The Meadows Primary School

Safer Recruitment Policy

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Model Safer Recruitment Policy

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Introduction

1. The Governing Body of The Meadows Primary School has adopted this Safer Recruitment policy in accordance with the School Staffing (England) Regulations 2009 and Keeping children safe in education statutory guidance, for the safe and legal employment of people to work in the school.

2. The Governing Body is committed to the welfare of children and young people in its care. It recognizes that the legal requirements for recruiting and employing people to work in the school include provisions specifically to protect children from harm and that following these provisions is an essential part of its duty of care. It also recognizes that the legal requirements for checking prospective employees' right to work in the United Kingdom protect those responsible for recruitment from fines for infringing the law.

3. The Governing Body has also adopted the model Child Protection Policy recommended by Birmingham City Council.

4. The Governing Body will ensure that all employees are made aware of this policy, the Child Protection and Data Protection Policy. It will publish them through its scheme of publication in accordance with the Freedom of Information Act.

Guidance on the Law

5. The Governing Body is committed to following the Keeping Children Safe in Education statutory guidance.

6. The Head Teacher is required to ensure that checks on the right to work in the United Kingdom comply with the requirements of the Immigration, Asylum and Nationality Act 2006.

7. The Governing Body is committed to its legal duties and responsibilities in respect of equality in employment.

Checks and recording

8. The Governing Body commits the school to working in compliance with the legal requirements on schools to undertake pre-employment checks as outlined in the School Staffing Regulations, Keeping Children Safe in Education statutory guidance and other legislative provisions, including the Childcare Disqualification Regulations. The Head Teacher is required to

•ensure self-declaration forms are completed by all short-listed candidates, self-declaration forms should be used to document their criminal record or any information that would deem them unsuitable to work with children, the information should not be used to determine who will be short-listed but is their opportunity to share relevant information to be discussed and considered at interview (application forms will no longer ask for criminal convictions)

• ensure that all required pre-employment checks on new employees, including casual and short-term employees, are made and completed satisfactorily before a formal offer of employment is made and that these checks are recorded in the required register (known as the 'single central record')

• ensure that the single central record is kept of the checks already undertaken on existing employees

• ensure that the required written confirmation of all required checks is obtained and retained on file, from agencies and third party organisations supplying staff to the school, including organisations providing specialist coaches or instructors and centrally managed services., ensuring details of staff supplied by agencies and third party organisations are recorded on the single central record, even if they work for one day. Also, that the identity of each and every person supplied by an agency is checked by the school before the person starts work

• ensure that self-employed people engaged directly by the school are subject to the same checks as would be the case if they were employed by the school

• ensure that the checks involve copying (or electronic scanning) each specified document as required, signing and dating the copy and placing the copy in secure storage in accordance with Data Protection legislation. Photocopies or scanned images of DBS certificates will not be taken or held on file

• arrange for all volunteers to undertake an identity check

• ensure a Volunteer Risk assessment is completed for all volunteers to determine whether they are deemed to be working in regulated activity or not, recording the decision as to why a barred list check is undertaken or not

- ensure barred list checks are not carried out on any person, including volunteers, who are not in or seeking to enter regulated activity

- ensure that an online search is carried out on all short-listed applicants to help any identify any incidents or issues that have happened, and are available to view publicly, which you may want to explore with the candidate at interview

9. The Governing Body will ensure that these requirements are applied to the selection of a head teacher or deputy head teacher.

10. The Governing Body will ensure that it works with the local authority and complies with the requirements of the Safeguarding Vulnerable Groups Act 2006 to refer prescribed information to the Disclosure and Barring Service when required to do so.

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Enhanced disclosure and barring certificate and risk assessment

11. The Governing Body has discretion to use a person's previous DBS clearance, known as Portability, subject to carrying out a new barred list check if a requirement of the role, or carry out a check with the Update Service subject to the conditions outlined in the Keeping Children Safe in Education statutory guidance.

12. The Governing Body permits the commencement of employment before an enhanced criminal record certificate has been obtained only in justifiable circumstances approved by the Head Teacher following a risk assessment and provided that an application for such a certificate has been submitted. If a requirement for the role, a new barred list check will be carried out prior to the person starting work while awaiting a certificate. In each case the Head Teacher is required by the Governing Body to record the risk assessment and the decision, monitor the situation every fourteen days until the enhanced certificate from the Disclosure and Barring Service is received and to be accountable for the decision to allow the employee to start work. The Governing Body will ensure that people who have lived/worked outside the UK for three months or more within the last 5 years or have come from overseas undergo the same checks as for all other appointments and volunteers, including obtaining enhanced disclosure and barring certificates. Where obtaining a DBS certificate is not sufficient to establish that person's suitability to work in a school, because of the time spent abroad, the governing body will make such further checks as they consider appropriate by asking the person to provide a certificate of good conduct or equivalent, and ensuring the person completes the overseas declaration form.

Positive disclosures

12. The Governing Body requires the Head Teacher to carry out the appropriate risk assessment in connection with a positive disclosure obtained through a check with the Disclosure and Barring Service.

