documents confirming any educational and professional qualifications that are necessary or relevant for the post (e.g. the original or certified copy of certificates, diplomas etc.). Where originals or certified copies are not available for the successful candidate, written confirmation of the relevant qualifications must be obtained by the candidate from the awarding body.
18. The School requests that all candidates invited to interview also bring with them:
  - A current driving licence including a photograph or a passport or a full birth certificate;
  - Proof of entitlement to work and reside in the UK **where the candidate is not a UK citizen**.
19. Please note that originals of the above are necessary. Photocopies or certified copies are not sufficient.
20. Candidates with a disability who are invited to interview should inform the School of any necessary reasonable adjustments or arrangements to assist them in attending the interview.

## References

21. The School will seek references for shortlisted candidates from the current employer before interview. If there is no current employer verification of the most recent

period of employment and reasons for leaving will be obtained. All references will be obtained from a senior person with “appropriate authority”. If the candidate does not wish the School to take up references in advance of the interview, they should notify the School at the time of applying.

22. The School will ask all referees if the candidate is suitable to work with children.
23. The School will compare any information provided by the referee with that provided by the candidate on the Application Form. Any inconsistencies will be discussed with the candidate either at interview or before the post is confirmed. Information provided directly by the candidate will be verified.
24. The School has its own standard reference form for referees to complete and will only accept references obtained directly from the referee on this form with all sections completed. It will not rely on references or testimonials provided by the applicant or on open references or testimonials.
25. No referee should be a relative or someone known to the applicant solely as a friend.
26. Written references will be followed up with a telephone call to the referee for verification. In the case of any verbal reference, detailed notes will be taken of the conversation which are then signed and dated. Electronic references will be verified to ensure that they originate from a legitimate source.

### **Safeguarding Checks**

27. The School will have regard to the Department for Education document ‘Keeping Children Safe in Education’ 2020 and any subsequent documentation, in carrying out the required safeguarding checks.
28. Any offer of employment to a successful candidate will be conditional upon:
  - Receipt of at least two satisfactory references (if these have not already been received);
  - Verification of identity and qualifications including, where appropriate, evidence of the right to work in the UK;
  - A satisfactory enhanced DBS check and if appropriate, a check of the Barred List maintained by the DBS;
  - A check that the candidate is not subject to a prohibition order issued by the Secretary of State, where the candidate is to be employed as a teacher;
  - Verification of professional qualifications, where appropriate;
  - Verification of successful completion of statutory induction period (for teaching posts - applies to those who obtained QTS after 7 May 1999);
  - Such checks and confirmations as the School may consider appropriate (Where the successful candidate has worked or been resident overseas) so that any relevant events that occurred outside the UK can be considered (see below);
  - Satisfactory medical fitness (see below);

- Receipt of a signed Staff Suitability Declaration form showing that the candidate is not disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009 (where relevant, see below for further information).
- A check carried out under s128 of the Independent Education Provision in England (Prohibition from Participation in Management) Regulations 2014 where the candidate will be taking part in the management of the School – this will apply to members of the Senior Leadership Team, academic Heads of Department and Pastoral Leaders. This includes internal promotions to management positions.
- To ensure that the DBS will confirm if a Section 128 direction has been made within box 61 of the DBS application form, Position Applied for 'Child Workforce Independent School' will be ticked.

29. To reflect updated guidance in the KCSIE January 2021 updates, where applicants have taught overseas the School will:

- review the employment history of all shortlisted candidates for positions which will involve teaching work to ascertain whether an individual has worked as a teacher overseas;
- check with the National Recognition Information Centre for the United Kingdom (UK NARIC) which regulatory or professional body in the country in question the applicant should contact to obtain a letter of professional standing; and
- ask the individual to obtain and provide the school with such a letter from each relevant country before work commences.

30. It is the School's practice that a successful candidate must complete a pre-employment health questionnaire. The information contained in the questionnaire will then be held by the School in strictest confidence.

31. This information will be reviewed against the Job Description and the Person Specification for the particular role, together with details of any other physical or mental requirements of the role i.e. proposed workload, extra-curricular activities, layout of the School.

32. The School is aware of its duties under the Equality Act 2010. No job offer will be withdrawn without first consulting with the applicant, considering medical evidence and considering reasonable adjustments.

33. The successful applicant will be required to complete a Disclosure Form from the Disclosure and Barring Service ("DBS") for the position.

