

**Annan School**

# **Safer Recruitment Policy**

**Version: 01/26**

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## **STAFF RECRUITMENT POLICY**

### **INTRODUCTION**

The school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

### **AIMS AND OBJECTIVES**

The aims of the Staff Recruitment policy are to help deter, reject or identify people who might abuse children or are otherwise unsuited to working with them by having appropriate procedures for appointing staff.

- 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 equally and consistently;
- to ensure that no job applicant is treated unfairly on any grounds including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age;
- to ensure compliance with all relevant legislation, recommendations and guidance including the statutory guidance published by the Department for Education (DfE), Keeping Children Safe in Education (KCSIE), the Prevent Duty Guidance for England and Wales (the Prevent Duty Guidance) and any guidance or code of practice published by the Disclosure and Barring Service (DBS); and
- 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.

Employees involved in the recruitment and selection of staff are responsible for familiarising themselves with and complying with the provisions of this policy and at least one person has undertaken Safer Recruitment Training.

If a member of staff involved in the recruitment process has a close personal or familial relationship with an applicant, they must declare it as soon as they are aware of the individual's application and withdraw from the process.

### **ROLES AND RESPONSIBILITIES**

It is the responsibility of the Principal to:

- ensure the School has effective policies and procedures in place for recruitment of all staff and volunteers in accordance with DfE guidance and legal requirements
- ensure that the School operates safe recruitment procedures and makes sure all appropriate checks are carried out on all staff and volunteers who work at the School.
- monitor contractors' and agencies' compliance with this document.
- promote welfare of children and young people at every stage of the procedure.

### **RECRUITMENT AND SELECTION PROCEDURE**

#### **Advertising**

To ensure equality of opportunity, the school will advertise all vacant posts to encourage as wide a field of applicant as possible; normally this entails an external advertisement.

Any advertisement will make clear the school's commitment to safeguarding and promoting the welfare of children and make clear that safeguarding checks will be undertaken.

Adverts will also include the safeguarding responsibilities of the post as per the job description and person specification.

Also, it will indicate whether the post is exempt from the Rehabilitation of Offenders Act (ROA) 1974.

All documentation relating to applicants will be treated confidentially in accordance with UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

## **The Rehabilitation of Offenders Act 1974**

The Rehabilitation of Offenders Act 1974 does not apply to positions which involve working with, or having access to children. Therefore, any convictions and cautions that would normally be considered 'SPENT' must be declared when applying these positions at Annan School. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account.

## **Job Descriptions and Person Specifications**

All roles have a job description and person specification.

The job description will contain the following:

- A definition of the role, together with key duties and responsibilities
- A description of the range of skills, attributes and qualifications required

The person specification will detail the skills, experience, abilities and expertise required to do the job.

## **Application Forms**

Annan School uses its own application form and all applicants for employment will be required to complete an application form containing questions about their academic and full employment history and their suitability for the role.

The application pack will include a job description, person specification and application form. It also directs applicants to read the school's safeguarding policy on the website as well as information they can access relating to declaration of criminal convictions.

CVs on their own are not accepted.

The application documentation includes the following:

Where the role involves engaging in regulated activity relevant to children, the application documentation provided states that it is an offence to apply for the role if the applicant is barred from engaging in regulated activity relevant to children and will make it clear that the post is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

The application form includes:

- A section for information about DBS checks,
- A section for personal details, qualifications, experience and employment history
- A request for contact details of two referees.
- Statement of personal qualities and experience.

## **Shortlisting**

Shortlisted candidates are asked to sign a self-declaration of their criminal record or information that would make them unsuitable to work with children. Applicants can share relevant information and discuss this at interview prior to the DBS being received. If application form is not signed this is done physically at point of interview. Two people are always involved in shortlisting and where possible will be the same people who carry out the interview. As part of the shortlisting process the school will carry out an online search as part of our due diligence. Issues or incidents identified here are discussed at interview.

## **Proof of identity, Right to Work in the UK & Verification of Qualifications and/or professional status**

All applicants invited to attend an interview at the school will be required to bring their identification documentation such as passport, birth certificate, driving licence etc. with them as proof of identity/eligibility to work in UK in accordance with those set out in the Immigration, Asylum and Nationality Act 2006 and DBS identity checking guidelines. Documents used to verify right to work will be kept for the duration of the member of staff's employment and for 7 years afterwards.

Where an applicant claims to have changed their name by deed poll or any other means (e.g. marriage, adoption, statutory declaration) they will be required to provide documentary evidence of the change.