13. The Governing Body expects the Head Teacher, where appropriate, to take advice from the Authority's LADO Team on a positive disclosure from the Disclosure and Barring Service, or appropriate other persons such as the Authority's Employee Relations Team as necessary and refer the matter to the relevant committee of the Governing Body if advised to do so.

General recruitment procedures

14. Where the Governing Body has delegated its power of recruitment and selection to the Head Teacher it requires the head teacher to ensure, as far as reasonably practicable, that

- all vacancies, whether permanent or temporary, are advertised externally, unless this would result in displacement of existing staff or there is an urgent need to recruit temporary cover for absent staff, in which cases the head teacher is required to invite applications or expressions of interest from all staff in the school, including existing temporary employees and agency workers. The Governing Body notes that there is a legal requirement to make all such vacancies known to employees on maternity

leave and parental leave and to agency workers. It expects details supplied to applicants to include a job description and person specification

- all advertisements include a statement to the effect that the school "is committed to safeguarding and promoting the welfare of children and young people and expects all employees and volunteers to share this commitment" and a statement that the successful applicant will require an enhanced disclosure from the Disclosure and Barring Service and an online search will be carried out on short-listed candidates to help identify and incidents or issues that can be discussed at interview
- all advertisements should also include a statement to state that the post is exempt from the Rehabilitation of Offenders Act 1974
- every job description includes a statement that the employee is responsible for promoting and safeguarding the welfare of children for whom he or she is responsible or comes into contact
- every person specification includes a clear statement about the requirements for any applicants to demonstrate their suitability to work with children and that this will include motivation, ability to maintain appropriate relationships with children, emotional resilience to challenging behaviour, and attitudes to the use of authority and maintenance of discipline
- unless the Governing Body has adopted another application form complying with the statutory guidance, the school uses the current standard application forms prepared by the local authority or by the relevant faith authorities
- any gaps in education or employment, or discrepancies between information on the application form and references are explored
- all short-listed candidates should be asked to complete a self-declaration of their criminal record or information that would make them unsuitable to work with children
- at least two job-related written references, including one from the current employer or most recent employer (or training establishment in the case of a newly qualified teacher or school for a young person with no previous employment experience) or most recent employer in respect of employment with children, are always obtained before interviews take place and preferably before short-listing, that relevant questions are asked of the referee and employee in accordance with statutory guidance and any discrepancies are investigated that the assessment of candidates during selection process is properly recorded against the person specification and criteria set for the assessment
- a job is never offered subject to references and that if written references are not available before an interview selection of a candidate is deferred, with the panel adjourning and reconvening when the written references are available
- all persons invited for interview are informed in writing of the required pre-employment checks and asked to bring relevant documentation with them on the day of the interview
- choose suitable people, one of whom must have completed the required training in safer recruitment, to interview candidates with the head teacher or on the head teacher's behalf and that the interviews are supplemented by other tasks and assessment as appropriate
- the recruitment and selection process is monitored in accordance with the Governing Body's policy on the various equality duties required of schools
- all documentation about the recruitment and selection is retained securely for six months in accordance with data protection legislation, after which papers are destroyed, except for the items relating to the successful applicant
- all necessary relevant documentation for the successful applicant is held within a person's personal file, including:
    - recruitment paperwork
    - two written references
    - evidence of right to work signed and dated

- where applicable, the Childcare (Disqualification) Regulations 2018 declaration form
- evidence of a completed DBS check (including barred list where appropriate) via a 'snapshot' taken from the eBulk or equivalent system. Photocopies or scanned images of original certificates should not be taken or held on file
- evidence taken from Teaching Regulation Agency of prohibition and section 128 checks where applicable
- evidence of pre-employment medical clearance
- completed overseas declaration and further evidence if required such as a certificate of good conduct or a letter from professional regulating authority evidencing your past conduct as a teacher (if appointed to a teaching role)
- evidence of qualifications essential to the role
- written confirmation from agencies supplying staff
- risk assessments pending the outcome of a DBS check to remain on file for the lifetime of the employee

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15. The Governing Body will also require selection panels for head teachers and deputies and any interviewing panel including governors to follow these requirements.

Safer Recruitment Training

16. The Governing Body will arrange for all governors and trustees to receive appropriate safeguarding and child protection (including online) training at induction as per Keeping Children Safe in Education statutory guidance.

17. The Governing Body will follow the requirement in the School Staffing Regulations that at least one member of selection panels for head teachers and deputies and any other interviewing panel including governors has completed the required training in safer recruitment and that if selection has been delegated to the head teacher both the head teacher and any other employee assisting the head teacher with the interviews have completed the required training in safer recruitment.

Induction

18. The Head Teacher is required to ensure that arrangements are made for induction to include in the first week all relevant aspects of the school's child protection policy, including the identity of the school's Designated Senior Leader/s19. This is in addition to statutory induction for newly qualified teachers and probation for new support staff.

20. The Head Teacher is expected to ensure that arrangements are made for suitable induction and training for all other employees new to the school.