34. Where the results of the Disclosure Application have not been received by the candidate's employment start date, the School may allow the candidate to commence employment providing that, in the opinion of the Headmaster, the following conditions have been met:

- A satisfactory check of the barred list if the candidate is working in regulated activity, along with all other relevant prohibition checks having been satisfactorily completed;
- The DBS Application has been submitted in advance of the employment start date;

- Appropriate safeguards (including supervision arrangements) have been implemented following a suitable and sufficient risk assessment
  - The candidate has been informed of the safeguards, and a review process and timescale has been agreed.
35. Where a candidate subscribes to the DBS Update Service, the candidate must give their consent to the School to check that there have been no changes since the issue of a Disclosure Certificate.
36. Teacher prohibition orders prevent a person from carrying out teaching work in schools. A person who is prohibited must not be appointed to a role which involves teaching work.
37. A Section 128 direction prohibits or restricts person taking part in the management of an independent school. Internal promotions to management positions will have a check for Section 128 direction completed. Checks for all prohibition, sanction and restriction will be carried out by logging onto the Secure Access Portal via the Teachers Services webpage.
38. Additionally, successful applicants should be aware that they are required to notify the school immediately if there are any reasons why they should not be working with children.
39. The 'by association' requirement no longer applies if they are aware that someone in the same household has been disqualified from working with children under the Childcare Act 2006.
40. The Childcare (Disqualification) Regulations 2009 apply to those providing early years childcare or later years childcare, including before school and after school clubs, to children who have not attained the age of 8 AND to those who are directly concerned in the management of that childcare.
41. The school takes its responsibility to safeguard children very seriously and any staff member and/or successful candidate who is aware of anything that may affect their suitability to work with children must notify the Headmaster immediately. This will include notification of any convictions, cautions, court orders, reprimands or warnings they may receive. They must also notify the school immediately they are living in a household where anyone lives or works who has been disqualified from working with children or from registration for the provision of childcare.
42. Staff who are disqualified from childcare or registration, may apply to Ofsted for a waiver of disqualification. Such individuals may not be employed in the areas from which they are disqualified, or involved in the management of those settings, unless and until such waiver is confirmed.

43. Failure to declare any convictions (that are not subject to DBS filtering) may disqualify a candidate for appointment or result in summary dismissal if the discrepancy comes to light subsequently.
44. If the candidate is currently working with children, on either a paid or voluntary basis, the School will ask their current employer about disciplinary offences, including disciplinary offences relating to children or young persons (whether the disciplinary sanction is current or time expired), and whether the candidate has been the subject of any child protection allegations or concerns and if so the outcome of any enquiry or disciplinary procedure.
45. If the candidate is not currently working with children but has done so in the past, the School will ask the previous employer about those issues. Where neither the current nor previous employment has involved working with children, the School will still ask the current employer about the candidate's suitability to work with children. Where the candidate has no previous employment history, the School may request character references which may include references from the candidate's school or university.
46. Where the School uses staff from supply agencies, contractors etc then the School expects those agencies to have registered these staff with the DBS following their own policy or their own comparable policy. Proof of registration will be required before the School will commission services from any such organisation.
47. The School's policy is to observe the guidance issued or supported by the DBS on the use of disclosure information. In the past, the School was entitled to receive a copy of the DBS Certificate, but under current regulations, this is no longer permitted. Consequently the School will always ask to see the original DBS Certificate as issued to the applicant.
48. The School complies with the provisions of the DBS Code of Practice, a copy of which is available on request. The School will comply with its obligations regarding the retention and security of records in accordance with the DBS Code of Practice and its obligations under its Data Protection Policy. Copies of DBS certificates will not be retained for longer than is considered appropriate for safeguarding purposes.
49. All Agency and third party supply staff will be included on the Single Central Register.

### **Recruitment of Volunteers**

50. Volunteers in School bring with them a range of skills and experience that can enhance the learning opportunities of pupils. Ockbrook School therefore welcomes and encourages volunteers from the local community to assist in its day to day running. Volunteers will be recruited and vetted via the process set out below.

51. Volunteers will be required to complete the School's standard Application Form and will have an informal meeting in School to discuss both the skills of the volunteer and how these may be applied to meet the requirements of the School.
52. Any volunteering placement will be offered subject to the following safeguarding checks including for those who are not in regulated activity:
- Receipt of an enhanced DBS Certificate;
  - A barred list check where regulated activities are being undertaken;
  - Confirmation that they have not been disqualified from providing childcare under the Childcare (Disqualification) Regulations 2009 (where applicable);
  - Confirmation that they have not been disqualified from participating in the management of independent schools, where relevant;
  - Receipt of satisfactory references.

### Starting work pending receipt of the DBS disclosure

53. If there is a delay in receiving a DBS disclosure the Headmaster has discretion to allow an individual to begin work pending receipt of the disclosure certificate. This will only be allowed if all other checks, including a clear check of the Children's Barred List (where the position amounts to regulated activity), have been completed and once appropriate supervision has been put in place. An appropriate Risk Assessment will be conducted and recorded in the staff file.

### On-going Culture of Vigilance

54. The School aims to operate in an atmosphere of on-going vigilance with regards to safeguarding.
55. An aspect of this culture is the procedures employed in the follow-up to making an appointment. These comprise:
- **Induction:** clear standards and expectations are set out and key policies are discussed – the School uses standard Induction Checklists to record these points.
  - **Probationary period:** closely monitor new recruits during this period and deal with issues early on.
  - **Supervision and management:** senior staff are aware of what people are doing and will look for signs of inappropriate relationships or behaviour with children.

**APPROVED BY:**

**SIGNATURE**

**NAME**

**DATE**