In addition, applicants must be able to demonstrate that they have actually obtained any academic or vocational qualification legally required for the position and claimed in their application form.

## **References**

References for shortlisted applicants will be sent for immediately after shortlisting. The only exception is where an applicant has indicated on their application form that they do not wish their current employer to be contacted at that stage. In such cases, this reference will be taken up immediately after interview.

All offers of employment will be subject to the receipt of a minimum of two references which are considered satisfactory by the school. One of the references must be from the applicant's current or most recent employer. This should be written by a senior person such as a Headteacher. If the current / most recent employment does / did not involve work with children, then the second reference should be from the employer with whom the applicant most recently worked with children. References will always be sought and obtained directly from the referee and their purpose is to provide objective and factual information to support appointment decisions.

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. Any discrepancies or anomalies will be followed up. The reference should be confirmed by the principal as accurate in respect of any disciplinary investigations.

The school verifies information with the person who provided the reference including ensuring electronic references are from a legitimate source.

The school does not accept open references, testimonials or references from relatives.

A Risk Assessment signed by the Principal will be carried out if school is awaiting references by the time a member of staff starts work and that person will be fully supervised.

## **At Interview**

The school will require candidates to account for any gaps or discrepancies in employment history on their application form.

Applicants are made 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.

There will be a face-to-face interview wherever possible, and a minimum of two interviewers will see the applicants for the vacant position. The interview process will explore the applicant's ability to carry out the job description and meet the person specification and ensure that the interview panel can satisfy themselves that the chosen applicant can meet the safeguarding criteria.

Any information in regard to past disciplinary action or allegations, cautions or convictions will be discussed and considered in the circumstance of the individual case during the interview process, if it has not been disclosed on the application form.

One member of any interviewing panel will have undertaken Safer Recruitment Training.

All applicants who are invited to an interview will be required to bring evidence of their identity, address and qualifications as stated on the application form. Original documents only be accepted and photocopies will be taken. Unsuccessful applicant documents will be destroyed six months after the recruitment programme.

Applicants may be observed during activity with children, where this is appropriate to the post. Information considered in decision making is recorded.

## **Record Retention / Data Protection**

The School is legally required to undertake the above pre-employment checks. If an applicant is successful in their application, the school will retain on their personnel file any relevant information provided as part of the application process. This will include copies of documents used to verify identity, right to work in the UK, medical fitness and qualifications.

This documentation will be retained by the school for the duration of the successful applicant's employment with the school and for 7 further years. All information retained on employees is kept centrally in the School Office. The same policy applies to any suitability information obtained about volunteers involved with school activities.

The school will retain all interview notes on all unsuccessful applicants for a period of 6 months, after which time the notes will be confidentially destroyed.

### **OFFER OF APPOINTMENT AND NEW EMPLOYEE PROCESS**

The following pre-employment checks will be undertaken:

- Receipt of at least two satisfactory references, one of which will be from the former or most recent employer
- Verification of the candidate's identity in line with the requirements of The Immigration, Asylum and Nationality Act 2006
- Satisfactory DBS clearance (Enhanced DBS check)
- Children's Barred List check
- Verification of the candidate's mental and physical fitness to carry out their work responsibilities
- Verification of qualifications
- Verification of teacher qualified status, successful completion of induction year and confirmation that the teacher is not subject to a prohibition order (all available via the DfE Employer Access online check service) as required by law for teachers
- Verification of the person's right to work in the UK including EU nationals.
- Verify that person taking up management position within the independent school is not subject to a section 128 direction made by the Secretary of State.
- Overseas checks carried out if applicable.

A personal file checklist will be used to track and audit paperwork and is kept in personal files.

### **Management positions**

Management positions include, but are not limited to, principal, assistant principals and other SLT posts. For these position checks are made that applicants are not subject to a prohibition from management (section 128) direction.

### **DBS (Disclosure and Barring Service) Certificate**

The School applies for an enhanced disclosure from the DBS and a check of the Children's Barred List (now known as an Enhanced Check for Regulated Activity) in respect of all positions at the school which amount to "regulated activity" as defined in the Safeguarding Vulnerable Groups Act 2006 (as amended). The purpose of carrying out an Enhanced Check for Regulated Activity is to identify whether an applicant is barred from working with children by inclusion on the Children's Barred List and to obtain other relevant suitability information. The school also ensures that the applicant is not barred from working with children under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

It is the school's policy that the DBS disclosure **must be** obtained before the commencement of employment of **any** new employee. Should this not be obtained the member of staff would need to be supervised at all times and a Risk Assessment completed and signed by the Principal. The RA should be revised fortnightly until DBS is in place. A barred list check must be undertaken before an applicant starts work.

Copies of DBS certificates are not normally retained by the school. If for any reason this is considered necessary they will only be held for a period not exceeding 6 months.

### **Portability of DBS Certificates Checks**

Staff may wish to join the DBS Update Service if they are likely to require another check in the future. Applicants may sign up to the Service if their check was issued after 17 June 2013 for a fee per annum, which is payable by the applicant.

If a person holds a DBS certificate and is transferring from another regulated employment with a break of no more than 3 months in service only a Barred List check will be made.

## **DBS Update Service**

Before using the Update Service the school will:

- obtain consent from the individual
- confirm that the DBS certificate matches the individual's identity
- examine the original certificate to ensure that it is valid for employment with the children's workforce
- ensure that the level of the check is appropriate to the job they are applying for.

## **Contractors and agency staff**

Contractors engaged by the school must complete the same checks for their employees that the school is required to complete for its staff. The school requires written confirmation that these checks have been completed before employees of the Contractor can commence work at the school. Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances. The school will also check verify the ID of the person presenting themselves for work.

## **Trainee/student teachers**

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out. Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

## **Volunteers**

All volunteers are supervised by a member of staff who are DBS checked and normally engaged in regulated activity. If the volunteer is unsupervised by a member of staff as above and engaged in regulated activity, the school would require an enhanced DBS check and a Children's Barred List Check completed. (The definition of regulated activity set out above will be applied to all volunteers unless they are supervised at all times).

Under no circumstances will the school permit an unchecked volunteer to have unsupervised contact with children.

## **Medical Fitness**

The School is legally required to verify the medical fitness of anyone to be appointed to a post at the school, after an offer of employment has been made but before the appointment can be confirmed. Medical information may be used to help the school to discharge its obligations as an employer e.g. so that the School may consider reasonable adjustments if an employee suffers from a disability or to assist with any other workplace issue.

All applicants are requested to complete a medical questionnaire and where appropriate a doctor's medical report may be required. 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.

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

## **Overseas checks**

Applicants must show proof of their right to work in the UK in accordance with the UK Visas and Immigration (UKVI). In addition, the school will make any further checks it thinks appropriate so that any relevant events occurring outside the UK can be considered.

This may include:

- criminal records check from the relevant country.
- Obtaining a letter (via the applicant) from the professional regulating authority to ensure they have not imposed any sanctions or restrictions.

Overseas checks will apply to any prospective employee who has lived and/or worked abroad for any amount of time within the last 10 years (or to the end period of each country's police record files).

Where this information is not available the school will seek alternative methods of checking suitability and or undertake a risk assessment that supports informed decision making on whether to proceed with the appointment.

### **Code of Conduct**

New members of staff will be given a staff handbook which contains school policies on safeguarding, equal opportunities, whistle blowing as well as a staff code of conduct which they should read and sign.

### **Induction Programme**

All new employees will be given an induction programme which will clearly identify the School policies and procedures, including the Child Protection Policy, the Code of Conduct and Part One of KCSIE, and make clear the expectations which will govern how staff carry out their roles and responsibilities.

### **Single Centralised Register of Members of Staff**

In addition to the various staff records kept in School and on individual personnel files, a single centralised record of recruitment and vetting checks is kept in accordance with the Education (Independent School Standards) Regulations 2014 requirements. This is kept up to date by the School Office and monitored by the SSL and DSL.

The Single Centralised Register will contain details of the following:-

- All employees who are employed to work at the School;
- All others who have been chosen by the School to work in regular contact with children. This will cover volunteers, peripatetic and agency staff.

### **Supervision of new staff**

Supervision can only be undertaken by someone who has themselves been fully checked for working in regulated activity.

On commencement of their employment new members of staff will be trained in safeguarding, equal opportunities and diversity and be required to read and understand the relevant policies. During their three months probationary period they will also be supervised by their line manager whose job it is to ensure their work with children is completely appropriate and raises no safeguarding concerns.

### **Existing staff**

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

There are concerns about an existing member of staff's suitability to work with children; or

An individual moves from a post that is not regulated activity to one that is; or

There has been a break in service of 12 weeks or more.

### **Annual Declaration Form**

All employees are required to complete an Annual Childcare Disqualification Self Declaration Form issued every September. This form requires the employee to confirm that there have been no changes which could affect their safe and efficient practice as an employee since employment commenced which have not been brought to the attention of the employer.

### **Monitoring and review**

This procedure is monitored by the Proprietors of the school and will be reviewed in line with the school's Policy review schedule.